The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. Wexton).

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC, August 3, 2021.

I hereby appoint the Honorable Jennifer Wexton to act as Speaker pro tempore on this day.

Nancy Pelosi,
Speaker of the House of Representatives.

PRAYER
The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Eternal God, we come looking for You, longing for Your deliverance, straining to hear Your promises. We approach You in prayer, waiting, perhaps even desperate, to hear a word from You.

How long must we endure before we receive Your comfort?

How long must we wait before we are assured of Your help?

Speak Your word of hope.

There are many who would fill the silence with their own words of pride and arrogance, lies and falsehoods.

When will You show judgment on their unfaithfulness?

Speak Your word of truth.

Those who persecute, jeer, and abuse without cause have consumed our energy and sapped us of strength. Speak Your word of comfort.

May we refuse to yield to the pressure to turn away from Your decrees. May we obey Your statutes and not forsake our trust in You. Speak Your word of guidance.

In Your mercy, revive us. Speak Your life-giving word.

O God, speak into this day and in all that it presents us, for we hope to hear Your word of love.

For it is in Your Word that we find our strength and in Your name we pray.

Amen.

THE JOURNAL
The SPEAKER pro tempore. Pursuant to section 11(a) of House Resolution 188, the journal of the last day’s proceedings is approved.

PLEDGE OF ALLEGIANCE
The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE
The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 2, 2021.

Hon. Nancy Pelosi,
Speaker, House of Representatives,
Washington, DC.

Dear Madam Speaker: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 2, 2021, at 2:00 p.m.:

That the Senate passed S. 1046.

That the Senate passed S. 1301.

That the Senate passed S. 2045.

That the Senate agreed to Relative to the death of the Honorable Carl Levin former United States Senator from the State of Michigan S. Res. 333.

With best wishes, I am,

Sincerely,

Cheryl L. Johnson,
 Clerk.

ADJOURNMENT
The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until Friday, August 6, 2021, at noon. Thereupon (at 10 o’clock and 3 minutes a.m.), under its previous order, the House adjourned until Friday, August 6, 2021, at noon.

E X E C U T I V E C O M M U N I C A T I O N S , E T C.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

EC–1825. A letter from the President of the United States, transmitting Notification of Designation of Funding as an Emergency Requirement, pursuant to Public Law 117–31, Sec. 606 (H. Doc. No. 117–53); to the Committee on Appropriations and ordered to be printed.

EC–1826. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter stating additional time will be needed to complete the report on end-strength levels for medical personnel for each component of the Armed Forces as of the end of the next fiscal year, pursuant to 10 U.S.C. 115a(e)(1); Public Law 116–92, Sec. 1701(b)(2); (133 Stat. 1795); to the Committee on Armed Services.

EC–1827. A letter from the Chair, Board of Governors of the Federal Reserve System, transmitting the Board’s semiannual Monetary Policy Report, pursuant to Public Law 106–569; to the Committee on Financial Services.

EC–1828. A letter from the Under Secretary, Natural Resources, Department of Agriculture, transmitting six notifications of a designation of acting officer, a nomination, and an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105–277, Sec. 151(b); (112 Stat. 2681–614); to the Committee on Oversight and Reform.

EC–1829. A letter from the Associate General Counsel, Department of Agriculture, transmitting the Secretary’s semiannual report, pursuant to Public Law 117–140; to the Committee on Appropriations and ordered to be printed.

EC–1830. A letter from the Under Secretary, Administration and Management, Department of Agriculture, transmitting six notifications of a designation of acting officer, a nomination, and an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 117–140, Sec. 606, 2021, at noon.

Thereupon (at 10 o’clock and 3 minutes a.m.), under its previous order, the House adjourned until Friday, August 6, 2021, at noon.
H.R. 4906. A bill to amend title 18, United States Code, to include doping fraud as a predicate offense for racketeering and money laundering offenses, and for other purposes; to the Committee on the Judiciary.

H.R. 4907. A bill to amend title 11 of the United States Code, to modify the debarment and disqualification of persons involved in discharging public debts and the dischargeability of debts for certain educational payments and loans; to the Committee on Education and the Workforce.

H.R. 4908. A bill to require the Secretary of Transportation to establish a grant program to increase the availability of electric vehicle charging infrastructure in environmental justice communities, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 4909. A bill to authorize the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 4910. A bill to provide grants to assist States in developing and implementing plans to address cybersecurity threats or vulnerabilities, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 4911. A bill to amend title XVIII of the Social Security Act to eliminate a deductible under the Medicare Advantage program that inadvertently penalizes Medicare Advantage plans for providing high quality care to Medicare beneficiaries; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 4912. A bill to amend chapter 190 of title 28, United States Code, to require businesses owned in whole or in part by the Chiapas Communist Party or other organs of the People's Republic of China to register an agent for the service of process in the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 4913. A bill to amend the Indian Health Care Improvement Act to expand the Purchasing Act to Taos Pueblo; to the Committee on Energy and Commerce.

H.R. 4914. A bill to impose sanctions against foreign persons and foreign governments in response to certain clandestine attacks on United States personnel, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 4915. A bill to define the terms "safety" and "infrastructure" as used in the Surface Transportation Act; to the Committee on Transportation and Infrastructure.

H.R. 4916. A bill to study the extent to which individuals are at risk of material mortality or severe maternal morbidity as a result of being a victim of intimate partner violence, and for other purposes; to the Committee on Energy and Commerce.

H.R. 4917. A bill to amend the Federal, Food, Drug, and Cosmetic Act to strengthen systems through which telehealth services may be furnished for payment under the Medicare program; to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 4918. A bill to amend title XVIII of the Social Security Act to include store-and-forward telemedicine and telecommunications systems through which telehealth services may be furnished for payment under the Medicare program; to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 4919. A bill to modify the penalties for violations of the Telephone Consumer Protection Act of 1998; to the Committee on Energy and Commerce.

H.R. 4920. A bill to establish a working group on electric vehicles; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Science, Space, and Technology, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 4921. A bill to improve the retirement security of American families by strengthening Social Security; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

H.R. 4922. A bill to amend the Internal Revenue Code of 1986 to expand the residential energy efficient property credit and energy credit, and for other purposes; to the Committee on Ways and Means.

H.R. 4923. A bill to prohibit Federal funding for educational agencies and schools whose students do not read certain foundational texts of the United States and are not able to recite those texts or that teach those texts are products of white supremacy or racism; to the Committee on Education and Labor.

H.R. 4924. A bill to direct the Administrator of the Federal Aviation Administration to ensure representatives of aviation communities participate in the NextGen performance-based navigation implementation process of the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 4925. A bill to amend title 49, United States Code, to expand the priorities of the Administrator of the Federal Aviation Administration in developing plans and policy for the use of the navigable airspace; to the Committee on Transportation and Infrastructure.

H.R. 4926. A bill to establish that no Federal statute is intended to preempt a cause of action against an airport maintained in any State small claims or superior court by any individual or city within 5 miles of an airport when an action is brought for noise or nuisance caused by ground-based noise in violation of a State statute as specified, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 4927. A bill to amend title 47, United States Code, to expand the priorities of the Administrator of the Federal Aviation Administration in developing plans and policy for the use of the navigable airspace; to the Committee on Transportation and Infrastructure.

H.R. 4928. A bill to require the Administrator of the Federal Aviation Administration to notify the public of proposed new flight procedures, and for other purposes; to the Committee on Transportation and Infrastructure.

H.R. 4929. A bill to establish that no Federal statute is intended to preempt a cause of action against an airport maintained in any State small claims or superior court by any individual or city within 5 miles of an airport when an action is brought for noise or nuisance caused by ground-based noise in violation of a State statute as specified, and for other purposes; to the Committee on Transportation and Infrastructure.
Congress has the power to enact this legislation pursuant to the following:

**Article I, Section 8, of the Constitution of the United States**

By Mr. McCAUL:

H.R. 4914.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Mr. McClINTOCK:

H.R. 4915.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States

By Ms. MOORE of Wisconsin:

H.R. 4916.

Congress has the power to enact this legislation pursuant to the following:

under Article I, Section 8, Clause 2 of the United States Constitution

By Mr. PALLONE:

H.R. 4917.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3: (The Congress shall have Power) To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ROSENDALE:

H.R. 4918.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. ROSS:

H.R. 4919.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

By Ms. ROSS:

H.R. 4920.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

By Ms. SANCHEZ:

H.R. 4921.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. SHERRILL:

H.R. 4922.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 or Article I of the Constitution of the United States of America.

By Mr. SMITH of Missouri:

H.R. 4923.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Ms. SPEIER:

H.R. 4924.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 4925.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 4926.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 4927.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 4928.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 4929.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SPEIER:

H.R. 4930.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Mr. STAUBER:

H.R. 4932.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. VELA:

H.R. 4933.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution. Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Ms. WILLIAMS of Georgia:

H.R. 4934.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. WITTMAN:

H.R. 4935.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. NEGUSE:

H.R. 4936.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

**PETITIONS, ETC.**

Under clause 3 of rule XII, petitions and papers were laid on the clerk’s desk and referred as follows:

PT-45. The SPEAKER presented a petition of the New York City Council, relative to Resolution No. 274, reaffirming Israel’s right to exist and take such actions as may be necessary to defend itself against outside attacks; to the Committee on Foreign Affairs.

**ADDITIONAL SPONSORS**

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 3: Ms. KUSTER, Mr. Higgins of New York, Mr. YARMUTH, Ms. WASSERMAN SCHULTZ, and Mr. NUNZIATA.

H.R. 97: Mr. SIRES.

H.R. 263: Mr. NORMAN.

H.R. 451: Mr. STAUDER.

H.R. 547: Mrs. HANSENBERGER.

H.R. 558: Mrs. CAMACK and Mr. JORDAN.

H.R. 605: Mr. KUSTOFF.

H.R. 690: Mr. CLARK of Massachusetts.

H.R. 906: Mr. MORELLE, Ms. WILD, and Ms. CHU.

H.R. 959: Mr. FOSTER and Mr. SCHNEIDER.

H.R. 1115: Ms. HERRELL, Mr. BENTZ, and Mr. SOTO.

H.R. 1179: Mr. PALLONE.

H.R. 1199: Mr. Kim of New Jersey.

H.R. 1346: Ms. ROTH-ALLARD, Mr. OWENS, Mr. DEUTCH, and Mr. EMMER.

H.R. 1348: Ms. SALAZAR.

H.R. 1381: Mrs. SPARZI.

H.R. 1611: Mr. AGUilar.

H.R. 1661: Mr. KILMER.

H.R. 1730: Mr. KUSTOFF and Mr. GUTTHEIMER.

H.R. 1749: Mr. ARRINGTON.

H.R. 1783: Mr. HORSFORD.

H.R. 1819: Mr. PETTERS.

H.R. 1846: Mrs. NAPOLITANO.

H.R. 1848: Mr. CLAYEVER.

H.R. 1861: Mr. KATKO.

H.R. 1946: Mr. TONKO and Mr. LAHOOD.

H.R. 1956: Mrs. NAPOLITANO.

H.R. 2244: Mr. GUTTHEIMER.

H.R. 2104: Ms. SLOTKIN and Mr. O’HALLERAN.

H.R. 2111: Mr. HARDER of California and Mr. GARBARINO.

H.R. 2125: Mr. MEeks.

H.R. 2144: Ms. BLUNT ROCHester and Mr. YARMUTH.

H.R. 2211: Mr. MOULTON.

H.R. 2222: Mr. CÁRDENAS, Mr. Himes, and Mr. CORREA.

H.R. 2249: Mr. Brown and Mr. Gooden of Texas.

H.R. 2299: Mr. GOHMIERT.

H.R. 2283: Mr. MALINOWSKI.

H.R. 2337: Mr. DOGGETT.

H.R. 2339: Mr. O’HALLERAN.

H.R. 2377: Mr. SCHAKOWSKY and Mr. ALLRED.

H.R. 2424: Mrs. RICE of Oklahoma, Ms. MCCOLLUM, Mr. JACOBS of New York, Mr. GOHMIERT, and Mr. TRONE.

H.R. 2517: Ms. O’MARA, Mr. WESTERMAN, and Mr. CRAWFORD.

H.R. 2558: Ms. SALAZAR.

H.R. 2568: Ms. RASKIN, Ms. LOFgren, Ms. CASTOR of Florida, and Mr. EYAN.

H.R. 2594: Mrs. CAROLYN B. MALoney of New York.

H.R. 2594: Mr. GARBARINO.

H.R. 2721: Mr. NOUSE and Mr. ESAPIllAT.

H.R. 2796: Ms. STANSBURY and Mr. NOUSE.

H.R. 2811: Mrs. TOrRES of California.

H.R. 2919: Mr. CARSON.

H.R. 2936: Mr. STAUDER and Mr. KATKO.

H.R. 2946: Mr. SMITH of New Jersey and Mrs. CAROLYN B. MALoney of New York.
H.R. 2975: Ms. ESCOBAR.
H.R. 3014: Mrs. MILLER of Illinois.
H.R. 3044: Ms. SHERRILL.
H.R. 3070: Mr. McKinley and Mr. Bilirakis.
H.R. 3085: Mr. CARTER of Georgia.
H.R. 3088: Mr. PERLMUTTER.
H.R. 3089: Mr. RYAN, Mr. DESAULNIER, Ms. MANNING, Mrs. HINSON, Mr. KILMER, and Mr. LONG.
H.R. 3134: Mr. ROSE, Mrs. CAMMACK, and Mrs. HARSHBARGER.
H.R. 3135: Mr. HARDER of California.
H.R. 3256: Mr. BURCHETT.
H.R. 3281: Mr. HARDER of California.
H.R. 3369: Mr. BENTZ.
H.R. 3402: Mr. SHAN PATRICK MALONEY of New York.
H.R. 3431: Ms. LEE of California.
H.R. 3463: Mr. TIMMONS.
H.R. 3474: Ms. LOIS FRANKEL of Florida.
H.R. 3491: Mr. O’HALLERAN.
H.R. 3519: Mr. THOMPSON of California.
H.R. 3525: Mrs. WATSON COLEMAN.
H.R. 3537: Mr. BURGESS, Ms. LETLOW, Mr. UPTON, Ms. SCHRIER, Mr. BUTTERFIELD, Mr. BENTZ, and Mrs. FISCHBACH.
H.R. 3580: Mr. PALLONE, Mr. TONKO, Mrs. BEATTY, and Mr. SMITH of Washington.
H.R. 3648: Mr. PRICE of North Carolina.
H.R. 3671: Mrs. HAYES, Ms. NORTON, and Ms. SCHAKOWSKY.
H.R. 3674: Mr. WESTERMAN and Ms. SPANBERGER.
H.R. 3688: Mr. MCKINLEY and Mr. BILIRAKIS.
H.R. 3778: Mr. AUCHINCLOSS, Mr. CASTRO of Texas, Mr. LOWENTHAL, Mr. MCGOVERN, and Mr. SOTO.
H.R. 3796: Mr. HEEN and Mr. CRAWFORD.
H.R. 3855: Mr. FITZPATRICK.
H.R. 3860: Mrs. CAMMACK.
H.R. 3888: Mr. GOOD of Virginia and Mr. VAN DREW.
H.R. 3876: Ms. LEE of California.
H.R. 3888: Mr. CARRAJAL.
H.R. 3896: Mr. BALDERSON.
H.R. 3907: Mr. GALLIBO.
H.R. 4024: Mr. NORCROSS.
H.R. 4079: Mr. NEAL, Ms. SÁNCHEZ, Mr. RYAN, and Mr. AUCHINCLOSS.
H.R. 4131: Mr. LOWENTHAL and Mrs. HAYES.
H.R. 4140: Mrs. HARSHBARGER.
H.R. 4233: Mrs. MILLER-MEEKS and Mr. MOULTON.
H.R. 4341: Ms. ROSS.
H.R. 4377: Mr. GABBARINO.
H.R. 4386: Ms. ROYBAL-ALLARD and Mr. WESTERMAN.
H.R. 4402: Mr. SMITH of Washington and Mr. LAMB.
H.R. 4407: Mr. GOTTHEIMER and Mr. SMITH of Nevada.
H.R. 4429: Mr. JONES.
H.R. 4437: Mr. FITZPATRICK.
H.R. 4443: Mr. LEVIN of California.
H.R. 4444: Mr. POCAN.
H.R. 4449: Ms. ADAMS.
H.R. 4510: Mr. YARMUTH.
H.R. 4563: Mr. RYAN.
H.R. 4568: Mr. WENSTRUP, Mr. SCALISE, Mrs. FISCHBACH, and Mrs. HARSHBARGER.
H.R. 4569: Mr. POCAH.
H.R. 4609: Mrs. KIM of California.
H.R. 4615: Ms. STRICKLAND.
H.R. 4632: Ms. STRICKLAND and Mr. Lynch.
H.R. 4668: Mr. BIGOS.
H.R. 4681: Mr. NADLER and Ms. ROSS.
H.R. 4722: Mr. CARE.
H.R. 4735: Mr. CRAWFORD, Mr. FITZPATRICK, Mr. MCKINLEY, Mr. STRICKLAND, Mr. WESTERMAN, and Ms. WILD.
H.R. 4755: Mr. TIMMONS, Mr. DANNY K. DAVIS of Illinois, Mr. RUSK, and Mr. LONG.
H.R. 4785: Ms. SHERRILL and Mr. CASTRO of Texas.
H.R. 4790: Mr. STEUBE.
H.R. 4828: Mr. STEUBE, Mr. JOYCE of Ohio, and Mr. RODRIGUEZ of Texas.
H.R. 4838: Ms. Jacobs of California.
H.R. 4852: Mr. BLUMENAUER.
H.R. 4856: Mrs. LESKO.
H.R. 4862: Ms. STEFANIK and Mr. WEBER of Texas.
H.R. 4898: Ms. CLARK of Massachusetts.
H.J. Res. 48: Mr. KRATEN.
H. Con. Res. 42: Mr. TIMMONS.
H. Res. 119: Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. NEWMAN, and Mr. VICENTE GONZALEZ of Texas.
H. Res. 336: Mr. SUOZZI.
H. Res. 417: Mr. WEBSTER of Florida.
H. Res. 549: Mr. KRATEN, Mr. QUIGLEY, Mr. McGovern, Mrs. HAYES, Mr. RUSK, and Ms. STRICKLAND.
H. Res. 551: Mr. TAYLOR.
The Senate met at 10:30 a.m. and was called to order by the Honorable Raphael Warnock, a Senator from the State of Georgia.

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

Let us pray.

God our shield, look with love upon us today. Enable us to go from strength to strength as we strive to live in day-tight compartments. Guide our Senators around the obstacles that hinder them from living for Your glory. As they seek to fulfill Your purposes for their lives, empower them to stand for right and leave the consequences to You.

Lord, give them the grace to seek You with their whole hearts, knowing that those who passionately pursue You will find You. May they daily surrender themselves to You through prayer and obedience as they remember that victory comes from You.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE
The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Leahy).

The senior legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Acting President pro tempore. The Senator from Maine.

Ms. COLLINS. I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, Senators continue to work through the bipartisan infrastructure bill here on the floor. Members from both sides want to be able to consider as many germane amendments as possible, but we want to work efficiently to allow those votes.

Yesterday was a positive day in that respect. Democrats and Republicans agreed to vote on three amendments, two of which were led by Republicans. Two bipartisan amendments—one led by Senators Thune and Tillis, another led by Senators Padilla and Moran—were adopted with over 90 votes.

We have one—potentially two—more amendment votes lined up this morning. We can hold even more amendment votes today if our Republican colleagues grant us the consent to do so.

The bottom line is this: The Senate can work through amendments rather efficiently when we have cooperation between the majority and the minority, as we have had in this bipartisan legislation. It can go rather slowly, of course, without that cooperation. In either case, the Senate is going to stay here until we finish our work.

I will conclude my remarks now in order to give time to the other Members waiting to speak, but I will come back to the floor shortly afterwards to join the chair and ranking member of the Rules Committee asking the Senate to award the Congressional Gold Medal to members of the Capitol Police force who defended us from a violent mob on January 6.

I yield the floor.

RESERVATION OF LEADER TIME
The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS
The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SURFACE TRANSPORTATION IN AMERICA ACT
The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3684, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3684) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Pending:
Ms. COLLINS. Mr. President, while we are awaiting others to come to the Senate floor, let me express my deep sorrow about learning of the deaths of two more police officers who responded to safeguard all of us in the Capitol on January 6.

My heart goes out to their families and their fellow officers, both here on Capitol Hill and also in the District of Columbia police force.

I am wearing a button that was given to me several years ago after the Capitol Police, once again, acted heroically. It says: “Thank you, Capitol Police.”

I hope each and every one of us will take time today to thank these courageous men and women who are working so hard to keep us safe and many of whom still bear the physical injuries and the emotional trauma of that dark day in our Nation’s history.

Mr. President, I would like now to turn to briefly speak about the broadband provisions that are included in the infrastructure package.

My friend and colleague Senator JEANNE SCHAEREN, from New Hampshire, and I worked with a number of our colleagues on both sides of the aisle to craft this package.

The pandemic that we have endured for more than a year laid bare the disparities in access to high-speed internet. It made it difficult for children to be educated online, impossible for some individuals to work at home, and removed the possibility of telemedicine consultations for some of our sick and seniors.

The fact is that approximately 29 million Americans still lack access to high-speed internet. We talk a lot in this bill about bridges and building bridges, and we do need to do that. Well, it is time for us to bridge America’s digital divide and build a 21st-century broadband infrastructure that will meet those needs not only today but for years to come, to be future-proof, if you will.

The bipartisan infrastructure plan invests $65 billion to address our Nation’s digital divide once and for all, and I would note that that is in addition to the previous funding that we provided in the COVID bills to help bridge the digital divide.

Also, in the March $1.9 trillion bill, there is language that was authored by Senator MANCHIN that allows States to use some of the allocation that they receive to invest in broadband. In addition, I am hopeful that we will consider and adopt an amendment that Senator CORNYN has authored that will give more flexibility to States to invest in broadband, using some of the allocation that they received.

Our bill, the bipartisan Infrastructure Investment and Jobs Act, would provide more than $42 billion in grants to States for deployment. It does not favor particular technologies or providers, and projects would have to meet a minimum download-upload build standard of 100 over 20 megabits per second.

The funding includes a 10-percent set-aside for high-cost areas, and each State, territory, and the District of Columbia would receive an initial minimum allocation, a portion of which could be used for technical assistance and supporting or establishing a State broadband office. In my State of Maine, the Governor has used some of those COVID funds in order to establish a new Maine Connect Authority that will be very helpful.

States would be required to prioritize deployment in unserved areas first. That is so important. Then they could move to underserved areas.

I talked to people recently from Swans Island off the coast of Maine. They desperately need access to broadband services, and they do not have it. I am thinking of what a difference it would make to the lives of the people who live on that island.

I have also talked to people in Northern Maine, for example, in the town of Easton, ME, where one family told me that it would cost $15,000 for them to be connected to the internet. They don’t have that kind of money. Few people in Maine do.

That is why there is another part of our bill that speaks to affordability, and in this provision, we plussed up to $14.2 billion. Additional funds would be devoted to subsidize broadband service for eligible households that meet needs-based criteria. An example would be eligibility for school lunches. This allocation of funds is so important to rural America as well as unserved areas in our inner cities.

The bill that we have before us includes $2 billion to support programs administered by the U.S. Department of Agriculture, including the ReConnect Program that provides loans and grants or a combination to fund the construction, acquisition, and improvement of facilities and equipment that provides broadband service in rural areas.

Supplementing that are private activity funds, where $600 million has been allocated. This is based on a bill that was introduced by Senator HASAN and Senator CAPITO, another bipartisan bill called the Rural Broadband Financing Flexibility Act. It would allow States to issue private activity bonds to finance broadband deployment, specifically for projects in rural areas where a majority of the households do not have access to broadband.

We also included an additional $2 billion for the Tribal Broadband Connectivity Program, which was established by the COVID bill that we passed in December and is administered by the NTIA in the Department of Commerce.

Grants from this program will be more eligible—will be made available to eligible Native American, Alaska Native, and Native Hawaiian entities for broadband deployment as well as for digital inclusion, workforce development, telehealth, and distance learning.

Our bill also includes $2.75 billion for the Digital Equity Act, which was introduced by Senators MURRAY, PORTMAN, and KING.

It establishes two NTIA-administered grant programs that would help communities that have not yet secured the skills, technologies, and support needed to take advantage of broadband connection.

In that regard, I would note an article that appeared this morning in Roll Call that is entitled “Equity advocates applaud infrastructure bill’s broadband provisions.” I am proud of that. We worked very hard to make sure that there was widespread support for this legislation, particularly the broadband “industry groups, equity advocates applaud infrastructure bill’s broadband provisions.”

We also included additional funding, $1 billion, for the so-called middle mile.

This would create a State grant program for the construction, improvement, and acquisition of middle mile infrastructure.

And I would note that eligible entities include telecommunications companies, technology companies, electric utilities, utility cooperatives, a wide range of businesses and organizations that could help us with that middle mile.

And that refers to the installation of a dedicated line that transmits a signal to and from the internet point of presence.

Competition of middle mile routes is necessary—completion of those middle mile routes is necessary to serve areas and reduce capital expenditures and lower operating costs.

So originally we had $500 million for this; the final package has $1 billion, at the request of certain Members from the Presiding Officer’s side of the aisle.

So my point is that the broadband provisions in this bill are going to make such a difference. We are in an era where, I think most of us would agree, that access to high-speed internet is another way that we connect, just as roads and bridges are ways that we connect. We connect to family members; we connect to friends; we connect to our colleagues at work; we connect to healthcare providers; we connect to educators; and it is absolutely essential that we make this investment, and it is a generous investment, so that we can eliminate the disparities that were laid bare by the pandemic and bring high-speed internet to every section of our country.

The technologies may differ, the providers will certainly not be the same,
but this investment will make a real difference to so many Americans who today still lack access to high-speed internet.

I see the Republican leader has arrived on the floor.

Mr. MCCONNELL. Mr. President, it has been a little more than 6 months since the Biden administration and our Democratic-led Congress were sworn in. So let's zoom out from the daily political drama and ask the simplest possible question: How is it going? How is the leadership working out for middle-class families? Or put more directly: What big aspects of our national life could Democrats even claim are headed in the right direction on their watch?

In January, our Democratic friends inherited the officials have spent far lines that any incoming administration could possibly ask for: Three safe and effective vaccines had been discovered, developed, and were already spreading across our country. Our economy was packed with dry powder and ready for a historic comeback. It was already morning in America when this Democratic government showed up. Mostly what they had to do was not get in the way.

So where are we 6 months in? The U.S. economy has broken some recent records, mostly the wrong ones. Inflation just clocked its steepest 12-month increase in more than a decade. The month before, a separate measure of core inflation rose at its fastest rate since 1992—higher gas prices, higher grocery prices, soaring costs for everything from household purchases, to automobiles, to housing itself.

Inflation is painful enough, but it isn't the only problem. Employment growth has not been fast enough. Last quarter, GDP grew much more slowly than anticipated. Six months and trillions of dollars of government spending into the Democrats’ efforts at a recovery, and Gallup says America’s economic confidence is still only neutral. We are not—we are not—where we need to be.

What about the rule of law? There is still a historic surge in people trying to come across our southern border, but administration officials have spent far lines that any incoming administration could possibly ask for: Three safe and effective vaccines had been discovered, developed, and were already spreading across our country. Our economy was packed with dry powder and ready for a historic comeback. It was already morning in America when this Democratic government showed up. Mostly what they had to do was not get in the way.

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Senator BLUNT, the ranking member of the Rules Committee, for working so hard on this. And I want to commend the House and Speaker PELOSI and the House Members who voted for it as well.

Now I must mention that I am still stunned by what happened in the House, where 21 Members of the House Republican caucus voted against this legislation. The Senate is different. I expect this to pass unanimously. That is what we are doing today. But those folks in the House were some of the same folks who likened the January 6 attack to “a normal tourist visit,” who deny the events that day were an insurrection. The same folks who screamed the loudest about the dangers of defunding the police refused to defend the police—the very police that shielded them—from the vicious mob on January 6.

For the life of me, I don’t know how they can be allowed to do that.

That is one of the many reasons this gold medal is so important. The gold medal is about setting the record straight and recognizing the true heroism on display that fateful day.

My colleagues, we have a moral obligation to never forget what our first responders faced down. A mob of White supremacists and domestic terrorists stormed the barriers with vicious force, using flag poles as spears and fences as battering rams. Capitol Police officers were swarmed, beaten, crushed between the doorways, and tasered repeatedly. One hundred forty officers were assaulted that day. Fifteen required hospitalization. Seven people have lost their lives in connection with this attack.

Just this week, sadly—I read this story and I ached—two more police officers took their own lives, heaping tragedy upon tragedy. These past 6 months have been the hardest in the history of the Capitol Police Force. And yet they still keep watch. They still stand guard. They do their jobs every single day with professionalism, excellence, and grace.

Awarding the Congressional Gold Medal is a way to commemorate their sacrifice and make sure that the truth of January 6 is recognized and remembered forever.

To our Capitol and Metropolitan Police, thank you, thank you, thank you for all that you do. This recognition is the very least you deserve.

Once again, I want to give real praise to my colleague from Minnesota as I yield to her. She has done an amazing job as head of the Rules Committee in many different ways and this is one of many. And I want to thank Senator BLUNT who always works in a spirit of bipartisanship. I am in quite a bipartisan week here, and that is a good thing.

Senator KLOBUCHAR.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank Senator SCHUMER for his leadership.

With that said, we in the Senate were able to come unanimously behind this important, important resolution, which I will describe in a minute. I also thank Senator MCCONNELL, and I certainly thank my friend Senator BLUNT for bringing it forward.

We must pass this legislation honoring the Capitol Police and other heroes who protected the Capitol on January 6 by awarding them this Congressional Gold Medal.

Senator KLOBUCHAR joined me from the beginning in sponsoring the Senate version of this legislation and worked with me on the Rules Committee. And I thank the Presiding Officer, Senator PADIO, for his great service on that committee to continue the work of getting to the bottom of the security planning, and response failures that we saw on January 6.

While that work goes on, it is important that we recognize the bravery and patriotism of those who defended our democracy in their work every day.

We will never forget the haunting shrieks of the police officer pinned in between the doors at the hands of rioters, or the officer who never forgot Officer Dunn, who told his story again last week at the House select committee, recounting how he fought against the violent mob for hours and after it was all over, broke down in tears, telling fellow officers in the Rotunda that he had been called the N-word multiple times that day. And he looked at his friend, his fellow officer, and said: “Is this America?”

These medals today, these Congressional Gold Medals, one in this Capitol, one in the House, as well as a new Sargent at Arms, one in the Senate, one in the House, as well as a new Police Chief, Chief Manger, whom I just met with for a lengthy period of time yesterday to go over all of our recommendations. By the end of the year, I will appear in this Chamber with a checklist to make sure that they are either done being implemented or in the process of being implemented to be done soon.

Another key priority that we called for in our report was advanced last week when the President signed into law, as I said, all of the funding that we need. And what that includes that I didn’t mention, $4.4 million for mental health support for Capitol Police officers and the many officers who are still dealing with, as we can see, with trauma to this day.

Passing this bill, which, of course, already passed the House—and, yes, I agree with Senator SCHUMER about how it is impossible to understand why some people voted against it, but it still passed with bipartisan support—is another step forward to honor the heroism and sacrifice of our law enforcement.

Those medals, when little kids walk by and see them at the Smithsonian, their parents are going to be able to tell them this happened. This attack happened, and there were brave police officers and staff and others in this...
I hope, by passing this Congressional Gold Medal bill by unanimous consent, we send a clear message to law enforcement officers that we are united in our appreciation of all they do to keep us safe.

I urge my colleagues to join not only in supporting the unanimous passage of this bill but also to be quick in talking about our deep appreciation for those who serve in such a special way as we try to do our work here every day.

I yield. The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration and the Senate proceed to the immediate consideration of H.R. 3325.

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

The legislative clerk read as follows:

A bill (H.R. 3325) to award four congressional gold medals to the United States Capitol Police and those who protected the U.S. Capitol on January 6, 2021.

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

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senate voted last week to bring Tracy Stone-Manning's nomination to the Senate floor. It is difficult to know exactly what President Biden was thinking when he decided to nominate Ms. Stone-Manning for Director of the Bureau of Land Management. Perhaps the administration's vetting wasn't thorough enough. Or it is pretty difficult to understand why the President would nominate an individual with ties to an ecoterrorist organization—an ecoterrorist organization—to head the Bureau of Land Management.

That is not all. She was actually involved in a tree-spiking plot during her time in graduate school, sending a threatening letter to the U.S. Forest Service at the request of one of the individuals involved in spiking trees in an Idaho forest.

Tree spiking, as many know, involves hammering spikes into the trunks of trees to cripple chain saws or the equipment at the sawmill where the trees are processed. It poses a significant threat to logging and mill equipment, but most seriously, it poses a threat to human life.

In a famous incident, a worker at a lumber mill in California was engaged in splitting logs when his saw hit a spiked log and the saw exploded. He will let a Washington Post story covering the incident speak for itself, and I quote from the Washington Post, as follows:

"He was nearly three feet away when the log hit his saw and the saw exploded. One half of the blade stuck in the log. The other half hit Alexander in the head, tearing through his safety helmet and face shield. His face was slashed from eye to chin. His teeth were smashed and his jaw was cut in half. Alexander had never even heard of a sabotaged tree, called a "tree spike."" Someone who objected to tree cutting had imbedded a
huge steel spike in the log that violently jammed the saw.

Then the Washington Post continued, and I quote again:

Tree spikes are among the most vicious of the stray-poking tools. When the tree is still in the forest, the spike is driven in at an angle so the head is hidden in the bark. It can shatter a chain saw on impact, sending pieces of razor-sharp metal into the victim. It is very hard for me to believe that we are seriously considering confirming an individual to head the Bureau of Land Management who was in any way involved with tree spiking.

Furthermore, Ms. Stone-Manning apparently initially refused to cooperate with the subsequent investigation into the tree-spiking incident, only coming clean after it became clear that she could face criminal charges for her role in the incident. Equally troubling is the less-than-forthright response that she provided to the Senate on her nominee questionnaire about whether or not she had ever been investigated by a law enforcement organization.

Ms. Stone-Manning’s involvement in the tree-spiking incident is not the only reason to be concerned that she has extremist views. As a graduate student, she also argued for population control, in one instance referring to a child as an “environmental hazard.” Last year, she took advantage of Twitter to promote an article her husband wrote in which he expressed satisfaction at the idea of seeing homes people have lived in for generations burn in fires.

President Obama’s first Bureau of Land Management Director withdrew his support for Ms. Stone-Manning’s nomination over her involvement in the tree-spiking plot. A Deputy Director at the BLM under President Clinton also expressed his concern over the nomination, noting:

Much of the focus seems to be whether this is a Democrat or Republican thing, but the lens I think is as a 35-year career person in both agencies. . . . [Y]ou need the career employees to implement your agenda successfully across the West. Your leadership is respected by career employees and across the landscape, in both blue and red states.

His point is well-taken. How are BLM employees and the many Americans who regularly interact with the Bureau of Land Management going to feel about working with Ms. Stone-Manning? Our public lands are used for a variety of purposes, including recreation, livestock grazing, and timber harvesting. What kind of attitude should we expect from Ms. Stone-Manning to display toward timber harvesting? Is this really the best President Biden can do when it comes to the Director of the Bureau of Land Management?

As 75 House Republicans said in a letter to President Biden urging him to withdraw the nomination, “There is no doubt that someone with this history of extreme, violent views should not be in a position of authority at an agency responsible for managing 242 million acres of federal lands and 700 million acres of mineral estate.”

I wish I could say that Ms. Stone-Manning’s nomination is an aberration, but, in fact, President Biden has nominated a number of candidates with extremist views for various offices.

Last week, we voted on his nominee to head U.S. Citizenship and Immigration Services, a nominee who failed to receive even a single bipartisan vote in committee, due in part to her refusal to say she won’t completely bypass Congress when fashioning policies to deal with those who are in the United States unlawfully.

Then there is the President’s nominee for head of the Bureau of Alcohol, Tobacco, Firearms and Explosives, David Chipman, whose’ main interest seems to be targeting law-abiding gun owners and who has communicated a clear disdain for gun owners in public remarks. This nominee was also apparently the subject of a complaint for making racist remarks while working at ATF.

Then there are the multiple President Biden nominees now serving in the Department of Justice who have publicly expressed their support for defunding the police. In his support for Ms. Stone-Manning’s nomination, noting:

I suppose it is no real surprise that President Biden nominated an individual to the Bureau of Land Management who once referred to a child as an “environmental hazard” when you consider who he nominated to head up the Department of Health and Human Services.

HHS Secretary Xavier Becerra’s rabidly pro-abortion views put him far to the left of the majority of Americans. Polls consistently show that a strong majority of Americans believe that the left of the majority of Americans. Polls consistently show that a strong majority of Americans believe that there should be at least some restrictions on abortion. President Biden’s HHS Secretary doesn’t seem to support that position, and if he does, I would sure like to hear about them. During his time in the House of Representatives, Secretary Becerra repeatedly voted against banning partial-birth abortion, an abortion procedure so heinous that I think most Americans would rightfully shrink from seeing it performed on an animal, let alone a human being.

As I said, given that, I suppose it is not too surprising that President Biden nominated an individual to the Bureau of Land Management who once described a child as an “environmental hazard.”

President Biden tends to present himself as a moderate and someone who will bring people together. He said in his inaugural address: “I pledge this to you: I will be a President for all Americans.” In practice, however, too often he has seemed to be a President for the far-left wing of the Democratic Party.

I hope that my Democratic colleagues will think twice before confirming Ms. Stone-Manning as head of the Bureau of Land Management. Involving with ecoterrorism should be a disqualifying factor for heading up this Agency.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. CARPER. Mr. President, as we work to pass this bipartisan Infrastructure Investment and Jobs Act to upgrade and modernize our country’s infrastructure, I am glad to be here joining Senator LummiMS to introduce this amendment to include our Highway Cost Allocation Act.

As a former engineer and astronaut, my career has taught me about the importance of having the data to tackle a complex issue. This bipartisan amendment would require the Secretary of Transportation to conduct the first comprehensive study of vehicle highway usage in nearly 25 years. This information would inform decisions to address the Highway Trust Fund’s revenue shortfalls during its next reauthorization cycle.

That is important for growing States, like Arizona and other Western States, and for our entire country, so I urge my colleagues to support this bipartisan amendment.

I yield back.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that Senator Carper and I be allowed to speak briefly just before the amendment.

Senator CAPITO.

The PRESIDING OFFICER. Without objection, it is so ordered.
Mrs. CAPITO. Mr. President, I rise to support this amendment. This amendment, as we know, would require the Department of Transportation to conduct a highway cost allocation study—the first one since 1997. Vehicles are different than they were in 1997, and roadway use has increased significantly. This study will help us to analyze the direct cost of highway use by different types of users, and then compare that to user fee revenue contributions to the Highway Trust Fund.

This is about gathering roadway use information to inform decisions to address the Highway Trust Fund shortfalls. I encourage my colleagues to vote yes on the Lummis-Kelly-Cornyn amendment. Thank you.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I want to join my voice with that of Ranking Member Senator Carper and say I rise in support of the amendment offered by Senator LUMMIS, Senator CORNYN, Senator KELLY to direct the U.S. Department of Transportation to conduct a highway user cost allocation study, that we are going to vote on here in just a minute or two.

A cost allocation study helps determine the costs in terms of road use and damage that are attributable to the different types of vehicles that use our roads. This study will evaluate the weights and miles that are traveled in each class to determine the use and damage done to roads, and then compare them to the amount paid in user fees to the Highway Trust Fund.

This cost allocation will help Congress ensure that our vehicles pay their fair share. I strongly urge my colleagues to support this very worthy amendment.

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. I ask unanimous consent that the order for the quorum call be rescinded. The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. CARPER. Mr. President, I ask unanimous consent that the following amendment be called up to the substitute and be reported by number: No. 1. Lee No. 2255, substitute; further, that following the vote on amendment 2181, the Senate vote in relation to the Lee amendment with no amendments in order to the amendment prior to a vote in relation to the amendment, with 60 affirmative votes required for adoption, and 5 minutes for Senator Lee and 1 minute for myself for debate prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2255
(Purpose: In the nature of a substitute.)

The PRESIDING OFFICER. The clerk will report the amendment by number.

The legislative clerk reads as follows:

"The Senator from Delaware [Mr. CARPER], for Mr. LEE, an amendment numbered 2255 to amendment No. 2137.

"(The amendment is printed in the RECORD of August 2, 2021, under "Text of Amendments.")"

ORDER OF BUSINESS

Mr. CARPER. As a result of this agreement, there will be two rolcall votes. The first vote will be on the Lummis-Kelly amendment No. 2181. The second vote will be on the Lee amendment No. 2255. We continue to work on scheduling additional votes following the caucus lunches.

VOTE ON AMENDMENT NO. 2181

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to the Lummis-Kelly amendment No. 2181.

Ms. LUMMIS. 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. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 95, nays 3, as follows:

(Rollcall Vote No. 294 Leg.)

YEAS—95
Balduin
Reese
Barrasso
Risch
Bennet
Romney
Blackburn
Ron Wyden
Blumenhal
Rosed
Blunt
Round
Boozman
Sanders
Burr
Sasse
Canwell
Schumer
Cardin
Scott (RI)
Capito
Scotch (SC)
Carper
Shaheen
Casey
Shelby
Cassidy
Sinema
Collins
Smith
Cornyn
Stabenow
Cortez Masto
Stabenow
Cotton
Stefanow
Cramer
Suillivan
Corzine
Tester
Cornyn
Thune
Crapo
Tillis
Cotton
Tillis
Daines
Tomney
Daines
Tyson
Damien
Van Hollen
Duckworth
Warner
Durbin
Warren
Ernst
Warren
Feinstein
Whitehouse
Fischer
Wicker
Fizhbrant
Wygren
Graham
Young

The PRESIDING OFFICER (Ms. SINEMA). On this vote, the yeas are 95, the nays are 3.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The amendment (No. 2181) was agreed to.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 2255
Mr. LEE, Madam President, infrastructure is important. We all need it. We rely on it to get to and from our homes, to and from work. We rely on it for our day-to-day needs. It has to be there. Not all of it has to be Federal, and what is Federal can be made more efficient. My amendment today is directed at exactly that set of objectives.

It would finally resolve the fiscal insolvency of the highway trust fund and give Americans a tax cut. It would allow Americans to pay less and Federal, State, and local governments to build more. Pay less and build more is what is the emphasis of this entire amendment. We should pay less for what we need, and we should build more of it.

Specifically, my amendment would transfer $120 billion in unused COVID-19 funds to the highway trust fund. It returns the scope of the highway trust fund dollars so that they can be used only for projects on the Interstate Highway System. This was, after all, why the gasoline tax was created, and it ought to be what we use it for today.

And after all, most roads are not interstate, and most systems are not the Interstate Highway System. The Federal Government doesn’t need to do all of it.

And, in fact, what we find is that, while States and localities do infrastructure, they can do so more efficiently, far less expensively as a result of the Byzantine labyrinth of Federal regulations that you have to comply with as soon as you are doing any kind of a road project that involves even a single dollar of Federal funds. My amendment also requires a 5-year plan to pay off all of our highway trust fund’s outstanding obligations.

And, on day one, my amendment reduces the fuel tax from 18.4 cents to 7 cents on gasoline and the diesel tax from 24.3 to 8.3 cents to keep pace with the current spending needs of the Interstate Highway System.

We also can’t forget the burdensome Federal regulations and intervention that balloon the costs of our country’s infrastructure projects. The Competitive Enterprise Institute has estimated that Federal regulations and intervention cost American consumers and businesses nearly $2 trillion annually. We know that Federal infrastructure projects, there are a multitude of Federal regulations that drive up the cost of each project by as much
as 20 percent, in many cases more like 30 percent, and I am told, in some cases, even more than that.

Ultimately, we drive up infrastructural costs when we make the projects Federal. It doesn’t need to be this way, because most of these are not Federal projects. That is why my amendment also addresses two key regulatory challenges in our infrastructure context.

One, it reforms the NEPA process to reduce NEPA-related litigation. It reforms NEPA so that our infrastructure money actually goes to NEPA rather than resulting in endless delays brought about by NEPA and NEPA-related litigation.

Two, it repeals the Davis-Bacon wage requirements that artificially increase the labor costs beyond what the market demands—labor costs that are especially important and hard felt right now given the labor shortage. The Senate has a choice today. You can choose to pay less and build more.

You can offer Americans a tax cut—a tax cut that will affect poor and middle-class Americans most acutely, most immediately, most directly—and it will also simultaneously provide long-term solvency to the highway trust fund and lower the costs of our Nation’s infrastructure projects.

Or, alternatively, if you don’t want to vote for this, you can choose our current path, which is to continue to saddle the American people with debt, more inflation, financial insolvency, and more inevitable taxes. You can also vote against it and choose to continue the current practice of allowing for endless, needless, pointless delays in our infrastructure projects that really harm Americans.

Look, at the end of the day, we just want more of our tax dollars going into funding steel and concrete to go into the ground so that America’s moms and dads can choose to pay less and build more. The PRESIDING OFFICER. The Senator from Delaware. Mr. CARPER. Madam President, I, too, rise in opposition to Senator LEE’s amendment. This amendment does not reform the Federal-aid highway system as we know it; it eliminates it. It eliminates the Federal funding that each of our States relies on to build, repair, and to maintain our Federal highways. It would strike the entire surface authorization in this bill before us and replace it with an interstate highway-only budget with top-line funding of less than $20 billion over 5 years.

At a time when we already have some 45,000 structurally deficient bridges in our Nation, this amendment would leave American travelers at risk due to serious and dangerous structural issues. Senators have come together, Democrats and Republicans, to bring this infrastructure bill to the floor because we recognize that States are in need of serious investment to rebuild our crumbling infrastructure.

This is not a partisan issue. On the Environment and Public Works Committee, where Senator CAPITO and I lead, we voted unanimously to advance a highway bill out of committee on a bipartisan vote—20 to 0. That bill increases the top-line funding for our highway Federal programs by 34 percent to a little over $300 billion—the highest amount of highway funding ever authorized by this Congress—and it is much needed.

Senator LEE’s amendment would go in the exact opposite direction, unfortunately. It would reduce the funding in our bill to less than $20 billion. That is a cut of about 56 percent. The PRESIDING OFFICER. The Senator’s time has expired.

The PRESIDING OFFICER. The Senator from Oklahoma (Mr. INHOFE). The result was announced—yeas 20, nays 78, as follows:

[Table of votetotals]

The PRESIDING OFFICER. On this vote, the yeas are 20, the nays are 78. Under the previous order requiring 60 votes for adoption of this amendment, the amendment is not agreed to.

The amendment (No. 2255) was rejected.

The PRESIDING OFFICER. The Senator from Mississippi.

MR. WICKER. Madam President, at this time I ask unanimous consent that the Senate recess until 2:15 p.m.

There being no objection, the Senate, at 1:12 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SURFACE TRANSPORTATION IN AMERICA ACT—Continued

The PRESIDING OFFICER. The Senate from Vermont.

MR. SANDERS. Mr. President, as a former mayor, I have a sense as to how important physical infrastructure—roads, bridges, water systems, waste-water plants—are, and I am delighted that we are finally beginning to address our long-neglected physical infrastructure. That is enormously important.

But I will tell you what is even more important, and that is to address the human infrastructure, the needs of the
working class of this country, the middle class of this country, the low-income people of our country, whether they are Black or White or Latino or Native American, Asian American—needs that have been neglected for decades.

It is no secret to the American people that, for a very long time, the U.S. Congress has paid keen attention to the needs of the people on top. Yet we have turned our backs on millions of people who are struggling to put food on the table, to take care of their kids, to take care of their parents. And on top of that, obviously, we have ignored the great existential crisis of our time, and that is climate change.

And the result of all of that is that, today, the gap between the very, very rich and everybody else is wider than it has been in 100 years. Today, you have two people—two people—who have more wealth than the bottom 40 percent. And for many of our billionaire friends, who they are increasingly unconcerned about what happens here on Earth because they are off in outer space. But some of us who go home every weekend to our States and our districts, we kind of are worried about what is going on down on Earth and the needs of working families.

So, Mr. President, as you know, as soon as we address this bipartisan physical infrastructure bill, we are going to move toward what I consider to be the most consequential pieces of legislation for working families since FDR, the New Deal, and the Great Depression. And we are going there and addressing the needs of working families because we understand that real wages for workers have not gone up in 50 years. An explosion of technology, an explosion of worker productivity, and yet, in real inflation accounted-for dollars, many workers today are not making a nickel more than they did 50 years ago.

We are taking forward on the reconciliation bill to address the needs of the working class because, in the richest country in the history of the world, it is unacceptable that half of our people are living paycheck to paycheck. They go to work, and at the end of the week they have got nothing in the bank, and maybe they are even further behind because they can’t afford their healthcare needs, the rent, and the educational costs of their children.

We are going forward and pass this legislation because the time is long overdue for the U.S. Congress to begin to make sure the American people understand that our job is not just to represent the corporate elites and wealthy companies; the most consequential thing we can do is address the needs of the struggling men and women of our country.

On top of all of that, it would be in comprehensible to the people of our country who turn on the TV and they see the west coast burning; they see the drought in the Midwest; they see the floods all over Europe; Australia on fire—it would be incomprehensible and a real crime against future generations if we did not finally address, in a significant way, the existential threat not only to our country but to the world in terms of climate.

And I wanted to add a little bit about something that the Budget Committee has done and what is going to be in that reconciliation package because my friends here in the media are very concerned about process, which is fine, but the American people want to know: Hey, what is the Congress going to do that is going to do to improve my life, my children’s lives, my parents’ lives? What are we going to do to save the planet?

For a start, we understand that it is absolutely imperative to end the obscurity of some of the wealthiest people in this country and the largest corporations, in a given year, not paying a nickel in Federal income taxes.

So what we have seen in the pandemic, where, in recent years the very, very wealthiest people becoming phenomenally richer. And then there are studies that are coming out that show that, in a given year, some of the very wealthiest people in this country—multi, multi-billionaires—are not paying a nickel in Federal income tax.

At a time when corporate profits are soaring, we are seeing many major corporations making billions a year, also not paying a nickel in Federal income tax. And we are also seeing the pharmaceutical industry, which is enormously profitable, which charges our people the highest prices in the world for the prescription drugs that we desperately need—we are seeing a situation where they can charge us anything they want because of the power of their lobbyists and their campaign contributions. And we are going to put an end to that as well because we are going to demand that Medicare start negotiating prescription drug costs with the pharmaceutical industry.

So my Republican colleagues say: Well, they are going to be raising taxes.

Yes, we are going to be raising taxes on billionaires and on large, profitable corporations, and we are going to demand that the pharmaceutical industry stop ripping us off. But we are adhering to President Biden’s belief, which I share, that nobody earning less than $100,000 a year should pay a nickel more in taxes. We are going to do exactly what the American people want us to do and tell the billionaire class that they are going to have to start paying their fair share of taxes.

What else are we going to do, and what are we going to use that money for? We are going to use that money to start protecting the needs of our children, working families, and the elderly. I think many Americans now see what public policy can mean in their lives because we are providing a $300-a-month check per child. The United States has the highest rate of child-

hood poverty of almost any major country on Earth. That is a disgrace, and it should be unacceptable to every Member of the Senate. Well, we are going to end that.

I am very proud to say, Mr. President, as you know, that as a result of the 1-year child tax credit extension, $300 per child, we have reduced childhood poverty in America by 61 percent. Parents all over—in Vermont, California—now have the ability to make ends meet for their children. Our job in reconciliation is either to make that $300 a month permanent, which I would like to see, or at the very least extend it for a number of years.

Furthermore, in the United States of America, every person in this Chamber should be disgusted by the dysfunctionality of our childcare system. This is not 1950. Mom is going out to work. Dad is going out to work. And virtually, does that. In America, I have met with women, low-income women, who give birth, and then they have to go back to work in a week or two because they don’t have the money to stay home. We are going to end that. We are going to have, as a nation, guaranteed paid family and medical leave.

We are going to address the reality that many of our younger people are unable to obtain the good-paying jobs that are out there because they lack the higher education.

Now, I myself will go further than this bill is going to go. I think time is long overdue to make public colleges and universities completely free. We are going to cancel all student debt. That is what is in this bill. But what is in this bill says that, at the very least, every American will have the right to get 2 years of community college, and they can use that to get the training they need, to get the good jobs. Maybe it is nursing. Maybe it is something else. But they will also get the credits they need so they can transfer into a 4-year school, making a big step forward in getting young people the ability to get the training they need and the education they need to obtain the good-paying jobs that are out there.
Mr. President, I know that you are aware that right here in this country, right here on Capitol Hill, Washington, DC, you have people sleeping out on the street, and they are sleeping out on the street in every State in this country. In fact, we have almost 600,000 people sleeping out on the streets of the wealthiest country in the history of the world. Well, this legislation will create millions of jobs in housing and in other areas because we are going to build the lower income and affordable housing that is much needed.

It is not only homelessness. You have 18 million households spending 50 percent of their limited incomes on housing. We need to build low-income and affordable housing, and when we do that, we will create a heck of a lot of good-paying jobs.

Just today, I talked to a gentleman whose wife is very, very ill and who is having a hard time affording the home healthcare that he is paying for.

We are a society, and whether people have severe disabilities or whether they are just getting old, people would rather stay at home in many cases rather than be forced into nursing homes. What our legislation will do is improve the home healthcare in this country and make sure that those people who provide that important service, difficult service, are adequately compensated.

I know that many of my Republican colleagues don’t believe that climate change is real, don’t believe that we should do anything about it, but they are dead wrong. And we cannot go home and look our children and grandchildren in the eye knowing what we know, knowing that in many ways, the climate crisis turns out to be worse than what scientists predicted it would be.

Climate ordinarily changes over thousands of years, hundreds of years. We are change in climate with our own eyes year by year. It is frightening. And if people think that the forest fires in Oregon, California, Montana, and elsewhere are an aberration, that they are once-in-a-lifetime, you are wrong. Everything being equal, we will see worse in years to come.

The truth is, what makes this crisis so difficult, we can’t solve it alone. We are going to have to work with China and India and Europe. We have to bring the world together to save this planet for our kids and future generations.

This legislation takes an important step forward. It doesn’t go as far as it should, but it is a major step forward in transforming our energy system away from fossil fuel to energy efficiency and sustainable energy.

I know we will be hearing from my Republican colleagues who are very upset that this will be a partisan bill, which it will be, but let me remind them that they use the so-called reconciliation process recently in two areas—two areas.

No. 1, they thought it important to go forward in a partisan way, without Democratic support, for the enormously important goal of giving massive tax breaks to billionaires and large corporations. That is how they used the reconciliation process.

Well, we have a little different idea. We aren’t using the reconciliation process and the 50 votes we have with the Vice President to protect the working families of this country, not the billionaire class.

The other effort that they made in terms of reconciliation was to try—and they came within one vote of doing it; the late John McCain—they would have thrown up to 30 million Americans off of healthcare by ending the Affordable Care Act.

So they have used reconciliation, and we will use it, except we are going to use it to protect ordinary Americans—the children, the elderly, the sick, and the poor—rather than just the very wealthy or the pharmaceutical industry.

We are now in the midst of a debate over the physical infrastructure, the bipartisan bill—very important. We need to rebuild our roads and bridges, but most importantly, we need to address the crises facing working families all over this country. When we go forward and do that, when we protect our children and the elderly and the environment, we are going to create millions of good-paying jobs. But we need to work rebuilding this country in a way that is long, long overdue.

I yield the floor. I suggest the absence of a quorum.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARRASSO. 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. BARRASSO. Mr. President, I come to the floor today to talk about where our country is in the fight against coronavirus.

The simple message on the coronavirus is this: Vaccines work. The single most important thing you want to do to protect yourself and to protect your family is to get vaccinated. That is the only message we ought to be sending out.

I am a doctor. I have been vaccinated. My wife has been vaccinated. Our son has been vaccinated. There is overwhelming evidence that vaccines are highly effective against serious illness.

Yet we are talking about this issue today because of the chaos and the confusion that have come about due to messaging coming out of the White House and the Centers for Disease Control and Prevention. That is why, with limited floor time during this important debate on spending, I come to the floor today to discuss this specific issue.

President Biden and the CDC ought to be found guilty of medical malpractice for the comments that they have been making. Back in May, the Centers for Disease Control said, and the President repeated it at the White House, that if you have been vaccinated, if you have been fully vaccinated, you don’t need to wear a mask either indoors or outdoors. Now they are saying that even if you have been fully vaccinated, you need to wear a mask again indoors.

At a time when we are trying to encourage people to get vaccinated, I ask, why in the world would you encourage someone who hasn’t been vaccinated, encourage them to get vaccinated if you are telling them that even if you get vaccinated, you still have to wear a mask? This flip-flopping in policy is why Americans, I think, are very worried and concerned and somewhat anxious about the activities of this administration. They are wondering: What comes next—flip-flop on vaccines, on lockdowns, on shutdowns, on closing schools?

People say: Oh no, don’t worry about that.

Well, Mr. President, let me tell you, just this past weekend, Randi Weingarten—she is the head of one of America’s biggest teachers unions, the American Federation of Teachers—she refused to commit to in-person learning this fall, this coming school year.

The president of America’s biggest teachers union refused to commit to in-person learning this fall. So the American people have every right to be concerned and anxious and angry with the communications coming out of this administration and the directives this week. Parents are angry that kids have already lost too much.

And think about this: Now NANCY PELOSI is requiring fully vaccinated Members of the House of Representatives to wear masks or they will be denied pay. How strange. They were threatened—threatened—to tell the Capitol Police to arrest staff members—fully vaccinated staff members—who aren’t wearing masks. These are people who have been vaccinated.

At the same time, the Biden administration is throwing our southern border wide open to 180,000 illegal immigrants a month, with almost every disease known to man. We are talking about people who are undocumented and unvaccinated.

When I went to the border earlier this spring, our border agents told me that they had arrested people from 50 different countries. Of course, these people are all coming from places where vaccination rates are much lower than they are in our country.

Since the start of the pandemic, more than 8,000 Border Patrol officers have tested positive for coronavirus. Thirty-two of these agents have died. When I visited the border, roughly 1 in 10 of the unaccompanied children in custody had tested positive, and they were intermingled with others who had tested positive and those not tested.
positive. They were all crammed in like sardines, and the testing occurred only when they were getting ready to be released and then sent all around America, spreading the coronavirus wherever they went.

And it is interesting to listen to Democrats in the national media and on the Hill who want to blame Republicans for any vaccine hesitancy that is out there. Well, let me set the record straight on that.

Republican elected officials have gone out of our way to encourage vaccinations. It is the responsible thing to do. I have traveled from one vaccination site to another all around the State of Wyoming; made public service announcements with other doctors and doctors who are members of the Doctors Caucus in Congress, in the House and the Senate; made public service announcements; put them out on videos and sent them around the country.

The truth is that there are a large number of Democrats who are still unvaccinated. Forty percent—forty percent—as of today, of New York City public school employees have not been vaccinated, and it is ready for the school year to start. And yet we don’t have the support from the head of the teachers union to have in-person learning this year. Forty percent of the public hospital workers in New York City are unvaccinated. Forty-one percent of Chicago residents are not vaccinated. If you take a look, city by city—Democrat-run cities—a high percentage of people are not vaccinated, and yet President Biden and the Senate majority leader continue to point fingers.

It does seem to me that Democrats have utterly failed to communicate a clear message to get the American people vaccinated. In fact, I think Democrat politicians have been a big part of the problem from the beginning.

Each time the vaccine was currently being developed, people were hoping for a vaccine. We saw the Vice Presidential debate—57 million people watching—and then, at the time, Vice Presidential candidate, at the time Senator Harris, now Vice President Harris, said she would not get a vaccine developed under the Trump administration.

She said: “If Donald Trump tells us we should take it, I’m not going to take it.”

Before Democrats point the finger at Republicans, they should get their own cities vaccinated.

There is much more to talk about. There have been many mistakes made by this administration and Democrats over the last 6 months, but it is no coincidence that, over the last 3 months, we have seen a historic drop in national optimism. A majority of the country says America is now on the wrong track. Just one in three Americans believes the way things are going in this country. Fully, only one in five Americans has switched from optimistic about our future to pessimistic about our future in just 3 months.

Fully, one in five Americans flipped on their thoughts about the direction of the country, and it is easy to see why. They see inflation eating away at their paychecks. They see Democrats piling up debt on our kids and grandkids. They see their taxes are about to go up again. They see an open southern border. They see rising crime in Democrat cities. And independent voters are running away from Democrats as fast as they can.

It is time for Democrats to get the message. We want to get the virus behind us. The answer is not open borders. The answer is not more flip-flops, and it is not more mandates on the American people.

It is time for Democrats to stop pointing fingers. The school year returns in just a matter of weeks. Every school in America must be open. It is time for Democrats to follow the science. No more flip-flops. No more mandates. No more lockdowns—no more excuses.

**NOMINATION OF DAVID CHIPMAN**

Madam President, I come to the floor, at this point, to oppose the nomination of David Chipman as Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

David Chipman is an anti-gun extremist who would politicize one of the world’s greatest law enforcement Agencies, the ATF. If confirmed, he would be the most radically anti-gun Director in ATF history.

David Chipman’s views are completely out of touch with those of the American people. He opposed the Supreme Court case that struck down Washington, DC’s ban on handguns, the Heller case. He was party to a legal brief in the case which said the Second Amendment, he said, only protects militias. He supports bringing back the 1994 assault weapons ban, which President Biden said he wouldn’t do.

Congress let that ban expire because there was never any proof that it brought down crime.

During his hearing with the Judiciary Committee, Senator Cotton specifically asked Mr. Chipman to define what an “assault weapon” is.

Mr. Chipman said: “An assault weapon would be whatever Congress defines it as.”

Senator Cotton went on to ask Mr. Chipman for his own definition of an “assault weapon.” He said: “Any semi-automatic rifle capable of accepting a detachable magazine above a 22.”

Well, as Senator Cotton rightly pointed out, this would ban most sporting rifles in America. If David Chipman made our gun laws, most sporting rifles would be banned. States could ban handguns. Private gun sales would be illegal.

These views are completely out of touch with the views of more than 100 million Americans who are law-abiding gun owners.

Worst of all, David Chipman does not have the character and integrity to lead the ATF. He has repeatedly mocked gun owners and impugned people’s motives for owning a gun.

David Chipman said: Gun ownership “is a way you can act patriotic without having to” serve in the military.

He said: “[I would] compare gun ownership . . . to the same reason Americans might want a muscle car.”

This is not why people buy guns. The American people buy guns to protect themselves and to keep their families safe.

The American people are buying guns by the millions right now because they are afraid of Democrats’ gun control policies, and they are afraid of crime in Democrat cities.

Last year, Democrats cut $1 billion in police funding across America, and as a result, we saw the largest increase in murder in 60 years. In response, the American people bought more than 20 million guns, including 8 million guns by first-time gun owners—first-time gun owners—because they realized they weren’t able to be protected when those are trying to defund the police.

Gun ownership is skyrocketing because the Democrats are still defunding police, and Democrat cities are in chaos. We don’t need an ATF Director who mocks nearly half of the country.

Recently, we found out another serious concern about Mr. Chipman’s character. According to media reports, multiple ATF agents say David Chipman was accused of making racist comments about African Americans. I won’t repeat them here. The comments are of great concern. According to the reports, the racist comments were reported to the Equal Employment Opportunity Commission, and a complaint was filed against him.

Democrats on the Senate Judiciary Committee have called for another hearing in light of this new information that has come out. I commend my colleagues for their due diligence.

Yet I don’t think another hearing is necessary. What is necessary is for President Biden to withdraw this nomination. There are plenty of qualified Democrats out there who could be nominated to do this job.

I object, as did many women of the ATF deserve a leader with integrity and with respect for the Second Amendment to our Constitution. More than 100 million legal gun owners in this country deserve it, too.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. SINEMA). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NOS. 2137 AND 220 TO AMENDMENT NO. 217

Mr. CARPER. Madam President, I also ask unanimous consent that the
The following amendments be called up to the substitute and be reported by number:
1, Duckworth, No. 2140; 2, Cruz-Warnock, No. 2300; further, I ask unanimous consent that at 3:45 p.m., the Senate vote in relation to the amendments with no amendments in order to the apparent accuracy to a vote in relation to the amendments, with 60 affirmative votes required for adoption, and 2 minutes of debate equally divided prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2140 TO AMENDMENT NO. 2137

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER], for Ms. DUCKWORTH, proposes an amendment numbered 2140 to amendment No. 2137.

The amendment is as follows:

(Purpose: To require recipients of all stations accessibility grants to adopt plans to pursue public transportation accessibility projects that provide accessibility for individuals with disabilities)

On page 2690, line 11, insert after “et seq.” the following: “Provided further, That an eligible recipient that receives a grant under this heading in this Act shall adopt a plan under which the entity commits to pursuing public transportation accessibility projects that: (1) enhance the customer experience and maximize accessibility of rolling stock and stations or facilities for passenger use for individuals with disabilities, including accessibility for individuals with physical disabilities, including those who use wheelchairs, accessibility for individuals with sensory disabilities, and accessibility for individuals with intellectual or developmental disabilities; (2) improve the operations of, provide efficiencies of service to, and enhance the public transportation system for individuals with disabilities; and (3) address equity of service to all riders regardless of income, age, race, or ability, taking into account historical and current service gaps for low-income, older individuals, riders from communities of color, and riders with disabilities.”

AMENDMENT NO. 2380 TO AMENDMENT NO. 2177

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER], for Mr. CRUZ, proposes an amendment numbered 2380 to amendment No. 2177.

The amendment is as follows:

(Purpose: To designate additional high priority corridors on the National Highway system)

Beginning on page 440, strike line 19 and all that follows through page 443, line 14, and insert the following:

(a) HIGH PRIORITY CORRIDORS.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240; 105 Stat. 2032; 133 Stat. 3018) is amended—

(1) by striking paragraph (84) and inserting the following:

(84) Route 87 and then following United States Route 87 southeastward, passing in the vicinity of San Angelo, Texas, and connecting to United States Route 190 in the vicinity of Brady, Texas;

(2) commencing at the intersection of Interstate Route 19 and United States Route 190 in Pecos County, Texas, and following United States Route 190 southward generally following Interstate Route 20, the route—

(C) following portions of United States Route 190 eastward, passing in the vicinity of Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Brazos Scotland, Livingston, Hearne, Woodville, and Jasper, to the logical terminus of Texas Highway 63 at the Sabine River Bridge and inclusively following a loop generally encircling Bryan-College Station, Texas;

(D) following United States Route 83 southwestward generally following a line across portions of United States Route 84 in passing in the vicinity of Natchez, Brookhaven, Monticello, Prentiss, and Collins, to Interstate Route 59 in the vicinity of Laurel, Mississippi, and continuing on Interstate Route 59 north to Interstate Route 20 and on Interstate Route 20 to the Mississippi–Alabama State border and

(E) (F) following United States Route 96 from Interstate Route 10 in Beaumont, Texas, north to United States Route 190 in the vicinity of Woodville, Texas;

(F) following United States Route 96 from Interstate Route 20 at Junction, Texas, to Interstate Route 20 at Odessa, Texas;

(2) by adding at the end the following:

(92) United States Route 421 from the interchange with Interstate Route 85 in Greenboro, North Carolina, to the interchange with Interstate Route 95 in Dunn, North Carolina.

(93) United States Route 47 in passing in the vicinity of Natchez, Brookhaven, Monticello, Prentiss, and Collins, Mississippi, to the logical terminus with Interstate Route 59 in the vicinity of Laurel, Mississippi, and continuing on Interstate Route 59 south to the vicinity of Hattiesburg, Mississippi; and

(94) United States Route 49 from the vicinity of Hattiesburg, Mississippi, south to Interstate Route 10 in the vicinity of Gulfport, Mississippi, and continuing on Interstate Route 591 south and terminating near the Mississippi State Port at Gulfport.

(95) United States Route 84 from the Louisiana border into Mississippi border near Vicksburg, Mississippi, to Gulfport, Mississippi, and continuing on Interstate Route 59 south to the vicinity of Hattiesburg, Mississippi; and

(96) United States Route 84 from the logical terminus of United States Route 55 near Vaiden, Mississippi, running south and passing east of the vicinity of the Jackson Urbanized Area, connecting to United States Route 49 north of Hattiesburg, Mississippi, and generally following United States Route 49 to a logical connection with Interstate Route 10 in the vicinity of Gulfport, Mississippi, and continuing on Interstate Route 591 south and terminating near the Mississippi State Port at Gulfport.

(97) The Kosciusko to Gulf Coast corridor commencing at the logical terminus of Interstate Route 55 near Vaiden, Mississippi, running south generally following United States Route 49 along Interstate Route 59 south in the vicinity of Gulfport, Mississippi, and continuing on Interstate Route 591 south and terminating near the Mississippi State Port at Gulfport.

(98) The Louie B. Nunn Cumberland Expressway corridor commencing at the logical terminus of United States Route 65 in Barren County, Kentucky, east to the interchange with United States Highway 27 in Somerset, Kentucky.

(99) Beginning with State Route 57 near Glasgow, Kentucky, running south through United States Route 27 in south Kentucky and northeast Alabama, then turning west to the Mountain Fork River Bridge at Burks and including a loop generally encompassing the following: (A) commencing at the logical terminus of United States Route 48 in the vicinity of Hartselle, Alabama, then following United States Route 48 south through the counties of Cherokee, Lamar, Marion, and Colbert, Alabama, then continuing on Interstate Route 59 north to Interstate Route 20 and on Interstate Route 20 to the Alabama–Georgia State border and

(B) commencing in the vicinity of Laurel, Alabama, running south on Interstate Route 59 to United States Route 96 in the vicinity of Hattiesburg, Mississippi, and continuing on Interstate Route 59 south to the logical terminus of United States Route 49 in passing in the vicinity of Natchez, Brookhaven, Monticello, and Miss,issippi, to Interstate Route 59 south to the vicinity of Hattiesburg, Mississippi; and

(C) commencing with State Route 57 which turns into State Route 24 near

CONGRESSIONAL RECORD — SENATE
August 3, 2021
Mr. TOOMEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. TOOMEY. Madam President, I rise in objection to the Duckworth amendment, 2140, and I want to talk about that briefly.

First of all, I think there is probably very broad support in this Chamber, and I certainly support the idea that local transit agencies meet ADA standards wherever it is possible to do so.

Of course, transit agencies got a truly massive, staggering amount of money over about a 12-month period ending in March—so much so that, cumulatively, they are sitting on something very close to $40 billion that they just weren’t even able to spend.

But despite all that, we dramatically increased the amount in rate of the Federal Government’s contribution to transit agencies; and then on top of that, the bipartisan negotiators agreed to a big, one-time-plus-above and beyond all the money that was sent to these transit agencies over the last year.

In the course of these discussions, included for transit agencies was a nearly $2 billion funding request to the Senator from Illinois—the junior Senator from Illinois—specifically for ADA upgrades at big city transit systems.

To my knowledge, it is the first time that the Federal Government has ever specified a substantial sum of money—nearly $2 billion this time—for the purpose of improving, upgrading big city transit systems, in part, perhaps, because, of course, transit systems have their own sources of money, their own States that can provide them.

But, anyway, that was—this agreement was struck. Now, in the course of working out the terms and the details and negotiating over the language which would accompany this unprecedented funding for ADA upgrades, you know, there were negotiations. That is the nature of this process. So we asked for certain changes in the language that was initially proposed. Some of those requests were adopted, and some were rejected, and that is how we got to a deal.

And one of the changes that was adopted was an agreement that this planning mandate, which is contemplated in the amendment, was struck.

If we were to go ahead and now adopt this amendment, it would completely violate the deal that was struck.

Now, let me just briefly explain why I requested that language be dropped. The amendment stipulates, among other things, that as a condition of receiving this nearly $2 billion, the transit agency must submit to a new Federal race, age, and income equity mandate. This is a quote:

“This is a quote: . . .

equality of service to all riders . . .
taking into account historical and current service gaps . . .

This is politically correct virtue signaling, this is not even claiming that transit agencies are somehow racist, and that we have got to—I don’t know—we have got to make sure that escalators are not racist.

It doesn’t take a very fertile imagination to think about how this language could be used to impose a host of new requirements on agencies. You could have bureaucracies here micromanaging who knows what—route planning, fair pricing, frequency of service, and that kind of thing which would give some presumed systemic racism in transit agencies.

If we adopted this, then decisions by transit agencies that should be guided by cost and ridership issues would end up being influenced by wokeism. Now, if you believe the people who run transit agencies are good and decent people who care about their communities, they are trying to do the best they can. They have now got staggering amounts of money with which to do it, but they don’t need to be second-guessed by social engineers who are insisting that their agency is rife with racism.

So I urge a ‘no’ vote, and I want to stress that the ‘no’ vote on this amendment does not reduce spending for ADA compliance by a dime. That is not what this is about. This is about avoiding a ‘woke’ planning mandate.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to the vote in relation to Duckworth amendment No. 2140.

The Senator from Illinois. Ms. DUCKWORTH. Madam President, I have an amendment at the desk. The amendment is pending.

Ms. DUCKWORTH. Madam President, last week, our Nation marked the 31st anniversary of the Americans with Disabilities Act. More than three decades have passed since President George H. W. Bush signed the ADA into law and proudly declared ‘‘[L]et the shameful wall of exclusion finally come tumbling down.’’

This past week was a time for celebration and reflection on the progress we have made over the last 30 years. Yet, when it comes to the ADA’s guarantee of equal access to public transportation for people with disabilities, many transit agencies’ rail systems continue to fall short.

This amendment is not racist. This amendment does not call any particular Agency racist. In fact, what this amendment does—the substitute amendment included $5 billion to expedite accessibility upgrades at existing legacy rail fixed guideway public transportation systems. My amendment simply ensures that recipients of these critical Federal resources fully consider the goals and requirements of the ADA and develop a plan to maximize accessibility across their systems.

This is common sense and good government. It ensures accountability that taxpayer dollars are used to fulfil promises made decades ago and are used wisely, with maximum effectiveness.

Thirty years after we committed to a goal of inclusive and equitable transportation, transit operators should be held accountable for meaningful accessibility upgrades. It is not enough for grant recipients to add cosmetic upgrades and put themselves on the back. Displaced commuters deserve the accessibility that others take for granted.

This is not a partisan issue. I call on every Member in the Chamber to stand with me in supporting equity for people with disabilities and supporting good stewardship of taxpayer dollars.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Madam Speaker, I urge a ‘no’ vote, and I want to stress that the ‘no’ vote on this amendment does not reduce spending for ADA compliance by a dime. That is not what this is about. This is about avoiding a ‘woke’ planning mandate.

The PRESIDING OFFICER. The PRESIDING OFFICER. The PRESIDING OFFICER. The PRESIDING OFFICER. The PRESIDING OFFICER. The PRESIDING OFFICER. The PRESIDING OFFICER. One minute.

Mr. TOOMEY. One minute.

Well, listen, I just want to say to my colleagues here that defeating this amendment does not prevent one dime from going to transit agencies for the purpose of upgrading their stations to
comply with the ADA. All it does is prevent a mandate for a “woke” planning provision that was dropped in the negotiations on this bill, so I urge a “no” vote.

Mr. CARPER. Madam President, I ask unanimous consent to speak for 1 minute in support of the Duckworth amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CARPER. Madam President, I rise in support of Senator Duckworth’s amendment. This amendment will ensure that recipients of funding to make systems more accessible have a plan in place to comply with the Americans with Disabilities Act.

Individuals with disabilities rely on public transit to get where they need to go, whether that is to go to work or to go to school or simply go about their daily lives. It is past time to upgrade all of our transit stations to provide access to everyone who needs a ride.

I support this amendment by Senator DUCKWORTH. I urge all of our colleagues to join me in voting yes. I yield the floor.

VOTE ON AMENDMENT NO. 2140

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2140.

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

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 48, nays 50, as follows:

Vote Call Vote No. 296 Leg.

YEAS—48

Baldwin
Benning
Blumenthal
Booher
Brown
Cantwell
Casey
Cardin
Carper
Cassidy
Capito
Burr
Boozman
Blunt
Brayson
Buzzard
Boozman
Burr
Capito
Collins
Cornyn
Cotton
Cramer
Crapo

Sasse
Scott (FL)
Scott (SC)
Shelby
Sasse
INHOFE
Graham

South Carolina (Mr. GRAHAM) and the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 48, nays 50, as follows:

[Call Vote No. 296 Leg.]

The PRESIDING OFFICER. The amendment is simple and straightforward: designating future Interstate 14 across Texas, Louisiana, Mississippi, Alabama, and Georgia. The amendment does not have any cost associated with it; rather, it is a first step in the process of upgrading this system of roads to add freight capacity and connect strategic military installations across our States.

In Texas, our part of I-14 will be expanded to the west so that it will serve San Angelo, Goodfellow Air Force Base, Midland-Odessa, and the Permian Basin. It will connect with I-20 at Midland-Odessa, which runs westward to connect with I-10 and leads to El Paso and Fort Bliss. This will complete the linkage between six military facilities across three States, which is critical for economic development and national security.

I would like to add that this amendment has the support of the departments of transportation in Texas, in Louisiana, in Mississippi, in Alabama, and in Georgia, as well as untold numbers of local leaders and coalitions of businesses and local governments.

So, again, I want to thank my colleague Senator WARNOCk for leading this bipartisan amendment with me.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. WARNOCk. Mr. President, I am grateful for the opportunity to partner with my colleague from Texas on this infrastructure development, and I ask for the support of all of my colleagues.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I ask unanimous consent to address the Senate for 1 minute on this amendment.

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

Mrs. CAPITO. Mr. President, I rise in support of this bipartisan amendment in the spirit in which it has been offered.

The amendment will designate five different States—Texas, Louisiana, Alabama, Mississippi, and Georgia—as the future Interstate 14 corridor. The sponsors state that this would really be integral for economic development support, to support tourism and also provide an important link to our military facilities.

I encourage my colleagues to vote yes on the Cruz-Warnock amendment.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Could I have the attention of our colleagues. In addition to the meritorious points that have been made by the sponsors of this legislation and the ranking member of the Environment and Public Works Committee—Mr. President, I ask unanimous consent to address the Senate out of order.

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

Mr. CARPER. Mr. President, anytime these two Members get together and offer legislation, how could any of us say no? Maybe we should get a voice vote; I don’t know. We will see.

Thanks very much. Congratulations. You bring joy to this place.

Mr. President, I ask unanimous consent for a voice vote. Does the gentleman from Texas mind getting a voice vote?

Mr. CRUZ. Mr. President, a voice vote would be fine if it would be fine procedurally.

Mr. CARPER. Mr. President, I ask unanimous consent to withdraw the 60-vote hurdle.

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

Mr. CARPER. There we go.

VOTE ON AMENDMENT NO. 2300

The PRESIDING OFFICER. The question is on agreeing to the amendment, No. 2300.

The amendment (No. 2300) was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

H. R. 3684

Mr. CORNYN. Mr. President, as we all know by now, a bipartisan group of Senators worked with the White House over the last several weeks to negotiate a $1.2 trillion infrastructure bill, and I know a lot of hard work went into it, a lot of late nights, and I want to thank all of our colleagues who have made a positive contribution in this debate and discussion. It is particularly important at this time, I believe, that we do these things on a bipartisan basis, if we can.

After much anticipation, we finally received the text Sunday night, and a lot of what we expected to see, we saw, like funding for roads, bridges, ports, waterways, airports, and broadband. But what we didn’t see were adequate
pay-fors for the bill. For example, we learned after the bill was announced that it would be essentially a supplemental to the current infrastructure bill, which would require another $118 billion in general revenue to fill the gap from the inadequacy of the highway trust fund.

Now, we have all known that that is a problem. We had to use general revenue the last time we did a highway bill. But that hasn’t really been part of the discussion. And I think, only when we begin to see an additional $118 billion in borrowed money in order to pass this bill, it causes significant concern.

I guess the other part of it is that this bill seems to be moving at warp speed. Under normal circumstances, an infrastructure bill would go through a long and arduous committee process. And I know that the Environment and Public Works Committee has passed a highway bill reauthorization twice unanimously, once under Democratic leadership and once under Republican leadership. So that is a positive sign. But this is really a huge amalgam of legislation that, frankly, only about 20 percent of the Senate is intimately familiar with.

Ordinarily, in a committee, both sides would debate the bill in hearings, markups, evaluate the cost, and offer amendments before we get to this process, but now we know that has not happened. Frankly, I think that is unfortunate because I think our committees are not operating the way they should, which, in turn, I think helps us produce a better, more thoughtful product.

We simply skipped the normal steps that would allow Members to raise concerns about the bill long before we got here and offer changes to improve it. So, as I have said before and I know others have said as well, I hope the majority leader will offer ample time and opportunities for Members on both sides of the aisle to debate and propose this legislation. A robust amendment process is essential.

Over the last few days, I have been working with colleagues on both sides of the aisle to identify new pay-fors that could be adopted as amendments. We have come up with some, I think, promising ideas, and I hope these ideas can receive a vote on the Senate floor this week.

For example, I have worked with Senator PADILLA, the Senator from California, to offer one bipartisan amendment to fund infrastructure projects in communities across the country without increasing the debt. Our amendment would simply give the State and local governments the flexibility to use unspent COVID-19 funding on infrastructure projects. It would eliminate the sunset on the use of those funds, and it would take the guardrails off that say you can only use this money for COVID-19 because, to be honest, the States and counties and cities have more money than they know what to do with, at least constructively. I think we all would have an interest in making sure that money is spent well on long-term projects.

What I just said is not necessarily a criticism of the bills that we passed together on a bipartisan basis. We were in the midst of a pandemic, and we were all operating in an emergency situation. Frankly, I think, in some aspects of the bills, this leading to the surplus of funds at many of our State and local governments.

Right now, there are limits on how that money could be spent. Qualifying expenses include things related directly to the pandemic, like COVID-19 testing sites, vaccines, PSAs, and additional bed space for hospitals. But this funding can’t currently be used for expenses unrelated to the pandemic or items that were previously included in our budget. They must be new, pandemic-related expenses.

As I said, in theory, at the time we did this, it made a lot of sense. After all, this funding was meant to bolster the fight against COVID–19 in communities across America. In places where COVID–19 pandemic-related expenses. They have to look for, they cannot be new, pandemic-related expenses.

I have heard from State and local leaders in my State who are frustrated by the lack of flexibility—they by the hand-cuffs and the mandates that have already received. They want the option, not the mandate. They want the option to use this money when and where it is needed, but right now, as I said, their hands are tied.

Many States and localities have relief funds on hand but no necessary, qualifying expenses. They have to look at this big balance in their accounts knowing they won’t be able to spend it on the greatest need in their communities. Frankly, they are frustrated, because I heard from them.

That is especially the case in rural America. In places where COVID-19 numbers are low, leaders don’t have the need or the opportunity to spend this money within the set timeline for the purposes that Congress has dictated. They don’t need the full range of pandemic-related resources that might be necessary in other high-density urban areas with higher COVID-19 counts.

The amendment Senator PADILLA and I have offered would give leaders in rural areas alike the option of spending the funding on necessary infrastructure projects. This does not touch the negotiation between the White House and so-called G-20, the bipartisan group of Senators who came up with the substitute bill, which is the base bill that we are now debating. This would simply add to the bill.

And, frankly, this would be the most efficient way to fund many infrastructure projects in our States and communities because, as we know, once Congress appropriates money, frequently, it takes years before that money makes its way to the need. Well, this could mean widening a highway, making safety improvements on a bridge, expanding broadband access. Urban areas could even use these funds for public transit improvement systems.

State and local leaders know the needs of their communities best, and they should have the flexibility to spend this money where it is needed most. The key here is flexibility.

Here is the other benefit. It doesn’t cost Congress any money. I have heard from State and local leaders that we have already spent and already sent to the States, so the score is a big zero.

Here is the other benefit. This simply gives leaders at the local and State level the option to spend those relief funds on urgent infrastructure projects that might otherwise go unfunded or that might not be funded for years to come.

I still remember President Obama, at one point after the Great Recession in 2008 and the recovery, when he talked about shovel-ready, he said: "Well, I guess shovel-ready doesn’t really mean shovel-ready."

The truth is, we have seen it time and time again. Congress appropriates money to State and local governments, and it literally takes years before the money gets to the intended target. This short-circuits that project because the States and local governments already have that money and they can spend it for this purpose if we will pass this amendment.

I am not alone in thinking this is a good idea. Back in March, nearly three dozen organizations wrote a letter to Secretary Yellen urging her to make transportation infrastructure an eligible expense. They talked about the importance of COVID-19 on transportation revenues and noted that, last year, 18 States and 24 localities announced delays or cancellations of transport improvement projects totaling more than $12 billion.

These same three dozen organizations noted the pandemic has impacted every State and community differently, thus the key flexibility. They
said flexibility will be critical to ensuring funds are used expeditiously and with maximum impact. That is really what we are talking about here.

Secretary Biden's own Transportation Secretary suggested as much. In testimony Congress, Secretary Buttigieg said the American Rescue Plan “has some flexibility in it” that he thinks could be used “to support road budgets that have been impacted.”

States and cities shouldn’t just be able to spend this money. They should be able to invest in projects and sources our communities need the most.

This is simply a commonsense change both sides should be able to get behind. It ensures money that has already gone out the door will be used before it expires. It puts decision-making at the local level and gives leaders more flexibility to decide how to use this Federal funding on their most urgent needs; and it does so, as I said, without increasing the national deficit at all.

This amendment has earned the support of a broad range of organizations across the country, and I am proud to have Senator Padilla to craft this amendment in a way that both sides can get behind it. In the coming days, I hope this will be one of many amendments that will receive a vote on the Senate floor, perhaps as early as today.

We have to ensure infrastructure investments are made fairly and paid for reasonably, and a robust amendment process is the only way to get there. I would just add in closing, some of my colleagues have said that they support this amendment, but they would be inclined to vote against it because they feel like this somehow violates the agreement that the bipartisan negotiating group had with the White House. But as I described it, it doesn’t touch—it does not touch that underlying substitute bill.

What it does is it unleashes these funds in States like Connecticut, Michigan, West Virginia, Texas. And it lets our State and local leaders figure out, if they can’t use these funds, if they don’t need these funds for COVID-19, how they can use them in a way that will have the biggest, most significant economic impact on the infrastructure in their States.

I hope my colleagues who somehow believe that they have sworn a blood oath with the White House not to support any amendments that change the underlying substitute—I don’t know why we are voting on amendments, unless it is to change the underlying substitute because that is our Constitutional function. It is somehow a parallel universe in which the White House—a different branch of government—telling the Senate what amendments we can and cannot pass.

As we all know, that is not the way the Constitution is written. The Constitution said it is our prerogative, as Senators representing our States, to vote on policies that we think are best for our States and for the country.

Yes, the President has an important role, but his role is to veto it if he doesn’t like it, not rewrite it, not to tell us what amendments we can vote on or not vote on. That is a perversion of the constitutional system.

I think, for matters of institutional integrity and pride, Senators would be very justified in guarding their authorities under the Constitution rather than delegating these to the administration.

I expect this is going to be a long road. We have already heard Speaker Pelosi say she is not going to pass this bill once the Senate passes it until she has a chance to pass the $3.5 trillion-plus reconciliations bill at the same time. This is going to be a very bumpy process.

But the idea that we cut off access that our States and local government have to hundreds of billions of dollars of unused funds to do, in their discretion, what they think needs to be done—not a mandate, but, rather, a permission to open up this opportunity to get this money where it is needed most in these big impact infrastructure projects makes no sense to me. I would encourage all our colleagues to support this amendment.

The PRESIDENT pro tempore, the Senator from Michigan, Ms. STABENOW. Mr. President, I rise to speak about the bill in front of us.

For a long time, the people in Michigan have been waiting. For years, they have been told it is “infrastructure week.” Unfortunately, for all the talk, Michigan’s infrastructure remains weak.

This lack of investment has real cost for our businesses and our communities and our families. I am thinking of the single mom who drives to work every day. And I am thinking of the farmer who wants to harness the power of precision agricultural to include his bottom line. I am thinking of the small business whose deliveries keep being delayed because of massive potholes, an everyday occurrence.

I am thinking of the single mom who drives to work every day and can’t afford to keep making car repairs caused by massive potholes, an everyday occurrence.

I am thinking of the small business whose deliveries keep being delayed because of the weight limits on a nearby bridge.

I am thinking of the farmer who wants to harness the power of precision agricultural to include his bottom line. Unfortunately, he can’t because his internet is too slow.

I am thinking of that farmer’s children, who need to do their homework online. We know they need to keep up with their school work, but struggle to find a good connection.

I am thinking of all the folks who would love to choose electric the next time they buy a car, but worry about finding a charging station.

And I am thinking of the kids in Flint and families across the country, who should never have to worry that the water coming out of their kitchen sink is unsafe after traveling through lead pipes or becoming contaminated by PFAS.

All these folks want some investment in that infrastructure. And now, 1,666 days after President Trump was sworn in and promised swift action to rebuild our infrastructure, President Joe Biden, working with a hard-working group of Democrats and Republican Members in the Senate, is leading us to get this done.

My colleagues on both sides of the aisle and their hard-working staff members deserve to take a bow. This legislation is chockful of bipartisan wins that will strengthen our country from Seattle to Saginaw, to Sarasota, and communities of every size in between.

This legislation isn’t just going to finally fix our cranking roads and crumbling bridges and spotty internet; it is going to create good jobs, tackle the climate crisis, help us remain competitive with other countries around the world that aren’t sitting around waiting for us to catch up.

As a Michigan driver, one of the parts I am most excited about is the money to fix our roads.

Hey, Governor Whitmer, now you can get some help to fix those roads.

And because we are the Great Lakes State, transportation in Michigan doesn’t just mean trucks and trains. This billion to modernize infrastructure, such as the aging Soo Locks—so critical to our economy, for the country, and for the Great Lakes region.

And it includes $1 billion for the Great Lakes Restoration Initiative to clean up contamination, restore wetlands, and fight invasive species.

I want to thank my partner and co-chair of the Great Lakes Restoration Caucus, Senator PORTMAN, for working on this. That is the single largest investment ever made in the Great Lakes Initiative.

This will make a big dent in resolving areas of concern, like the Detroit River and the Rouge River, which were polluted decades ago.

While we are on the subject of water, it is way past time for Michigan families and families across the country to feel confident that the water coming from their taps is safe to drink, and this bill takes critical steps toward achieving just that. It includes $15 billion to replace lead pipes, and another $10 billion to tackle the PFAS contamination that plagues our communities all over Michigan, as well as the country.

Healthy families and a healthy economy also require high-speed internet. We are in 2021. The past 18 months proved that as our whole lives moved online. We saw all of the gaps in high-speed internet services across the country. So I am very pleased that this bill includes $65 billion to ensure that folks can get connected whether they live a block from Gratiot Avenue or 25 miles from Highway 31.

This bill also takes action to change the trajectory of the climate crisis and invest in more resilient infrastructure. It invested in charging infrastructure so that folks who have been thinking
about buying that new F-150 Lightning or a Chevy Volt or a Jeep Wrangler can make the leap to electric with confidence. We can’t wait any longer because China certainly isn’t waiting.

Because this legislation also includes my Making It in America Act that I introduced with Senator Braun, the American taxpayer dollars we will be investing will go to American manufacturers and American workers. It adds new guardrails so that Federal Agencies can’t buy products made in China or Vietnam instead of America when those products are available in America. It also calls for purchases made in China or Vietnam instead of America when those products are available in America.

This legislation doesn’t just benefit big companies; it also calls for AGEN for the Manufacturing Extension Partnership, which is extremely effective in Michigan and across the country. And it makes small- and medium-sized manufacturers will have more opportunities to sell their products to the Federal Government and provide materials for federally funded infrastructure projects, including all those roads and bridges we will be re-building.

I have often said of the farm bill that it has Michigan on every page. I have got to say this bill comes pretty darned close.

I urge my colleagues to support this legislation, to invest in America, and to finally get Infrastructure Week translated into action.

I yield the floor.

The PRESIDING OFFICER (Mr. Markey), The Senator from New Jersey.

EXPRESSIONS OF SOLIDARITY WITH CUBAN CITIZENS DEMONSTRATING PEACEFULLY FOR FUNDAMENTAL FREEDOMS, CONDEMNING THE CUBAN REGIME’S ACTS OF REPRESSIVE, AND CALLING FOR THE IMMEDIATE RELEASE OF ARBITRARILY DETAINED CUBAN CITIZENS

Mr. MENENDEZ. Mr. President, I am proud to come to the floor today to ask for unanimous consent on this bipartisan resolution expressing solidarity with the people of Cuba. This resolution passed out of the Foreign Relations Committee by a voice vote, with overwhelming bipartisan support.

I want to thank the senior Senator from New York and the ranking member on the Foreign Relations Committee; as well as many others on both sides of the aisle. In passing this resolution today, the U.S. Senate can send a powerful message about the truly historic events occurring in Cuba in recent weeks.

On July 11, in an unprecedented wave of demonstrations across the island, the Cuban people peacefully took to the streets and raised their voices to call for freedom and an end to tyranny. We saw the courage of the Cuban people. Images of Cubans chanting “abajo la dictadura con el socialismo,” and singing “Patria y Vida,” or “Fatherland and Life,” spread around the globe. Yet the Diaz-Canel regime responded with an authoritarian crackdown and violent repression of protesters, using its iron grip over the Cuban people.

The regime cut the internet to stop the Cuban people from accessing social media—a tool they were bravely using to open the eyes of the world. Who does that? Only a country that fears its people shuts down the internet. But it was too late. The truth went viral.

The regime has arrested more than 700 people, and most remain incommunicado. Dozens more are already being subjected to trials, objecting to access to legal defense or even a veneer of due process. Human Rights Watch, Amnesty International, and the U.N. High Commissioner for Human Rights have all spoken out against the Cuban regime’s campaign of repression.

President Biden rightfully and repeatedly denounced the regime’s actions and has announced two rounds of Global Magnitsky sanctions on human rights abusers. The President has brought together allies of Cuban freedom both at home and abroad. On Friday, the President convened a meeting of Cuban-American leaders to discuss this crisis and hear our suggestions on how to best support the pro-democracy efforts underway in Cuba.

Last week, Secretary of State Blinken led a coalition of 20 countries in a joint statement to express international solidarity with the Cuban people and their rights to freedom of expression, freedom from arbitrary, freedom to determine their own future.

While important steps are being taken, more needs to be done. The Cuban people, in this unprecedented hour of uncertainty and need, cannot afford anything less than our full support.

With this resolution, the Senate will add its voice to the ongoing efforts and reinforce U.S. solidarity with the Cuban people and their efforts to restore democracy and human rights in their country. It is the same resolution that is also being offered in the House of Representatives on the same bipartisan basis.

Therefore, I ask unanimous consent that the Senate provide for the immediate consideration of Calendar No. 111, S. Res. 310; further, that the committee-reported substitute amendment to the resolution be agreed to; the resolution, as amended, be agreed to; the preamble be agreed to; and the motions to considered made and laid upon the table.

Thereupon, the Senate proceeded to consider the resolution (S. Res. 310) expressing solidarity with Cuban citizens demonstrating peacefully for fundamental freedoms, condemning the Cuban regime’s acts of repression, and calling for the immediate release of arbitrarily detained Cuban citizens, and passed the resolution by voice vote without a recorded vote.

Whereas, on July 11, 2021, thousands of Cuban citizens took to the streets to peacefully protest and to call for respect for basic human rights and fundamental freedoms, and the end of the dictatorship in Cuba;

Whereas the demonstrations were the largest protests witnessed on the island in 25 years, with courageous Cuban men, women, and youth taking to the streets in at least 50 different cities and towns across every province to affirm a deep aspiration for democratic change and to denounce the regime’s corruption;

Whereas the nationwide protests represent the full diversity of Cuban society, with demonstrators proudly proclaiming “Patria y Vida” (Homeland and Life!) and calling for “libertad” (liberty);

Whereas the demonstrations in Cuba follow months of severe shortages of food and basic medicine, frequent country-wide outages of electricity, and high rates of transmission of COVID-19, and the Cuban regime’s ineffective response, in addition to the Cuban regime’s continued repression and arbitrary imprisonment of citizens, peaceful activists, and artists;

Whereas, despite the authoritarian regime’s blocking of internet access to prevent the spread of information about the demonstrations, Cubans witnessed examples of their compatriots demanding change in their country and courageously joined the growing protests;

Whereas, despite the peaceful nature of the demonstrations, Miguel Diaz-Canel incited violence among Cubans and encouraged his supporters to attack peaceful protestors, declaring in a televised address, “the order to fight has been given—into the streets” and pledged his supporters to “fight the currentDate and the end of the dictatorship in Cuba;

Whereas, on July 11, 2021, thousands of Cuban citizens took to the streets to peacefully protest and to call for respect for basic human rights and fundamental freedoms, and the end of the dictatorship in Cuba;

Whereas the demonstrations were the largest protests witnessed on the island in 25 years, with courageous Cuban men, women, and youth taking to the streets in at least 50 different cities and towns across every province to affirm a deep aspiration for democratic change and to denounce the regime’s corruption;

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August 3, 2021
S5700

Monday, July 12, using social media to organize themselves and document acts of regime repression;

Whereas international human rights groups, including Human Rights Watch, Amnesty International, the United Nations Office of the High Commissioner for Human Rights, and the Inter-American Commission on Human Rights, have long condemned the Cuban regime for violating human rights and fundamental freedoms; and

Whereas for years the Cuban regime has exported its authoritarian methods to Venezuela, sending intelligence personnel to assist Venezuelan security forces as they repressed similar peaceful protests calling for democracy, therefore, be it Resolved, That the Senate—

(1) expresses its strong solidarity with the people of Cuba in their desire to live in a free and democratic country with unencumbered access to information, justice, and economic prosperity; and

(2) condemns the violence ordered by Miguel Díaz-Canel against peaceful protesters as violations of internationally recognized human rights that does nothing to address Cuba’s challenges; and

(3) on Cuban citizens—

(A) to respect the Cuban people’s exercise of freedom of assembly, freedom of expression, and other universal human rights; and

(B) to refrain from restricting internet access and connectivity in the country; and

(4) calls for the immediate and unconditional release of all arbitrarily detained Cuban citizens and all Cuban political prisoners;

(5) calls on members of the Cuban Revolutionary Armed Forces, the Cuban Ministry of the Interior, and Cuba’s National Revolutionary Police Force to refrain from violently repressing peaceful protesters and committing other human rights violations; and

(6) urges democratic governments and legislatures in Europe, Latin America, and the Caribbean—

(A) to pledge their support for freedom and democracy in Cuba; and

(B) to speak out against the repression of demonstrators in Cuba.

The PRESIDING OFFICER. Is there an objection?

The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, I rise today in solidarity with the brave Cuban people fighting for freedom. For decades, the Cuban people suffered atrocities, oppression, and misery at the hands of the illegitimate communist Castro regime.

I have repeatedly told the story of Sirley Avila Leon, a Cuban woman who was attacked by communist Cuban security forces in 2015. They cut off her hand and stuck her arm in the mud to make sure it got infected. Her crime? She complained that the regime was going to shut down a school in her neighborhood.

I have spoken to brave leaders like Jose Daniel Ferrer and the courageous members of his Patriotic Union of Cuba, who are fighting every day to defend human rights, freedom, and the democratic movement in Cuba. Jose Daniel and his family don’t know where he is. Activists like Jose Daniel Ferrer and the artists of the San Isidro Movement are the future of Cuba, not the ruthless communist regime.

This is the same communist regime that for decades has been the root of the instability we see across Latin America. The communist Cuban regime propels other dangerous dictators, like Daniel Ortega in Nicaragua, threatening the region and the national security of the United States.

What we are seeing now in Cuba should send a clear message to the world: Communism is a failed ideology that does nothing but lead to suffering and oppression. Communism doesn’t work. Socialism doesn’t work.

The people of Cuba are crying out for freedom. They are denouncing the oppressive communist rule that has brought ruin to their nation for more than 60 years. This disgusting assault on the people of Cuba cannot go unchecked.

I very much appreciate my colleague’s efforts to condemn the atrocities of the regime, but this resolution is missing one thing: These atrocities are undeniably linked to communism.

I stand today to offer a friendly amendment that simply condemns communism in this resolution, labeling the Cuban dictators Díaz-Canel and Raúl Castro as a ruthless, communist Cuban regime.

In America, we understand the value and importance of freedom in our everyday lives, and it is our duty to support and stand up for those who are oppressed by dictators and denied the right to live freely. It is our duty to speak the truth about communism.

I stand proudly with the heroic freedom fighters across Cuba who have taken to the streets, determined to regain their freedom and put an end to the communist Castro dictatorship.

To the people of Cuba: You are not alone. Together, we will defeat communism.

The freedom of Cuba is closer than ever, and we are not going to stop until we see a new day of freedom, democracy, and “Patria y Vida” in Cuba.

I urge my colleagues to support my important amendment today. Therefore, I ask that the Senator modify his request to include my amendment, which is at the desk; that the resolution, as amended, be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

Mr. MENENDEZ. Mr. President, regarding the right to object. I totally agree that the Castro regime and its proddy is a communist-socialist dictatorship in tyranny. Before the Senator was ever in this institution or involved with the issue, for 30 years, I have been saying exactly that.

The Senator, however, knows that in order to accept an amendment to a resolution that has been hot-lined in both caucuses, this process could not move forward. I cannot simply accept the amendment. I would have to go through the whole process. And the fact of the matter is, I think there is a fierce urgency of now. This resolution already has the approval of 99 Senators, and if the Senator were to insist on his amendment, the junior Senator from Florida would be the only one standing in its way.

This bipartisan resolution is cosponsored by 19 Senators. The initiative is co-led by Senator RUBIO, the senior Senator from Florida, the ranking member of the Senate Subcommittee on Western Hemisphere affairs. It is sponsored by Senator RISCH, the ranking member of the full Foreign Relations Committee. It is supported by Senators CRUZ and ROMNEY and all of the leading Republican voices on the Foreign Relations Committee. With this strong Republican backing, the Foreign Relations Committee passed this resolution last Wednesday on a voice vote, with overwhelming bipartisan support.

Now, intervening, we have had this infrastructure bill, and so we are here trying to get this finally done. We have an opportunity to act today and send a powerful, bipartisan message in support of the Cuban people and condemn three-time’s brutal repression.

Now, I personally agree with the sentiment of the junior Senator from Florida, but that reality is the reality that
Mr. DURBIN. Mr. President, I want to start by wishing our friend and colleague Senator Lindsey Graham a speedy recovery. Yesterday, Senator Graham shared that he had tested positive for COVID–19. We are all relieved to hear his symptoms are mild, and we look forward to seeing him back in the Chamber once he recovers.

I hope everyone at home follows Senator Graham’s example by getting vaccinated. In Senator Graham’s words, “[W]ithout vaccination, I am certain I would not feel as well as I do now.”

The Delta variant is no joke. COVID–19 cases and hospitalizations are surging across America, and they are surging in the most in those parts of the country where large numbers of people are unvaccinated.

Over 90 percent of the most recent infections, hospitalizations, and deaths are among people who were not vaccinated. The good news is, vaccinations are starting to trend upward. Thanks to the leadership of the President and the urging of many health professionals, as of yesterday, it has been reported that 70 percent of adults have received at least one dose of COVID–19 vaccine. That is an important milestone. Our Nation is slowly, slowly headed in the right direction, but we need to pick up the pace.

Experts say that more than 80 percent of the population needs to get vaccinated before we can start anticipating herd immunity. So please listen to my friend Senator Graham’s advice and get vaccinated. It will save your life as well as the lives of those you love.

DC METROPOLITAN POLICE DEPARTMENT

Mr. President, on another matter, yesterday we received word that a fourth police officer who responded to the January 6 insurrection here in the Capitol has died by suicide.

Officer Gunther Hashida was a member of the DC Metropolitan Police Department, and he was a hero. I also want to note that hours after Officer Hashida’s death was announced, the Metropolitan Police Department confirmed that another officer, Kyle DeFreitag, died by suicide last month. As a result, last week, many of the Capitol and Metropolitan Police officers who defended us—defended us—and the Capitol on January 6 are still grappling with the physical and emotional trauma of that day. We have to do everything we can to support them, not only physically but also emotionally. My advice to mental and emotional support ensuring that everyone who bears responsibility from the January 6 insurrection is held accountable. It is my understanding that 600 people have already been charged with wrongdoing for what occurred on that day, and many more will be charged.

The supplemental funding package that Senator Paul introduced was a good starting point. To deny what January 6 was about is literally adding insult to injury for those officers—brave officers—who defended us. They deserve better. They deserve justice, and we must preserve the truth.

To the friends and families of Officers Hashida and DeFreitag, we are so sorry for your loss. We grieve with you. We will honor their memory.

To all of the other police officers and National Guard members who defended the Capitol on January 6, despite what you hear from some of the politicians in Congress, we thank you, and we appreciate your valor and your sacrifice.

Earlier this morning, Senators Klobuchar and Blumenthal introduced a bipartisan resolution to award these heroes the Congressional Gold Medal. I am proud to support that effort.

CLEAN WATER INFRASTRUCTURE

Mr. President, on one more topic, “forever chemicals.” It is a phrase that seems ambiguous and unclear. Some of these pollutants—known as PFAS chemicals—are used in cleaning supplies, stain-resistant clothing, cosmetics, polishes, waxes, and the kind of foam that firefighters use to fight fires. Although the health and practical applications, these “forever chemicals” present a major problem: They don’t go away. They don’t break down. Once they are introduced into the environment, they stick around forever.

A growing body of research suggests that “forever chemicals” are linked to a whole host of human health complications: cancer, kidney disease, liver damage, birth defects. Sadly, it is estimated that most people already have trace amounts of these chemicals in their bodies. But imagine if you or your children were forced to ingest these toxic “forever chemicals” multiple times a day, every day. That is the dangerous reality for many American families. I am sorry to report that includes thousands of families in my home State of Illinois.

On Friday, the Chicago Sun Times published a story on the presence of chemicals in town supplies in the Chicago area, Lake Forest, Waukegan, and South Elgin. Water system managers in these areas have found evidence of chemicals that the Illinois EPA is calling for further testing. That additional testing is just in the preliminary stage.

As I mentioned, these contaminants are impressively imperishable, and they are being found everywhere. As an example, a few years ago, a dairy farmer in Maine discovered that one of these “forever chemicals” had seeped into his farmland through a fertilizer that he used. He only found out because the chemicals were showing up in
Much like "forever chemicals," lead service lines that hookup the water main in the street to your home, business, school, daycare center—these lead service lines can cause lasting harm to the growing bodies and minds of our kids. And, as lawmakers, we have a moral obligation to correct the mistakes made by previous generations of Americans.

I understand that until about 35, 40 years ago, lead service lines were mandated in construction in Illinois—in my State—and some States. We made a mistake. Now we know it. What are we going to do about it? This bill addresses this.

I want to thank my colleague, Senator TAMMY DUCKWORTH. When it comes to water infrastructure, she is just leading the pack in the U.S. Senate. She really cares about this, as a Senator, for sure, but equally important as a mom with two lovely little girls.

We can establish a new, healthier foundation for future generations if we pull together. That is exactly what this bill will do. Marshaling the resources of our Federal Government so that all of America's kids can grow up and lead healthy, productive lives, that is what bipartisanship is all about. And I look forward to joining my colleagues in voting in favor of this bill in the next few days.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will continue the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. PERROTT). Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, the provisions of section 80603 for the Infrastructure Investment and Jobs Act included in this amendment provide clarity to information reporting requirements to improve tax administration and tax compliance with respect to trading and digital assets.

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filed with the IRS for that customer. These written statements are required to be furnished by February 15 of the year following the calendar year for which the return under section 6045A is required to be filed.

Because gross proceeds constitute income only to the extent that they exceed the seller’s reasonable costs recorded in the original basis and necessary adjustments are required. In 2008, the reporting requirements for brokers were revised to provide that every broker that is required to file a return under section 6045A reporting the gross proceeds from the sale of a covered security must include in the return (1) the customer’s adjusted basis in the security and whether any capital gain or loss with respect to the security is long-term or short-term. Specific rules for determining a customer’s adjusted basis are provided.

Covered securities

A covered security is any specified security acquired on or after an applicable date if the security was (1) acquired through a transaction in which treatment is presumed, or (2) transferred to that account from an account in which the security was a covered security, but only if the transferee broker determines under section 6045A (described below) with respect to the transfer. Under this rule, certain securities acquired by gift or inheritance are not covered securities.

A specified security is any share of stock in a corporation (including stock of a regulated investment company); any bond, debenture, or other evidence of indebtedness; any commodity, or a contract or a derivative with respect to the commodity, if the Secretary determines that adjusted basis reporting is appropriate; and any other financial instrument with respect to which the Secretary determines that adjusted basis reporting is appropriate.

For stock in a corporation (other than stock for which an average basis method is permissible under section 1012), the applicable date of section 6045(g) is January 1, 2011. For any stock for which an average basis method is permissible under section 1012, the applicable date is January 1, 2012. Consequently, the applicable date for certain stock acquired through a dividend reinvestment plan and for stock in a regulated investment company is January 1, 2012. A regulated investment company is permitted to elect to treat as a covered security any stock in the account before the applicable date.

For any specified security other than stock in a corporation or stock for which an average basis method is permitted, the applicable date, for a note, bond, debenture, or other evidence of indebtedness, or for a commodity, or a contract or derivative with respect to the commodity, or for any other financial instrument treated as a specified security, the applicable date is January 1, 2013, or a later date determined by the Secretary. Consequently, for a note, bond, debenture, or other evidence of indebtedness, or for a commodity, or a contract or derivative with respect to the commodity, or for any other financial instrument treated as a specified security, the applicable date is January 1, 2013, or a later date determined by the Secretary. Consequently, for a note, bond, debenture, or other evidence of indebtedness, or for a commodity, or a contract or derivative with respect to the commodity, or for any other financial instrument treated as a specified security, the applicable date is January 1, 2013, or a later date determined by the Secretary. Consequently, for a note, bond, debenture, or other evidence of indebtedness, or for a commodity, or a contract or derivative with respect to the commodity, or for any other financial instrument treated as a specified security, the applicable date is January 1, 2013, or a later date determined by the Secretary.

Time for providing statements to customers

February 15 of the year following the calendar year reporting period is the deadline for furnishing certain written statements to customers. Such statements are to be furnished by February 15 of the year following the calendar year for which the return under section 6045A is required to be filed.

To enable brokers to comply with these requirements, section 6045A provides for broker-to-broker reporting under which a broker or applicable person within the scope of section 6045A transfers data to a broker under section 6045A. A broker that transfers data must furnish to the transferee broker a written statement that allows the transferee broker to satisfy the basis and holding period reporting requirements of section 6045A. The written statement requires the issuer of a covered security to file a return describing any organizational action (such as a stock split or a merger or liquidation) and to provide all of the information otherwise required in the return of the covered security, the quantitative effect on the basis of that specified security, and any other information required by the Secretary. Section 6045A also requires the transferee broker to hold identified issuers of specified securities and nominees like brokers.

Penalties for failure to comply with information reporting requirements

A person who is required to file information returns but who fails to do so by the due date for the returns, includes on the returns incorrect information, or files incomplete returns, is subject to a penalty of $250 for each return with respect to which such a failure occurs, up to a maximum of $3,000,000 in any calendar year, adjusted for inflation. Certain similar penalties may apply to furnishing false written statements to recipients of payments for which information reporting returns are required and to persons who fail to provide correct written statements to recipients of payments for which information reporting returns are required by section 6045A.

Cash received in trade or business

Section 6050I requires any person engaged in a trade or business to report any transaction (or two or more related transactions) in which the gross proceeds from the sale of property exceed $10,000 in cash. For this purpose, cash includes foreign currency and, to the extent provided by the Secretary, any monetary instrument (whether or not in bearer form) with a face amount of not more than $10,000. Returns required under section 6050I parallel reports required from merchants and services providers under the Bank Secrecy Act. Failure to file such returns and failure to provide customers with copies of such returns are subject to the penalties under section 6045A.

Current guidance on digital assets

Most of the statutory provisions requiring third-party information reporting predate the advent of digital assets and none expressly address the treatment. In 2014, the IRS published its first guidance on digital assets in a Notice in the form of frequently asked questions. The Notice refers to virtual currency defined as property that is "a digital representation of value that functions as a medium of exchange, a unit of account, and/or a store of value." The Notice further defines convertible virtual currency ("convertible virtual currency") as the only digital asset within the scope of the guidance. The Notice defines convertible virtual currency as a virtual currency which has an equivalent value in real currency or acts as a substitute for real currency.

The Notice stated that a "payment made using virtual currency subject to information reporting to the same extent as any other payment made in property." The Notice refers to the need for reporting on a Form 1099-B with respect to virtual currency (as defined in regulations). The term "capital gains and losses" includes gains and losses from the sale or exchange of virtual currency (as defined in regulations).

Effective Date

The provisions apply to returns required to be filed, and statements required to be furnished, after December 31, 2021.
The PRESIDING OFFICER. The Senator from Delaware.

AMENDMENT NOS. 2354 AND 2245 TO AMENDMENT NO. 2137

Mr. CARPER. Mr. President, I ask unanimous consent that the following amendments be called up to the subcommittee and be reported by number: No. 1. Van Hollen, No. 2354; and the second is Johnson, No. 2245; further, that at 7:30 p.m. today the Senate vote in relation to the Van Hollen amendment, and at 11 a.m. tomorrow morning the Senate vote in relation to Johnson, No. 2245, with no amendments in order to the amendments prior to a vote in relation to the amendment, with 60 affirmative votes required for adoption of the amendments and 2 minutes for debate equally divided prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2354 TO AMENDMENT NO. 2137

The clerk will report the amendments.

The senior assistant legislative clerk read as follows:

The Senator from Delaware (Mr. CARPER), for Mr. VAN HOLLEN, proposes an amendment numbered 2354 to amendment No. 2137.

The amendment is as follows:

(Purpose: To include a payment and performance security requirement for certain infrasstructure financing)

At the end of title II of division A, add the following:

SEC. 12. -- FEDERAL REQUIREMENTS FOR TIFIA ELIGIBILITY AND PROJECT SELECTION.

(a) In General.—Section 502(c) of title 23, United States Code, is amended by adding at the end the following:

"(3) Payment and performance security requirement for certain infrastructure financing:"

"(A) In General.—The Secretary shall ensure that the design and construction of a project carried out with assistance under the TIFIA program have appropriate payment and performance security, regardless of whether the obligor is a State, local government, agency or instrumentality of a State or local government, public authority, or private party.

"(B) Written Determination.—If payment and performance security is required to be furnished by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

"(C) No Determination or Applicable Requirement.—If there are no payment and performance security requirements applicable to the obligor, the security under section 3311(b) of title 40 or an equivalent State or local requirement, as determined by the Secretary, shall be required.""

"(b) Applicability.—The amendments made by this section shall apply with respect to any agreement for credit assistance entered into on or after the date of enactment of this Act.

AMENDMENT NO. 2245 TO AMENDMENT NO. 2137

The senior assistant legislative clerk read as follows:

The Senator from Delaware (Mr. CARPER), for Mr. JOHNSON, proposes an amendment numbered 2245 to amendment No. 2137.

The amendment is as follows:

(Purpose: To prohibit the cancellation of contracts for physical barriers and other border security measures for which funds already have been obligated and for which penalties will be imposed in the case of such cancellation and prohibiting the use of funds for payment of such penalties)

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

SEC. 2. -- PROHIBITING THE CANCELLATION OF CERTAIN CONTRACTS FOR PHYSICAL BARRIERS AND OTHER BORDER SECURITY MEASURES.

Notwithstanding any other provision of law, the Secretary of Homeland Security and any other Federal official may not—

1. cancel, delay or breach any contract for the construction or improvement of any physical barrier along the United States border or for any other border security measures for which Federal funds have been obligated; or

2. obligate the use of Federal funds to pay any penalty resulting from the cancellation of any contract described in paragraph (1).

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

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

Mr. GRASSLEY. Mr. President, I come to the floor because I am greatly concerned as to whether the Department of Justice is committed to fighting the violent crime committed by the gang known as MS-13.

MS-13 is a violent gang that operates on the streets of the United States and throughout Mexico and Central America. MS-13’s informal motto is—can you believe this—’kill, steal, rape, and control.’’

Under the Trump administration, the Department established a task force to fight the murders and other serious crimes committed by MS-13 gang members, but the Department of Justice hasn’t released any news or updates on this task force, called Task Force Vulcan since January 14 of this year. Right before President Biden’s inauguration is when that January 14 date was. So you can see we haven’t seen anything since this President has been sworn in. So we have no idea what the Department of Justice is doing to combat MS-13.

From 2017 to 2020, U.S. Customs and Border Protection found or arrested over 3 million people, averaging about 750,000 people a year. In that same time period, Border Patrol apprehended an average of 294 MS-13 gang members every year.

This year, however, Customs and Border Protection has already encountered or arrested over 1.2 million, well above the previous averages. But, this year, Customs and Border Protection has only apprehended 71 MS-13 members trying to enter the United States, suggesting many dangerous MS-13 gang members are successfully sneaking past Border Patrol as agents are focused on dealing with unaccompanied children at the border or asylum seekers.

One Border Patrol chief in Laredo stated that MS-13 members are using the high number of migrants entering the United States to blend in and get past agents. We know MS-13 is still trying to sneak into the country; however, they are just more successful now.

Customs and Border Protection is still arresting MS-13 members when they can identify them. In April alone, Customs and Border Protection arrested an MS-13 member who was a convicted felon with an outstanding warrant and one female MS-13 member traveling with a convicted murderer.

Here, next to the Capitol, police in Maryland arrested an MS-13 member after he lured a 15-year-old girl into an apartment and tried to rape her even if Border Patrol agents in the field and local police are doing their best to stop MS-13, we still don’t know what the Department of Justice is doing about MS-13 since they haven’t released any updates on Task Force Vulcan since January. We don’t even know if Task Force Vulcan still exists. This is a problem because we know MS-13 is ruthlessly operating on American streets.

Congress and the American people deserve to know what the Department of Justice is doing to keep our streets safe and to keep us safe from dangerous criminal organizations like MS-13. So I will be seeking answers to this question from the Department of Justice. It is a pretty basic question: Do you have anything to update the American people about? We should know what the status of all this is.

H.R. 3994

Mr. President, on another matter, President Biden and his allies in Congress are champing at the bit to grease the wheels for a partisan $3.5 trillion spending spree before they leave for the August break. At a time when our national debt is set to exceed levels not seen since World War II, this is not only irresponsible, but dangerous.

Hard-working Americans are already paying the price for excess spending in the form of inflation, with prices rising throughout the economy. And, of course, poll after poll shows Americans are becoming increasingly concerned about inflation.

Instead of adding to these concerns in the pursuit of wish-list priorities, Congress should focus on addressing the real priorities of the American people. For instance, we should be taking action to address the crisis at our southern border. In June, U.S. Customs and Border Protection encountered 188,000 people. That is up 471 percent from the same time last year.

As a result of the Biden administration’s irresponsible immigration policies, Customs and Border Protection has encountered over 1.1 million illegal crossings.
immigrants at the southern border during this fiscal year. That is five times larger than the population of Iowa’s capital city, Des Moines.

The crisis is undeniable. The Senate Democrats are trying hard to deny it. Instead of taking action to secure our borders and deter illegal immigration, Senate Democrats are attempting to use a reckless tax-and-spending bill to offer amnesty to millions of illegal immigrants living in the United States. It is deeply irresponsible. It will only encourage more of this illegal immigration, and it will only make the border crisis worse.

Illegal immigration isn’t the only crime cascading over the border. Mexican cartels are pouring record high amounts of hard drugs—methylamphetamine, cocaine, heroin, and fentanyl—across the border with impunity.

Fentanyl has become the choice drug because it is highly potent and, of course, highly profitable, particularly for the cartels. A tiny amount, even as small as a grain of salt, can result in an overdose and, of course, in death. Fentanyl is increasingly laced into other drugs, which heightens potency, often without the user even knowing it.

In 2020, over 93,000 Americans died from drug overdoses. That is almost the entire population of Davenport, IA. The primary driver of this surge in overdose deaths is fentanyl coming in from Mexico. Instead of working on curtailing cartels at the border and cutting off their extensive power in the United States, Senate Democrats choose to bury their heads in the sand and pretend that fentanyl isn’t deadly.

The border crisis is, then, very, obviously a drug crisis.

And on top of that, police departments across the country are still having a hard time getting enough officers. Violent crime is soaring. Homicide rates are through the roof.

Iowa families don’t redecorate their houses when the plumbing is leaking.

These issues are dinner table issues. So Congress must focus on them, instead of tax-pegged, partisan spending proposals that are going on in the U.S. Senate now by the majority party.

TAXPAYER INFORMATION

Mr. President, in the past few weeks, there has been a lot of talk about increased government to bring in more money to the government. That would be fine if we could trust the IRS to keep taxpayer information safe and secure and actually use that information to enforce the Tax Code.

Now, unfortunately, that notion is wafting on pretty shaky ground at this very moment.

In June, the nonprofit journalism web page ProPublica began publishing stories that appear to contain confidential taxpayer information at risk. Unfortunately, attention is focused more on the private tax affairs of the victims of these actions than on the apparently illegal actions taken to produce the data that forms the basis of these ProPublica stories.

By law, the confidentiality of taxpayer information is sacrosanct. That comes from section 6103 of the Tax Code. Specifically, the law in the 1970s, I believe, to see that what Nixon did to use the IRS to go after his enemies never happened again.

So why is this information sacrosanct? Because it is personal. That return contains some of the most sensitive information that is about our fellow Americans. A tax return is essentially a blueprint for how families and individuals live their lives. Aside from detailing where and how taxpayers support themselves and earn money, tax returns potentially detail what charities, including even religious institutions, that a taxpayer supports.

Tax returns can also detail how and when they take care of their children, their medical status, and lots of other deeply personal information.

In part to promote tax compliance, Congress decided that in exchange for collecting sensitive information needed to enforce the Tax Code, the IRS must treat this information carefully and protect it from unauthorized access and disclosure. That is what section 6103 is all about. It carries with it significant criminal and civil penalties for anyone who violates those terms.

Nevertheless, the ProPublica stories published in a series entitled “The Secret IRS Files Inside the Tax Records of the .001%” are plainly derived from the confidential information:

The folks in charge of enforcing the Tax Code quickly recognized that they had a big problem here. That very morning, IRS Commissioner Rettig was testifying before the Senate Finance Committee and said that he appreciated the confidential nature of the information collected by the IRS and how very important it is that people are able to trust the IRS with that information.

Commissioner Rettig isn’t the only Treasury official to express that concern. When asked about this apparent abuse of taxpayer information at the Finance Committee hearing on the President’s fiscal 2022 budget request, held on June 16, Treasury Secretary Yellen said she agreed the situation was very serious and that the matter had been referred to the Justice Department.

The week before, appearing before a different Senate Committee, Attorney General Garland also said this was a very serious matter and that people are entitled to the privacy regarding their tax information.

I agree with Commissioner Rettig, Secretary Yellen, and Attorney General Garland that the apparent leak of confidential information is a very serious issue.

For one thing, we don’t know exactly where the information came from. Was it a leak? Was it a hack? We don’t seem to know. We also don’t know the full scope of the information at risk.

According to ProPublica, it has “obtained a vast trove of Internal Revenue Service data on the tax returns of thousands of the Nation’s wealthiest people, covering more than 15 years.”

Let me say that again. ProPublica claims that it has thousands of tax returns.

Americans know the risk of having their private information unsecured in the wind. They know the risk, for example, of fraud and identity theft. And, of course, Nixon’s political enemies knew the risk of letting the IRS run loose.

According to the most recent IRS Electronic Tax Administration Advisory Committee Annual Report to Congress, issued in June of 2021, 185,000 identity theft affidavits were filed with the IRS in 2020. The report also notes that due to pandemic relief, higher levels of identity theft are expected during the 2021 filing season.

Sure, in this case, ProPublica has decided that the wealthiest individuals are the ones worth targeting. But again, we don’t know the full scope of the information that is at risk. Maybe you are not the owner of a sports team or the head of a multinational company or haven’t built a vehicle in which you have recently traveled to outer space. The unauthorized access and disclosure of taxpayer information should be a concern to all taxpayers. If someone can expose the most private and sensitive information of the Nation’s wealthiest citizens, they can do it to anyone.

Regardless of what anyone thinks about the known victims of this disclosure, no one should be absolutely confident that their information hasn’t been compromised.

As soon as the apparent disclosure of taxpayer information was known, I pressed authorities in the executive branch to take action. I questioned Commissioner Rettig about it during the Finance Committee hearing that very day. Three days later, I sent a letter with Leader McConnell and Finance Ranking Member Grassley. I sent this letter with those two individuals to Attorney General Garland and FBI Director Christopher Wray, asking them to take action on this very important matter.

In part, the letter reads:

Find those responsible for these disclosures and ensure they are punished as directed by law. Unless you do, ordinary Americans will see themselves as fall victim to these politicalized and criminal disclosures, and trust in the IRS and our tax system will continue to erode.

That is the end of the quote of the letter I sent with Leader McConnell and Finance Ranking Member Grassley.

On the same day, I joined every other Republican on the Finance Committee on a letter to the Treasury inspector general for the Tax Administration, asking for an immediate investigation.

Then, on July 1, Senator Yellen’s June 16 appearance before the Finance Committee, I also submitted several questions to her in writing. My
questions asked pretty simple questions about the scope of the leak and the hack and whether or not anyone with advanced knowledge of the first ProPublica piece had reached out to the Treasury or to the IRS.

On June 15, I sent a letter to Attorney General Garland and FBI Director Wray, with other Judiciary Committee Republicans, seeking a briefing and a confirmation that the FBI or the Department of Justice is investigating. Now, as usual, I have not received a single response to any of my written inquiries.

There appears to be a massive flaw somewhere in our system of tax administration. Our job, through constitutional oversight, is to determine exactly what this situation is, how it happened, and how we can fix it.

Unfortunately, it appears that some are using the apparent illegal disclosure of taxpayer information and the violation of taxpayer rights to advance a partisan agenda. That particularly doesn't surprise a lot of people, that politics would be involved in this.

It is important to note that the ProPublica pieces aren't talking about tax evasion but, generally, tax avoidance which is a legal minimization of taxes owed.

On June 24, ProPublica published a story about Roth IRAs, using the information of a wealthy tech investor. The purpose of this story was to show that ProPublica thinks they should pay regardless if they are paying every dollar that the law requires that they pay. So it is really about promoting changes to tax law that doesn't seem to have the support of this body alone holding that same view.

The notion that taxpayers' information—every taxpayer's information—should be protected is not a view only held by this Senator. I have quoted the Treasury Secretary; I have quoted the Attorney General—all holding that same view.

The use of this information to advance partisan objectives and, apparently, to influence an election should concern all of us. We need to get to the bottom of what happened. We need to know what taxpayer information is at risk, how many taxpayers have been compromised, and then determine what we can do going forward.

So I implore Secretary Yellen and Attorney General Garland to respond to my questions and my letters so that we can get on with our very important work.

I yield the floor.

And you are talking about abuse of Roth IRAs? It is in the law.

A different ProPublica story seemed intended to wield private taxpayer information to affect the outcome of an election.

Now, listen to this. On June 16, ProPublica published a story containing taxpayer information of a candidate in the Democratic primary to be the next district attorney of Manhattan. It seems to me like somebody is using political things to hurt people in their own political party.

Given how concerned many of my colleagues have been about potential election interference, I am really very shocked that this story completely missed their attention.

If a candidate's confidential, legally protected information is somehow disclosed less than a week before an election, especially when we don't know the ultimate source of the confidential information or how it was even obtained, shouldn't that raise a red flag to a lot of people in this town or does it only matter depending upon who the candidate is?

Finally, I want to address ProPublica's role in this situation.

Although they may be very well-intentioned, in my opinion, they are facilitating an abuse of power by publishing stolen confidential information of individual citizens who are, by all appearances, complying with their legal obligations. They think they are informing the public of information they need to know. They are really telling the public that their tax return information is not private. That could have serious consequences for the proper administration of our tax laws that are based on the real concern that people are going to give honest, correct information because they know it is going to be public and because they owe taxes and they are honest people.

Plainly, this isn't about tax cheats who broke the law; it is about certain people not paying what ProPublica thinks they should pay regardless if they are paying every dollar that the law requires that they pay. So it is really about promoting changes to tax law that doesn't seem to have the support of this body as a whole holding that same view.

The use of this information to advance partisan objectives and, apparently, to influence an election should concern all of us. We need to get to the bottom of what happened. We need to know what taxpayer information is at risk, how many taxpayers have been compromised, and then determine what we can do going forward.

So I implore Secretary Yellen and Attorney General Garland to respond to my questions and my letters so that we can get on with our very important work.

I yield the floor.

I suspect 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. VAN HOLLEN. Madam President, I ask unanimous consent that the question be taken on the motion to proceed on the bill by unanimous consent. Without objection, it is so ordered.

A resolution (S. Res. 335) designating September 25, 2021, as "National Lobster Day".  

Mr. KING. Mr. President, I appreciate the adoption of this resolution. The American lobster, the North American lobster, is a staple, an iconic product of the State of Maine. It supports our coastal economy; it produces well over $1 billion a year of economic activity; and it supports thousands of families along the coast of Maine.

Some people occasionally refer to the lobster industry, but in reality it is a series of small, sole proprietorship businesses. Almost all lobsters are caught on boats owned by individual owners, with, perhaps, what we call a sternman on board, but it is a series of, as I say, small, independently owned businesses, and that is one of the things that is so special about this industry.

So it is a treat for me to be able to move this resolution to have it agreed upon unanimously by the U.S. Senate. September 25, 2021, will officially be National Lobster Day.

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

Mr. VAN HOLLEN. Madam President, I want to start by thanking some of our colleagues—Senators ROUNDS,ERNST, and KELLY—for cosponsoring the provisions of this amendment, and thank the chairman and ranking member of the Environment and Public Works Committee, Senators CAPITO and CARPER, for their support as well.

I also want to acknowledge the good work of our House colleague, Congressman STEVE LYNCH, on championing this issue.

So what is this amendment about? It is a commonsense amendment to ensure that as we work on a bipartisan basis to modernize our infrastructure for the 21st century, we also work together to ensure that new infrastructure projects that flow from this bill and others are financed securely.

Most Federal projects are financed securely by law. Most require some
kind of surety bond. That has been the case for almost 100 years in this country. But because of an odd and old loophole, public-private infrastructure partnerships, or P3 projects, often do not maintain the same level of protection that has been required for public infrastructure projects over time. That can spell disaster for subcontractors, for workers, for taxpayers, and for the success of projects that are not so secure.

We know that contractor defaults can cause costly delays, waste taxpayer money, and leave residents and local stakeholders and project workers in the lurch. In fact, one developer defaulted on a P3 project in Indiana and left subcontractors without pay and left taxpayers on the hook for over $300 million in additional project costs.

This amendment simply requires that P3 projects using TIFIA financing—that is Transportation Infrastructure Finance and Innovation Act financing—be secured with a surety bond. That way, in the event a contractor defaults, the protections by that bond ensure the completion of those projects. They protect taxpayers, and they ensure that workers and subcontractors and suppliers are paid for their work.

Not surprisingly, this effort is supported by a broad coalition of organizations, including the American Subcontractors Association, the National Association of Minority Contractors, and a wide range of other contractors, because it will ensure that they are paid for the work they do, and it will also protect taxpayers who otherwise are left in the lurch if a contractor goes belly up and we do not have the protection of this kind of surety bond. That is why this amendment has broad bipartisan support, and I urge its adoption.

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

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

AMENDMENT NO. 2354

Mr. CARPER. Madam President, I rise in support of the amendment offered by my old friend, the Senator from Maryland—my neighbor, Senator Van Hollen—and also my young friend, Senator Ernst, and maybe one or two others that I am not aware of.

The amendment offered by our colleagues requires public-private partnership projects that receive loans from USDOT to obtain something called surety bonds. Surety bonds are a proven tool for ensuring that a loan recipient has appropriate payment and performance protections in place. By requiring these bonds, this amendment would protect workers, would protect suppliers, and guarantee that any subcontractors, suppliers, and workers would receive the payment they deserve for their work on the project, even if the borrower were to default.

The legislation is based on bipartisan, bicameral legislation that is supported by a dozen organizations, including associations that represent the interests of minority-owned and woman-owned small businesses.

I urge my colleagues to support it.

I yield to my colleague, the ranking member of the EPW Committee. I just want to say how pleased I am with the progress we have made today. A lot of amendments were offered and considered, and we have the opportunity to vote on them, accept some, some not accepted. But the spirit was good. There is a good spirit in here. And I think if most people around the country who think we never can work together and get anything done had a chance to see the way this place worked today, they would feel better about this democracy.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Madam President, I want to thank the sponsors of the Van Hollen-Rounds amendment, and I am in full support of this bipartisan amendment. As the chairman explained that public-private partnerships under TIFIA would be backed by the surety bond, which would mean that, in the event of a contractor default, the project would still be completed, subcontractors and workers paid, and taxpayer investments protected. It sounds like a good commonsense amendment, and I am fully in support.

I would also like to say that the progress we had today is more than encouraging. We are all, I think, very excited about the prospects of what the improvements that this bill will make to our transportation and energy sectors and just the guts of our country in terms of the physical infrastructure. With that, I yield the floor.

VOTE ON AMENDMENT NO. 2354

The PRESIDING OFFICER. There is no further debate.

The question is on agreeing to amendment No. 2354.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. Kaine) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. Graham) and the Senator from Oklahoma (Mr. Inhofe).

The result was announced—yeas 97, nays 0, as follows:

BALDWIN
Barrasso
Blackburn
Blankenhorn
Brown
Burr
Cantwell
Capito
Cardin
Casey
Cassidy
Coons
Cornyn
Cortez Masto
Cotton
Cramer
Crapo
Cruz
Daines
Duckworth
Durbin
Enzi
Feinstein
Fischer
Gillibrand
Grassley
Hagerty
Hassan
Hawley
Heinrich
Hickenlooper
Hirono
Hooven
Hyde-Smith
Inhofe
Kelly
Kennedy
Kemp
Klobuchar
Lankford
Leahy
Lee
Lujan
Lummis
Manchin
Markley
Marshall
McConnell
Menendez
Merkley
Murray
Nelson
Ossoff
Padilla
Paul
Peters
Portman
Young

NOT VOTING—3

Graham
Inhofe
Kaine

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 0.

Under the previous order requiring 60 votes for adoption of this amendment, the amendment is agreed to.

The amendment (No. 2354) was agreed to.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the vote on the Johnson amendment No. 2245, scheduled for 11 a.m. tomorrow, occur at 12:15 p.m. tomorrow, August 4.

Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. SCHUMER. Madam 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. Madam President, I move to proceed to executive session to consider Calendar No. 229.

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 Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit.

Mr. SCHUMER. I might parenthetically add, a great nominee from New York.

CLOTURE MOTION

Mr. SCHUMER. Madam President, 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 reads 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. 256, Enunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit.


Mr. SCHUMER. I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, August 3, be waived.

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

Mr. SCHUMER. Madam President, under the rule, this cloture vote on the nominee will occur 1 hour after convening on Thursday.

For the information of Senators, the process of confirming this nominee will in no way interfere with the Senate’s continued consideration of additional amendments of the bipartisan infrastructure bill. We already have a vote on an amendment scheduled tomorrow and expect further votes as well.

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent the Senate consider the following nomination: Calendar No. 294.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk reads the nomination of Stacey A. Dixon, of the District of Columbia, to be Principal Deputy Director of National Intelligence.

Mr. SCHUMER. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, all 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.

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

The question is, Will the Senate advise and consent to the Dixon nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senator Whitehouse to speak therein for up to 10 minutes each.

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

NOTICE OF A TIE VOTE UNDER S. RES. 27

Mrs. MURRAY. Madam 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:

WASHINGTON, DC, August 3, 2021.
To the Secretary of the Senate:
PN572, the nomination of Catherine Elizabeth Lhamon, of California, to be Assistant Secretary for Civil Rights, Department of Education, having been referred to the Committee on Health, Education, Labor, and Pensions, the Committee, with a quorum present, has voted on the nomination as follows—

On the question of reporting the nomination without recommendation, 11 ayes to 11 noes.

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.

Patty Murray, Chair.

75th ANNIVERSARY OF THE OFFICE OF NAVAL RESEARCH

Mr. REED. Madam President, on behalf of Senator INHOFE and myself, as the ranking member and chairman of the Senate Armed Services Committee, we rise to commemorate and celebrate the Office of Naval Research and its contributions to our Sea Services, national defense, and the advancement of scientific and technological discovery on the occasion of its 75th anniversary.

World War II underscored how science and technology could determine winners and losers on the battlefront, and the Office of Naval Research emerged as the mover and shaker of American military might. We continue to shape the future as well; its programs are continuously advancing the fields of artificial intelligence, autonomous weapon systems, precision weapons, directed energy, warfighter performance, maritime awareness, and next-generation power.

We are proud to honor the achievements of the Office of Naval Research, and we hope the Members of the Senate will join us in recognizing this incredible innovation and scientific leadership.

REMEMBERING IAN F. FERGUSSON

Mr. CRAPO. Madam President, I rise today to remember and honor Ian F. Fergusson, Specialist in International Trade and Finance in the Foreign Affairs, Defense and Trade Division of the Congressional Research Service, CRS. Ian passed away on Thursday, June 17, and he had been a long-time and cherished member of our CRS family. Ian exemplified the very best of CRS during his years of direct support for Congress. He achieved a remarkable record of accomplishment through his many reports, confidential memoranda, committee prints, and confidential consultative work for Members and congressional staff. Ian played a vital role in Congress’s consideration of important legislation, including on export
control reform when I chaired the Senate Banking Committee. He also was intricately involved in major trade policy legislation and debates before the Senate Finance Committee, including its work on renewing and reforming Trade Promotion Authority—TPA—and the committee’s and Senate’s deliberation over the United States-Mexico-Canada Agreement—USMCA.

There are many more examples of Ian’s authoritative, nonpartisan, and objective expertise and analysis for Congress, including his deep knowledge of U.S.-Canada economic relations, the World Trade Organization—WTO—and global trading system, and U.S. trade agreements. His institutional knowledge of U.S. trade policy and export controls was invaluable, especially to the Senate Finance and Senate Banking Committees and its members. The breadth and depth of Ian’s institutional and policy expertise will be truly missed as Congress continues work on these important issues.

I offer my sincere condolences to Ian’s family, friends, and his colleagues at CRS during this difficult time and hope they may take comfort in the knowledge of his indelible contribution to the work of Congress on international trade and economic policy.

Mr. WYDEN. Madam President, I also rise today to recognize the service of Ian Fergusson and his contribution to a deeper understanding of trade law and policy.

For decades, Ian provided comprehensive and detailed reports on economic history, trade policy, and key legislative authorities. He worked on everything from Canada to the World Trade Organization to access to medicine. Ian was instrumental in assisting me and my staff on numerous occasions as we examined congressional delegation of trade authorities, such as TPA, and the workings of multilateral institutions, such as the WTO. He also provided clear and concise information to support debates on the merits and implementation of U.S. trade agreements, including the South Korea—U.S. Free Trade Agreement and USMCA and the proposed Trans-Pacific Partnership—TPP—agreement.

I join my colleague in offering my sincere condolences to Ian’s family, friends, and his colleagues at CRS and will continue to think of them during this difficult time.

**TETON COUNTY, WYOMING, CENTENNIAL CELEBRATION**

Mr. BARRASSO. Madam President, I rise today in recognition of the 100th anniversary of the formation of Teton County, WY.

On Sunday, August 29, 2021, Teton County will come together in honor of this milestone with a 100th anniversary picnic celebration. The day will include barbecue cookouts, games, live music performances, children’s activities, and exhibits of Teton County’s historical photos and artifacts. This event provides an exceptional opportunity to demonstrate and celebrate Teton County’s strong, remarkable character.

Teton County was established by an act of the Wyoming Legislature and signed into law by Governor Robert D. Carey. The area was initially part of neighboring Lincoln County. Residents grew weary of travelling over 200 miles to the Lincoln County seat: Kemmerer, WY. Travel was often impossible in the winter as snowy roads were closed, leaving the residents of now Teton County completely isolated.

One of the chief proponents of the effort to carve out Teton County was Wyoming legislator Delaney. In January 1920, Representative Delaney introduced a bill in the legislature establishing an independent county he then called “Jackson Hole County.” To select the county seat, a vote was held Chairman Natalia J. Mackay, Chairwoman Natalia D. Macker, Vice-Chair Luther Propst, Mark Newcomb, Greg Epstein, and Mark Barron represent Teton County.

The story of Teton County echoes the stories of communities across Wyoming and the American West. Even today, Teton County is 97 percent public land, including the Bridger-Teton National Forest, Grand Teton National Park, and most of Yellowstone National Park.

From its beginnings, tourism was an important business in the region. The first homesteaders in the 1880s hosted and outfitted the earliest tourists. Today, the wilderness attracts tourists from all over the world for numerous activities like camping, sightseeing, hiking, hunting, and snow-skiing, to name only a few. Three significant ski areas, Snow King Mountain Resort, Jackson Hole, and Targhee Resort ensure the tourism industry stays vibrant in the winter.

The National Elk Refuge in Teton County is a winter-safe haven for upwards of 8,000 elk. The refuge, part of the National Wildlife Refuge System, provides critical habitat for a number of species, including elk, bison, pronghorn, swans, eagles, and trout.

It is my honor to commemorate this historic milestone for Teton County. Their centennial celebration is a tribute to generations of determination and commitment. My wife Bobbi and the people of Wyoming join me in our appreciation of the people of Teton County. We thank them for opening their communities to our great State, the Nation, and the world. We extend our congratulations as we look forward to the next 100 years.

**TRIBUTE TO COLONEL BRADLEY BOYD**

Mr. KING. Madam President, today I wish to recognize and congratulate COL Bradley Boyd on his outstanding service to our Nation both as a member of my defense and foreign policy team, and as a U.S. Army infantry officer with 30 years of combined military experience in both the Army and the Marine Corps.

Colonel Boyd selflessly devoted the last 4 months of his time in service to working in my office as a defense and foreign policy adviser and as the lead staff member assigned to the Cyber-space Solarium Commission. During this service, Colonel Boyd made several major policy contributions that will affect how the Department of Defense and the Department of Homeland Security will defend the United States and its interests in the future. Prior to joining my office, Brad served as the Director of Joint Warfighting for the Department’s Joint Artificial Intelligence Center. Colonel Boyd also previously served as a senior military fellow at Stanford University’s Center for International Security and Cooperation, where his research addressed cyber- and AI-enabled information warfare and national security strategy. Before Stanford, Brad served as a liaison officer to the British Army, as well as in a number of infantry and overseas assignments: as deputy commander of a 4,000-paratrooper brigade ready for short-notice worldwide contingency operations; as commander of a battalion in the 82nd Airborne Division tasked as the U.S. Army’s Global Response Force—a unit of 800 paratroopers ready to deploy and operate anywhere in the world within 18 hours’ notice; and as commander of a rifle company as part of a task force that played a key role in the hunt for Saddam Hussein.

On behalf of my colleagues and the U.S. Congress, I thank Colonel Boyd for his dedicated service to my staff, the U.S. Army, the U.S. Marine Corps, and the Nation. What truly makes the U.S. military the greatest in the history of the world is the fact that servicemembers like Colonel Boyd decide to dedicate their lives to service abroad. I wish him all the best and know that he will excel in anything that he chooses to pursue in his next endeavors.
Ms. LUMMIS. Madam President, I rise today to recognize my summer 2021 interns. Team Lummis was fortunate to be joined this summer by an amazing group of six interns, in both our State and DC offices. These young people’s participation in an internship shows motivation to learn, dedication to becoming educated and engaged citizens, and a love for the State of Wyoming and this country.

Interacting with this group of interns has been hard for both my district and me and given us renewed hope for the future. As they leave our office and our doors, I want to thank Tanner Conley, Karryn MacDonald, Payton McEndree, and Madison Stoddard who served in my DC office; Bailey Harshell, who served in my Casper office; and Sullivan Fagan who served in my Cheyenne office. Keep working hard, take pride in the work you do, and don’t forget to enjoy the ride.

**ADDITIONAL STATEMENTS**

**TRIBUTE TO GARRETT LEWIS**

- Mr. BOOZMAN, Madam President, I rise today to recognize Garrett Lewis who is saying goodbye after nearly 30 years of service. His dedication to keeping Arkansans safe and providing dependable, reliable, and accurate weather forecasts has made a real impact in our state.

Garrett was born and raised in Alma, AR, where he developed his passion and love for weather. It is no surprise that after earning his bachelor’s degree from Mississippi State University, Garrett returned to his roots in Arkansas to serve the community. He quickly rose to success at KFSM. While maintaining a busy schedule, he also found time to earn a master’s degree in applied meteorology, further enhancing his expertise.

Garrett’s work has been recognized and celebrated by his peers with both the National Weather Association Seal of Approval and the American Meteorological Society Seal of Approval. The Arkansas Associated Press also acknowledge the quality of his work, in including with its award for “Best Weathercast” numerous times.

He has a warm heart and deeply cares about the people in western Arkansas, something he exhibited during each newscast and viewing of his updates that I interacted with every day. That extends beyond his weather role. He is a strong champion for the welfare of children, having taken a vested interest in preventing their abuse and supporting efforts to treat those who experience it through his service on the boards of the Benton County Children’s Advocacy Center and Children’s Advocacy Centers of Arkansas. His efforts have led to toughened laws to protect children from predators.

Garrett has dedicated 20 years of his life to serving the people of Arkansas while being a loving father and devoted husband. I know his wife Ashley and his children Graham and Ellis are very proud of him and are looking forward to spending more time together.

I applaud Garrett for his outstanding leadership and accomplished career which has been marked by service. We will miss watching him on TV with his sleeves rolled up as dangerous weather approaches, but we can be confident he will apply the same drive and skill to whatever endeavors he pursues in the future. Join me in anticipating this chapter in his life and career and wish him all the best as it begins.

**REMEMBERING DR. JOSEPH PETER CANGEMI**

- Mr. PAUL. Madam President, Dr. Joseph Peter Cangemi lived a life unmatched in experiences. With his wife Amelia by his side, he traveled throughout the world doing what he loved most: consulting with business professionals on how to be better leaders.

This was the perfect profession for Dr. Cangemi, as he was a natural leader. When he spoke, you listened because what was said contained something important, something that could be of value either in that moment or down the road. In addition to consulting services, Dr. Cangemi also had a passion for teaching. At Western Kentucky University, many of whom are now successful in business as a result of the life lessons he shared. He brought textbooks to life by weaving in his own unique experience. This was what made his classes some of the most sought after at WKU. He wasn’t offering theory alone, but real-world experience with actual Fortune 500 companies.

Few can gracefully navigate the demands of academia for extended periods of time, but Joe always stood the test of time at WKU. He had a career spanning over five decades where he won countless awards, including the Excellence in Teaching Award from the College of Education and Behavioral Sciences three times. Distinguished Public Service Award, and the Excellence in Research and Creativity Award. Along with numerous awards, Dr. Cangemi was also editor of the International Journal of Leadership and Change.

Aside from his professional feats, Dr. Cangemi was also unmatched as a family man. He and his wife Amelia traveled all over the world bringing back stories and mementos to share with the grandkids. Primary to traveling, they prioritized spending time with family. He and Amelia rarely missed a basketball game his grandson played in, or a recital his granddaughters took part in. It wasn’t unusual for Joe to bring new friends home to meet Graham and Ellis where they would actively participate. They were his pride and joy, and he never missed an opportunity to see them. He and his wife Amelia would have celebrated their 50th wedding anniversary this year.

Dr. Joseph Cangemi was born on June 26, 1936, in Syracuse, NY, and surrounded by his family, died peacefully on June 13, 2021. While we are sad to lose such a valued member of the community, we look at the success of his students and family members and are reminded of the positive impact he had on our world. May Joe rest in peace.

**RECOGNIZING K & T STEEL CORP**

- Mr. RISCH. Madam President, as a senior member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month, I recognize and celebrate the American entrepreneurship by highlighting the success of a small business in my home State of Idaho.

Today, I am pleased to honor K & T Steel Corp in Twin Falls as the Idaho Small Business of the Month for August. K & T Steel Corp is a fabricator and manufacturer of steel and reinforced bar products located in Idaho’s Magic Valley that is now owned by Gary Palmer and Jamin Willis. For more than six decades, the company has developed a reputation for its high-quality production of beams, rebar, and fuel storage tanks, among other specialty steel products.

Purchased by William “Bill” Koch, Sr., and Lavear Thornock in 1959, K & T Steel Corp is a fabricator and manufacturer of steel and reinforced bar products located in Idaho’s Magic Valley. Today, I am pleased to honor K & T Steel Corp as the Idaho Small Business of the Month. The company’s long-standing tradition of service to the community and commitment to Idaho and the Twin Falls community.

The company’s presence has led to its involvement in major projects throughout the State of Idaho. In 2018, K & T fabricated the trellis pieces of a sky bridge that connects St. Luke’s Children’s Hospital with Idaho Elks Children’s Pavilion and, in 2020, built the Shoshone Street Archway that was constructed as a tribute to the historic architecture.

Additionally, K & T Steel Corp has a long-standing tradition of service to the community. The company donated a stairwell to the Twin Falls Optimist Youth Ranch in 2018, provided donations to St. Luke’s Magic Valley Health Foundation, and is a sponsor of the College of Southern Idaho’s Nuts, Bolts, and Thingamajigs camp for children aged 12-17.

Congratulations to Gary, Jamin, and all of the employees of K & T Steel on
Mr. RUBIO. Madam President, I am pleased to recognize Brittany Brown, the Sumter County Teacher of the Year from Wildwood Elementary School in Wildwood, FL.

Brittany’s passion for teaching is shown through supporting her students and building strong relationships with each of them. She understands the value of preparing her young students for academic success and established the Reading Superstars program at her school to help foster their love of reading to students.

A third and fourth grade English language arts teacher at Wildwood Elementary School, Brittany serves as her school’s site member for Advancement Via Individual Determination program helping schools prepare students for college and their careers. She is also the language arts representative for the Sumter County School District. Brittany earned her master’s degree in educational leadership from Saint Leo University.

I extend my sincere thanks and gratitude to Brittany for her dedication to her students, and I look forward to hearing of her continued success in the years to come.

TRIBUTE TO SARAH ANN PAINTER

Mr. RUBIO. Madam President. I am pleased to recognize Sarah Ann Painter as Florida’s Teacher of the Year.

Sarah teaches fifth grade at Eisenhower Elementary School in Clearwater, FL, and is in her 18th year of teaching. Passionate about inspiring her students to overcome obstacles and find joy in learning, Sarah encourages goal setting and collaboration to spark her student’s desires to achieve success, both inside and outside of the classroom. The past year has inspired Sarah to partner with parents to help students learn and better connect with their families. She believes time spent with family and friends is good for their mental health and offers a new perspective for teaching.

Sarah is the chairperson for the school advisory council, the representative for English language arts, and the school liaison for the extended school day program. Sarah graduated from the University of South Florida with her bachelor’s degree in education and earned a master’s degree in curriculum and instruction from the University of Florida.

I extend my sincere thanks and appreciation to Sarah for her dedication to educating students. I look forward to hearing of her continued success in the years to come.

TRIBUTE TO FRANCISCO GARAITONANDIA

Mr. RUBIO. Madam President. I am pleased to recognize Francisco Garaitonandia, the Volusia County Teacher of the Year from Citrus Grove Elementary School in DeLand, FL.

Frank’s inspiration for teaching comes from his former teachers. They instilled in him a strong desire to pursue a career in education. He dedicates his time to giving his students a voice through art, leading them to develop a love for the arts and facilitating their self-expression. Frank encourages integrating art into different subjects by presenting workshops throughout Volusia County. His work was recognized in 2016, as he was nominated for the Hispanic National Excellence in Education Award.

Frank graduated from the University of Florida with a bachelor of fine arts degree and exhibited professional art before becoming an art teacher 18 years ago.

I extend my sincere thanks and gratitude to Frank for his years of dedication to his students and look forward to hearing of his continued success in the years to come.

TRIBUTE TO JAMES SCHMITT

Mr. RUBIO. Madam President. I am pleased to recognize James Schmitt, the Duval County Teacher of the Year from Mandarin High School in Jacksonville, FL.

Jim encourages his students to become self-learners and implement techniques to keep them engaged in the classroom. He challenges his students through class discussions and encourages their voices to be heard among their peers. During the COVID-19 pandemic, Jim started the Teachers Teach Teachers program, a district-wide mentorship program where educators share teaching strategies among one another. The program played a key role in helping colleagues learn and implement new forms of teaching to accommodate distance learning, helping his fellow educators to remain engaged throughout a difficult school year.

Jim earned his master’s degree in educational leadership from the University of Phoenix and has 26 years of teaching experience. Prior to teaching, he served as a lieutenant in the U.S. Navy for 6 years.

I extend my sincere gratitude to Jim for his dedication to educating students. I look forward to hearing of his continued success in the years to come.

EXECUTIVE REPORT OF COMMITTEE ON JULY 28, 2021

The following executive report of a nomination was submitted on July 28, 2021:

By Mr. WARNER for the Select Committee on Intelligence.

*Thomas Andrew Monheim, of Virginia, to be Inspector General of the Intelligence Community, Office of the Director of National Intelligence.*

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.

MESSAGES FROM THE HOUSE

At 10:32 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4502. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

ENROLLED BILLS SIGNED

At 11:01 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 208. An act to designate the facility of the United States Postal Service located at 500 West Main Street, Suite 102 in Tupelo, Mississippi, as the “Colonel Carlyle ‘Smytty’ Harris Post Office”.

H.R. 264. An act to designate the facility of the United States Postal Service located at 1101 Charlotte Street in Georgetown, South Carolina, as the “Joseph Hayne Rainey Memorial Post Office Building”.

H.R. 772. An act to designate the facility of the United States Postal Service located at 228 Meanottonka Avenue South in Wayzata, Minnesota, as the “Jim Ramstad Post Office”. 
H.R. 1002. An act to amend the Controlled Substances Act to authorize the debarment of certain registrants, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

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-1669. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting, pursuant to law, a report relative to the “National Defense Authorization Act for Fiscal Year 2022”; to the Committee on Armed Services.

EC-1670. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, a (5) reports relative to vacancies in the U.S. Agency for International Development (USAID), received in the Office of the President of the Senate on July 27, 2021; to the Committee on Foreign Relations.

EC-1671. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting, pursuant to law, a Memorandum of Justification under section 506(a)(2) of the Foreign Assistance Authorization Act of 1961 (FAA) related to the situation in Afghanistan; to the Committee on Foreign Relations.

EC-1672. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, pursuant to law, a Memorandum of Justification under section 506(a)(2) of the Foreign Assistance Act of 1961 (FAA) for assistance related to the situation in Afghanistan; to the Committee on Foreign Relations.

EC-1673. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, pursuant to law, a report relative to the determination of international agreements, other than treaties (List 2021-0001–2021-0091); to the Committee on Foreign Relations.

EC-1674. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements, and were referred as indicated:

POM–59. A joint memorial adopted by the Legislature of the State of Idaho urging the United States Congress that state funeral be held at such time of the passing of the last World War II Medal of Honor recipient and to honor those who served in World War II; to the Committee on Homeland Security and Governmental Affairs.

POM–60. A concurrent resolution adopted by the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

Whereas, the last surviving Medal of Honor recipient from World War II is 96-year-old Hershel “Woody” Williams, a retired United States Marine Corps warrant officer and United States Department of Veterans Affairs veterans service representative, and 99-year-old Charles H. Connelly, who served as a United States Army technical sergeant; Now, therefore, be it

Resolved, by the members of the First Regular Session of the Sixtieth Idaho Legislature, the Senate and the House of Representatives concurring therein, that a state funeral be held at such time of the passing of the last World War II Medal of Honor recipient, to honor the last surviving Medal of Honor recipient from World War II, and to honor those who served in World War II, such distinction giving our nation the opportunity to thank those who saved the world from Nazism, fascism, and militaristic imperialism. This national recognition would also serve to honor the 473 service members who were awarded the Medal of Honor for service during World War II, along with the 16 million soldiers, sailors and airmen who faithfully served our nation during World War II, during that war, paying a final salute to the millions of men and women of the “Greatest Generation” who served our country from 1941 to 1945; Be it further

Resolved, That the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, and to the congressional delegation representing the State of Idaho in the Congress of the United States.

Whereas, the last surviving Medal of Honor recipient from World War II is 96-year-old Hershel “Woody” Williams, a retired United States Marine Corps warrant officer and United States Department of Veterans Affairs veterans service representative, and 99-year-old Charles H. Connelly, who served as a United States Army technical sergeant; Now, therefore, be it

Resolved, by the members of the First Regular Session of the Sixtieth Idaho Legislature, the Senate and the House of Representatives concurring therein, that a state funeral be held at such time of the passing of the last World War II Medal of Honor recipient and to honor those who served in World War II; to the Committee on Homeland Security and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 201

Whereas, Only 473 Americans were awarded the Congressional Medal of Honor, the nation’s highest decoration of valor during World War II, and, as of today, only one of those Americans, West Virginia’s own son, Hershel “Woody” Williams, remains alive; and

Whereas, The time is approaching for a final salute to the Medal of Honor recipients from World War II; and

Whereas, A single state funeral to be held upon the death of the last living Medal of Honor recipient from World War II would be the perfect vehicle to do so, and it would also provide a national recognition to all 16 million soldiers, sailors and airmen who served in our armed forces from 1941 to 1945; and

Whereas, General Douglas MacArthur, Supreme Allied Commander in the Pacific theatre, and General Dwight Eisenhower, Supreme Allied Commander of the European theatre, were each honored by the nation with state funerals; and

Whereas, The selfless, brave men and women who earned the honor of special recognition at a state funeral to be held upon the death of the last
living Medal of Honor recipient from World War II; therefore, be it
Resolved by the Legislature of West Virginia: That the West Virginia Senate and West Virginia House of Delegates hereby request the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from each succeeding American war, that the memory of their deeds may be kept, and that it further
Resolved, That the West Virginia Senate and West Virginia House of Delegates hereby request the President of the United States to designate a single state funeral to be held upon the death of the last living Medal of Honor recipient from each succeeding American war, that the memory of their deeds may be kept, and that it further
Resolved, That the Clerk of the House of Delegates and Clerk of the Senate forward a copy of this resolution to the President of the United States, the Clerk of the United States Senate, the Clerk of the United States House of Representatives, all members of West Virginia's Congressional delegation, and the Governor of West Virginia.

POM–41. A resolution adopted by the County Council of New Castle, Delaware celebrating the bicentennial of the United States and the 2020 Presidential election and thanking President Biden and Vice President Harris for taking the necessary step for a pull back of government control over its citizens; to the Committee on Homeland Security and Governmental Affairs.

POM–42. A concurrent resolution adopted by the General Assembly of the State of West Virginia urging the United States Congress and the Department of Defense to maintain the C–130 fleet at the United States Transportation Command's Armstrong Test Facility in Sandusky, providing critical logistics and operational support; and
Whereas, The 179th Airlift Wing provided a critical role in the creation of the C–130J – allowing the Super Guppy's arrival and departure missions, significantly enhancing the safe operation of the Super Guppy in crosswind takeoffs and landings; and
Whereas, The 179th Airlift Wing supported NASA’s Super Guppy and the Artemis I spacecraft for testing at the Armstrong Test Facility before launching humans to the moon on the future Artemis II mission; and
Whereas, NASA Glenn and the State of Ohio partnered to develop a transportation route between the 179th Airlift Wing and NASA Glenn’s Armstrong Test Facility to enhance and expand the capacity for testing large spacecraft at this one-of-a-kind test facility; and
Whereas, The United States Transportation Command's 2018 Mobility Capabilities and Requirements Study (MCRS) identified that the Theater Airlift Aircraft C–130 fleet size to support the National Defense Strategy in Fiscal Year 2023 should be no less than 300 aircraft, and the USAF in its 2021 President’s Budget indicated it intended to reduce the C–130 fleet to 250 aircraft by 2026 and divert the extra cost; and
Whereas, The USAF considered eight ANG C–130H units to receive new C–130J aircraft (eight aircraft per unit) in 2021, but only selected the 164th Airlift Wing in Mansfield, Ohio for this program; and
Whereas, The 179th Airlift Wing was not included in the group being considered; and
Whereas, The USAF awarded Lockheed Martin a $15 billion C–130J Indefinite Delivery/Indefinite Quantity contract for its C–130J Super Hercules Program in July of 2020 for a period of five years with an execution period of ten years; and
Whereas, The 179th Airlift Wing in Mansfield, Ohio, possesses the personnel, facilities, experience, and capacity to support the C–130J Super Hercules air craft and has a significant economic impact of over $50 million per year in the local Mansfield area; and serves as the foundation to support air improvement and a Federal Aviation Administration control tower; now therefore be it
Resolved, That we, the members of the 179th General Assembly of the State of Ohio, pending the USAF final decision to assign the Information Warfare Wing mission in the Full of 2021 to one of the two ANG bases with this new mission, consider the Ohio 179th Airlift Wing the best location for this mission; and
Resolved, That the Clerk of the United States Senate transmit duly authenticated copies of this resolution to the United States Secretary of Defense, the President Pro Tempore and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, members of the Ohio Congressional delegation, and the news media of Ohio.

POM–61. A concurrent resolution adopted by the Legislature of the State of New Jersey urging the city and state of New Jersey to protect the environmental and social well being of communities through better regulation of debt settlement companies; to the Committee on Banking, Housing, and Urban Affairs.

SENATE CONCURRENT RESOLUTION No. 110. Whereas, The General Assembly recognizes that debt settlement companies, which [claim to] settle, renegotiate, or in some way modify the terms of a person’s debt to a creditor, [cause] can offer significant [problems for] borrowers, often increasing debt while complicating the process of becoming [benefits to] consumers wishing to become debt free; and
Whereas, Debt settlement companies [suggest that] they are “negotiating with creditors to settle delinquent debt for less than what is owed” and can require that consumers stop making payment; owed, a process that usually [for] takes two to three years [while they settle a] debt; and
Whereas, Stopping payment causes accounts to default, resulting in additional late payments, late fees, and other penalties that will be added to the amount already owed; and
Whereas, Debt settlement Stopping payments will have a negative impact on consumers’ credit scores and make it more difficult to access affordable credit, since [debts] settlement remains delinquencies remain on a credit report for seven years and not paying the full amount owed or missing payments [while not paying a] settlement lowers can result in lower credit scores; and
Whereas, A fee is normally charged by debt settlement companies to a consumer’s behalf and can be as much as [20] 18 to 25 percent of the [original] settlement amount owed, which means a consumer with $5,000 in debt may have an additional $1,000 to $2,000 in fees to pay; and
Whereas, Lenders are under no obligation to accept settlement offers and in fact, some lenders refuse to work with debt settlement companies; and
Whereas, There can be negative tax consequences from using a debt settlement company, as whatever amount of debt is forgiven may be considered as income and require the consumer list this amount as income on their tax returns; and
Whereas, [These companies often dis]proportionately operate in [it is important to] protect minority communities, where individual and families often have fewer resources to draw on when they come under financial pressure; now, therefore, be it
Resolved, by the Senate of the State of New Jersey (the General Assembly convening) and the House of Representatives of the State of New Jersey, in the legislature met, that the state and federal levels that ensure debt settlement companies are subject to basic consumer protections, including licensing, regular examination, and prompt mandatory disclosure.

2. The Legislature recognizes that these settlement companies do not release funds from existing debt, and that ceasing to make payments without the consent of the creditor.
may damage the consumer’s credit score and may subject the borrower to collections activities, additional fees, and interest.

3. The Legislature urges states, including New Jersey, to enact legislation recognizing [debt settlement companies] the making of unsafe or unsound loans directly or indirectly to consumers.

4. The Legislature encourages the federal government to conduct a comprehensive review of its oversight of debt servicing companies, to include a review of federal bankruptcy rules: how debt servicing companies act as credit counseling services; the status of these companies as money servicing businesses; and a review of the enforcement actions taken by the Consumer Financial Protection Bureau and the Federal Trade Commission.

POM-64. A resolution adopted by the Senate of the State of New Jersey, the United States Congress and the President of the United States to create a National Infrastructure Bank, to the Committee on Banking, Housing and Urban Affairs.

S5714

CONGRESSIONAL RECORD—SENATE August 3, 2021

SENATE RESOLUTION NO. 81

Whereas, The American Society of Civil Engineers (ASCE) stated in its 2017 report that the United States received a grade of “D” regarding the current state of infrastructure, and that $4.6 trillion would be needed to restore the country’s infrastructure to a state of good repair. Current funding falls over $2 trillion short of this amount, according to a recent survey of 108-year-old tunnels carry 20 percent of the national traffic at the time, including that in the state of New Jersey, was financed this way; and

Whereas, A new National Infrastructure Bank can be created to direct $1 trillion to urgently needed infrastructure projects; and

Whereas, A new National Infrastructure Bank can be directly $1 trillion to urgently needed infrastructure projects. This bank can be funded with no new federal appropriations, by exchanging a small portion of Treasury debt, in the amount of $500 billion, for stock in the new bank. The new bank, operating as a commercial bank, could lend out $1 trillion to states, counties, municipalities, and other governmental entities at a low interest rate in order to finance their infrastructure projects; and

Whereas, Seventeen state legislatures have filed similar resolutions, and three state legislatures have passed resolutions in a bipartisan vote. This policy has been endorsed by many national organizations, including the National Congress of Black Women, National Latino Farmers and Ranchers Trade Association, and the National Federation of Federal Employees; and many local entities, including the Mercer County Board of Freeholders and the Trenton City Council; now, therefore, be it

Resolved, By the Senate of the State of New Jersey:

1. This House respectfully urges the President and Congress of the United States to enact legislation creating a new National Infrastructure Bank, to conduct a comprehensive review of the United States, members of the United States Senate, the United States Secretary of the Treasury, and to other federal and State government officials as appropriate.

POM-65. A resolution adopted by the Senate of the State of New Jersey urging the Fish and Wildlife Service to list the monarch butterfly as a threatened species: to the Committee on Environment and Public Works.

RESOLUTION NO. 102

Whereas, The monarch butterfly (Danaus plexippus) is an iconic large orange and black butterfly that migrates between most familiar butterflies in North America; and

Whereas, Every autumn, millions of monarch butterflies cover a multi-generational migration thousands of miles from Canada and the northern United States to Mexico and California, stopping along the way places like New Jersey, to feed and reproduce; and

Whereas, Monarch butterfly populations in North America represent the vast majority of all monarch butterflies in the world; and

Whereas, Monarch butterfly habitat has been drastically reduced and degraded throughout the butterfly’s summer and winter ranges due to factors such as commercial development, logging, and broader environmental changes; and

Whereas, One of the major reasons for monarch butterfly population decline is the increased use of pesticides that kill milkweed, the monarch butterfly’s preferred plant host; and

Whereas, Climate change also poses a dire threat to the monarch butterfly, as several scientists have predicted that the monarch butterfly’s overwintering habitat in Mexico may experience severe declines due to global climate change, and that much of the monarch butterfly’s summer range may also become unsuitable due to increasing temperatures; and

Whereas, Disease and predation also contribute to population decline and major threats facing the monarch butterfly include numerous pathogens, such as viruses, bacteria, and protozoan parasites; and

Whereas, The monarch butterfly population declined by more than 80 percent in the past two decades, and is presently near the lowest population ever recorded; and

Whereas, The federal “Endangered Species Act” (16 U.S.C. § 1531 et seq.) allows a species to be listed as “threatened” when it is at risk of becoming endangered in a significant portion of its range; and

Whereas, Although there are small populations of monarch butterflies throughout the North American butterfly population is significant because without it, the redundancy, resiliency, and representation of the species that is in jeopardy from climate change would be lost; and

Whereas, Numerous other species have been protected under the federal Endangered Species Act that have large ranges and relatively abundant population sizes but have experienced precipitation declines and face significant threats to their continued existence, such as the gray bat (Myotis griseocanus), Indiana bat (Myotis sodalis), and piping plover (Charadrius melodus); and

Whereas, In 2014, a group of conservationists, including the Center for Biological Diversity and the Xerces Society, petitioned the Secretary of the United States Department of the Interior, through the United States Fish and Wildlife Service, to protect the monarch butterfly under the federal Endangered Species Act; and

Whereas, Based on information in that petition, the U.S. Fish and Wildlife Service determined that the monarch butterfly population may warrant federal protection, and began the process of conducting a thorough assessment to determine if the monarch butterfly should be listed as a threatened species; and

Whereas, The U.S. Fish and Wildlife Service is presently developing a database to capture new, ongoing, and planned conservation efforts for the monarch butterfly, including site-based and landscape-scale plant habitats, and to help the agency and its conservation partners assess conditions for the monarch butterfly now and into the future; and

Whereas, The U.S. Fish and Wildlife Service anticipates making a listing decision concerning the monarch butterfly in June 2021, the date established in the Endangered Species Act for proposing listing the monarch butterfly as endangered or threatened under the Endangered Species Act is warranted, but precluded by higher priority listing actions; and


Whereas, New Jersey values the important role that pollinators, such as the monarch butterfly, play in the ecology of the State and the nation, and there is bipartisan support in New Jersey for programs and legislation that protect and encourage pollinators and their habitats that support them. Now, therefore, be it

Resolved, By the Senate of the State of New Jersey:

1. This House urges the United States Fish and Wildlife Service to list the monarch butterfly as a threatened species under the federal Endangered Species Act.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted...
by Secretary of the Senate to the Governor of the State of New Jersey, to the President of the United States, the Secretary of the United States Department of the Interior, the Director of the United States Fish and Wildlife Service in the

POM-66. A joint resolution adopted by the Legislature of the State of Maine urging the United States Congress and the President of the United States to enact legislation to authorize states to obtain a state universal health care plan to assist states interested in the establishment of a state-based universal health care plan.

Whereas, the current system of health care coverage in the State does not provide universal health care to all Maine residents.

Whereas, health care coverage is often unaffordable and causes financial strain for many Maine residents; and

Whereas, every person in the State should have access to affordable and high-quality health care; and

Whereas, there are significant barriers in federal law that affect the ability of individual states to establish a universal health care plan to provide affordable and high-quality health care to all residents; and

Whereas, efforts to expand health care have been hindered by a lack of federal support and financing to assist states interested in the establishment of a state-based universal health care plan; and

Whereas, proposed legislation was previously introduced in the 116th Congress, H.R. 6010, the State-Based Universal Health Care Act.

Resolved, That we, the members of the Legislature of the State of Maine, urge the United States Congress and to the President of the United States to enact legislation to authorize states to obtain a state universal health care plan.

POM-67. A joint resolution adopted by the Legislative Delegation of the State of Wyoming urging the United States Congress to enact legislation to provide federal financial assistance to the state of Wyoming.

Whereas, the current system of health care coverage in the State does not provide universal health care to all Wyoming residents.

Whereas, health care coverage is often unaffordable and causes financial strain for many Wyoming residents; and

Whereas, every person in the State should have access to affordable and high-quality health care; and

Whereas, there are significant barriers in federal law that affect the ability of individual states to establish a universal health care plan to provide affordable and high-quality health care to all residents; and

Whereas, efforts to expand health care have been hindered by a lack of federal support and financing to assist states interested in the establishment of a state-based universal health care plan; and

Whereas, proposed legislation was previously introduced in the 116th Congress, S. 555 and H.R. 1377, the State-Based Universal Health Care Act.

Resolved, That we, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the President of the United States and the United States Congress enact legislation to authorize states to obtain a state universal health care plan.

POM-68. A concurrent resolution adopted by the General Assembly of the State of Ohio urging the United States Congress to enact legislation to provide federal financial assistance to the state of Ohio.

Whereas, the current system of health care coverage in the State does not provide universal health care to all Ohio residents.

Whereas, health care coverage is often unaffordable and causes financial strain for many Ohio residents; and

Whereas, every person in the State should have access to affordable and high-quality health care; and

Whereas, there are significant barriers in federal law that affect the ability of individual states to establish a universal health care plan to provide affordable and high-quality health care to all residents; and

Whereas, efforts to expand health care have been hindered by a lack of federal support and financing to assist states interested in the establishment of a state-based universal health care plan; and

Whereas, proposed legislation was previously introduced in the 116th Congress, H.R. 6010, the State-Based Universal Health Care Act.

Resolved, That we, the members of the Legislative Delegation of the State of Ohio, urge the United States Congress to enact legislation to provide federal financial assistance to the state of Ohio.

POM-69. A joint resolution adopted by the Legislative Delegation of the State of Wyoming urging the United States Congress to enact legislation to provide federal financial assistance to the state of Wyoming.

Whereas, the current system of health care coverage in the State does not provide universal health care to all Wyoming residents.

Whereas, health care coverage is often unaffordable and causes financial strain for many Wyoming residents; and

Whereas, every person in the State should have access to affordable and high-quality health care; and

Whereas, there are significant barriers in federal law that affect the ability of individual states to establish a universal health care plan to provide affordable and high-quality health care to all residents; and

Whereas, efforts to expand health care have been hindered by a lack of federal support and financing to assist states interested in the establishment of a state-based universal health care plan; and

Whereas, proposed legislation was previously introduced in the 116th Congress, H.R. 6010, the State-Based Universal Health Care Act.

Resolved, That we, the members of the Legislative Delegation of the State of Wyoming, urge the United States Congress to enact legislation to provide federal financial assistance to the state of Wyoming.

POM-70. A joint resolution adopted by the Legislative Delegation of the State of Wisconsin urging the United States Congress to enact legislation to provide federal financial assistance to the state of Wisconsin.

Whereas, the current system of health care coverage in the State does not provide universal health care to all Wisconsin residents.

Whereas, health care coverage is often unaffordable and causes financial strain for many Wisconsin residents; and

Whereas, every person in the State should have access to affordable and high-quality health care; and

Whereas, there are significant barriers in federal law that affect the ability of individual states to establish a universal health care plan to provide affordable and high-quality health care to all residents; and

Whereas, efforts to expand health care have been hindered by a lack of federal support and financing to assist states interested in the establishment of a state-based universal health care plan; and

Whereas, proposed legislation was previously introduced in the 116th Congress, H.R. 6010, the State-Based Universal Health Care Act.

Resolved, That we, the members of the Legislative Delegation of the State of Wisconsin, urge the United States Congress to enact legislation to provide federal financial assistance to the state of Wisconsin.

POM-71. A joint resolution adopted by the Legislative Delegation of the State of West Virginia urging the United States Congress to enact legislation to provide federal financial assistance to the state of West Virginia.

Whereas, the current system of health care coverage in the State does not provide universal health care to all West Virginia residents.

Whereas, health care coverage is often unaffordable and causes financial strain for many West Virginia residents; and

Whereas, every person in the State should have access to affordable and high-quality health care; and

Whereas, there are significant barriers in federal law that affect the ability of individual states to establish a universal health care plan to provide affordable and high-quality health care to all residents; and

Whereas, efforts to expand health care have been hindered by a lack of federal support and financing to assist states interested in the establishment of a state-based universal health care plan; and

Whereas, proposed legislation was previously introduced in the 116th Congress, H.R. 6010, the State-Based Universal Health Care Act.

Resolved, That we, the members of the Legislative Delegation of the State of West Virginia, urge the United States Congress to enact legislation to provide federal financial assistance to the state of West Virginia.
Resolved, That the Clerk of the Senate transmit a duly authenticated copy of this resolution to the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, and the National Association of Atomic Veterans so that members of Congress, the organization, and other atomic veterans and their families may be apprised of the sense of the General Assembly of the State of Ohio in this matter.

POM-69. A resolution adopted by the Select Board of the Town of Appleton, Maine urging the United States Congress to enact carbon-pricing legislation to protect Maine from the continued climate inaction; to the Committee on Environment and Public Works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services:

Army nomination of Col. Robert A. Borcherding, to be Brigadier General.

Marine Corps nomination of Col. David J. Blihg, to be Major General.

Army nominations beginning with Brig. Gen. Kris A. Belanger and ending with Col. Peter J. Runk, to be Lieutenant General.


Army nomination of Maj. Gen. John R. Evans, Jr., to be Lieutenant General.

Navy nomination of Rear Adm. Carl P. Chebi, to be Vice Admiral.

Mr. REED, Mr. President, for the Committee on Armed Services I report favorably the following nomination lists printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary’s desk for the information of Senators:

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

Air Force nomination of Tammy L. Holister, to be Colonel.

Army nomination of Barrie J. Clotti, to be Lieutenant Colonel.

By Mr. BROWN for the Committee on Banking, Housing, and Urban Affairs:

*Damon Y. Smith, of Maryland, to be General Counsel of the Department of Housing and Urban Development.*

By Mrs. MURRAY for the Committee on Health, Education, Labor, and Pensions:

*Javier Ramirez, of Illinois, to be Federal Mediation and Conciliation Director.*

*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. (Nominations without an asterisk were reported with the recommendation that they be confirmed.)*

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. OSSOFF:

S. 2582. A bill to amend the Internal Revenue Code of 1986 to expand the residential energy efficient property credit and energy credit, and for other purposes; to the Committee on Finance.

By Mr. BASS (for himself and Mr. MENENDEZ):

S. 2583. A bill to amend the Internal Revenue Code of 1986 to provide for rules for the use of retirement funds in connection with federally declared disasters; to the Committee on Finance.

By Mr. MANCHIN (for himself and Ms. COLLINS):

S. 2584. A bill to amend the Older Americans Act of 1965 to establish a competitive grant program to enable area agencies on aging and local nutrition service providers to purchase, customize, or repair vehicles with hot and cold food storage for delivering meals to older individuals through the Congregate Nutrition Program or the Home-Delivered Nutrition Program; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HASSAN (for herself, Mr. CORNYNs, Ms. SINEMA, and Mr. TILLS):

S. 2585. A bill to amend the Homeland Security Act of 2002 to authorize a grant program relating to the cybersecurity of State, local, Tribal, and territorial governments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN (for himself, Mr. BLUMENTHAL, Ms. KLOBUCAR, Mr. VAN HOLLEN, and Mr. MARKEY):

S. 2586. A bill to amend the Public Health Service Act to enhance the national strategy for combating and eliminating tuberculosis, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO (for himself, Mr. GRASSLEY, Ms. LUMMIS, Mr. RUBIO, Mr. SCOTT, Mr. LANKFORD, Mr. INHOFFE, Mr. COTTON, Mr. TILLIS, Mr. BRAUN, Mr. Sasse, Mr. CORNYn, Mr. BOOZMAN, Mrs. BLACKBURN, Mr. TUBERVILLE, Mr. MORAN, and Mr. HAWLEY):

S. 2587. A bill to oppose the provision of assistance to the People’s Republic of China by the multilateral development banks; to the Committee on Foreign Relations.

By Mrs. SHARRREN (for herself and Ms. Klobuchar):

S. 2588. A bill to study the extent to which individuals are at risk of maternal mortality or severe maternal morbidity as a result of being a victim of intimate partner violence; and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BLACKBURN (for herself and Mr. Mugabe):

S. 2589. A bill to amend the 21st Century Cures Act to provide for designation of institutions of higher education that provide research, data, and leadership on advanced and continuous manufacturing as National Centers of Excellence in Continuous Pharmaceutical Manufacturing, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BLACKBURN (for herself and Mr. ROBORS):

S. 2590. A bill to designate an Anomalous Health Incidents Interagency Coordinator to coordinate the interagency investigation of, and response to, anomalous health incidents, and for other purposes; to the Select Committee on Intelligence.

By Mr. OSSOFF:

S. 2591. A bill to establish the National Equal Pay Enforcement Task Force, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2592. A bill to require the Bureau of Prisons to submit to Congress an annual summary report of disaster damage, and for other purposes; to the Committee on the Judiciary.

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

S. 2593. A bill to amend the Higher Education Act of 1965 to improve federal oversight of foreign funding in education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. WHITEHOUSE, and Mr. MARKEY):

S. 2594. A bill to amend the Federal Food, Drug, and Cosmetic Act to strengthen requirements related to nutrient information on food labels, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself, Ms. COLLINS, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. SHARRREN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. REED, Ms. HASSAN, and Ms. WARREN):

S. 335. A resolution designating September 25, 2021, as “National Lobster Day”; considered and agreed to.

By Mr. WARNock (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARSON, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HIRONO, Ms. KLOBUCAR, Mr. MENENDEZ, Mrs. MURRAY, Mr. RAIMONDA, Ms. SMITH, Mr. VAN HOLLEN, Ms. WARREN, Mr. WYDEN, Ms. Kaine, and Mr. BENNET):

S. Con. Res. 12. A concurrent resolution recognizing the significance of equal pay and the disparity in wages paid to men and to Black women; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

At the request of Mrs. CAPITO, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 451, a bill to require the Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology, to help facilitate the adoption of optical technology in infrastructure in the United States, and for other purposes.

At the request of Mr. COTTON, the names of the Senator from Indiana...
S. 1404, a bill to award a Congressional Gold Medal to the 23d Headquarters Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a “Ghost Army” that conducted deception operations in Europe during World War II.

S. 1408, a bill to postpone the medical discharge of a Vietnam veteran.

S. 1435, a bill to amend the Federal Trade Commission Act to prohibit product hopping, and for other purposes.

S. 1488, a bill to amend title 37, United States Code, to establish a basic needs allowance for income regular members of the Armed Forces.

S. 1523, a bill to establish requirements with respect to prescription drug benefits.

S. 1523, a bill to amend the Social Security Act and title XXVII of the Public Health Service Act to provide access to rural health care by ensuring fairness in Medicare hospital payments.

S. 1543, a bill to amend the title XVIII of the Social Security Act and title XXVII of the Public Health Service Act to provide an Academy of Nutrition and Dietetics Award to the 23d Headquarters Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a “Ghost Army” that conducted deception operations in Europe during World War II.

S. 1543, a bill to amend the Consumer Product Safety Act to provide for a federal Preclinical Safety and Performance Testing Center.

S. 1543, a bill to amend the Federal Trade Commission Act to prohibit product hopping, and for other purposes.

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The Senator from Nebraska (Mr. Sasse) was added as a cosponsor of S. 2393, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

The request of Mrs. Fischer, the name of the Senator from Nebraska (Mr. Sasse) was added as a cosponsor of S. 2393, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

The request of Mrs. Duckworth, the name of the Senator from Pennsylvania (Mr. Casey) was added as a cosponsor of S. 2390, a bill to allow Americans to receive paid leave time to process and address their own health needs and the health needs of their partners during the period following a pregnancy loss, an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, a failed adoption arrangement, a failed surrogacy arrangement, or a diagnosis or event that impacts pregnancy or fertility, to support related research and education, and for other purposes.

The request of Ms. Duckworth, the names of the Senator from Nevada (Ms. Cortez Masto), the Senator from Mississippi (Mr. Wicker), the Senator from Nevada (Ms. Rosen), the Senator from Florida (Mr. Scott), the Senator from Hawaii (Mr. Schatz), the Senator from West Virginia (Mrs. Capito) and the Senator from North Dakota (Mr. Cramer) were added as cosponsors of S. 2424, a bill to make available $250,000,000 from the Travel Promotion Fund for the Corporation for Travel Promotion.

The request of Mr. Reed, the names of the Senator from New Mexico (Mr. Lujan) and the Senator from Alaska (Ms. Murkowski) were added as cosponsors of S. 2425, a bill to amend the Public Health Service Act to ensure the provision of high-quality service through the Suicide Prevention Lifeline, and for other purposes.

The request of Ms. Cantwell, the name of the Senator from Washington (Mrs. Murray) and the Senator from Minnesota (Ms. Klobuchar) were added as cosponsors of S. 2434, a bill to provide tax incentives that support local newspapers and other local media, and for other purposes.

At the request of Mr. Menendez, the name of the Senator from Mississippi (Mr. Wicker) was added as a cosponsor of S. 2485, a bill to amend the Internal Revenue Code of 1986 to provide a credit for economic activity in possessions of the United States.

At the request of Mr. King, the name of the Senator from Nevada (Ms. Rosen) was added as a cosponsor of S. 2491, a bill to amend the Homeland Security Act of 2002 to establish the National Cyber Resilience Assistance Fund, to improve the ability of the Federal Government to assist in enhancing critical infrastructure cyber resilience, to improve security in the national cyber ecosystem, to address Systemically Important Critical Infrastructure, and for other purposes.

At the request of Mr. Bennett, the names of the Senator from Ohio (Mr. Brown) and the Senator from Kansas (Mr. Marshall) were added as cosponsors of S. 2553, a bill to extend the deadline for eligible health care providers to use certain funds received from the COVID-19 Provider Relief Fund, and for other purposes.

At the request of Ms. Hirono, the name of the Senator from Connecticut (Mr. Blumenthal) was added as a cosponsor of S. 2553, a bill to amend title 28, United States Code, to protect employees of the Federal judiciary from discrimination, and for other purposes.

At the request of Mr. Lujan, the name of the Senator from Texas (Mr. Cornyn) was added as a cosponsor of S. 2570, a bill to establish grant programs to improve the health of residents along the United States-Mexico and United States-Canada borders and for Members of Congress who have served, or are presently serving, in the Foreign Service to receive training in areas, including with respect to bioterrorism, infectious disease, and other emerging threats, and for other purposes.

At the request of Mr. Kaine, the name of the Senator from Washington (Ms. Murray) was added as a cosponsor of S. J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

At the request of Mr. Sasse, the name of the Senator from Utah (Mr. Warner) was added as a cosponsor of S. Res. 202, a resolution designating May 7, 2021, as “United States Foreign Service Day” in recognition of the men and women who have served, or are presently serving, in the Foreign Service and honoring the members of the Foreign Service who have given their lives in the line of duty.

At the request of Mr. Booker, the name of the Senator from Pennsylvania (Mr. Casey) was added as a cosponsor of S. Res. 240, a resolution affirming the role of the United States in improving access to quality, inclusive, and secondary education and improved learning outcomes for children and adolescents, particularly for girls, in the poorest countries through the Global Partnership for Education.

At the request of Mr. Wicker, the names of the Senators from Arizona (Mr. Kelly) and the Senator from Wyoming (Ms. Lummis) were added as cosponsors of amendment No. 2129 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

At the request of Mr. King, the name of the Senator from Nevada (Ms. Rosen) was added as a cosponsor of amendment No. 2134 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

At the request of Mr. Cornyn, the name of the Senator from Nevada (Ms. Cortez Masto) was added as a cosponsor of amendment No. 2155 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

At the request of Mr. Cardin, the name of the Senator from Maryland (Mr. Van Hollen) was added as a cosponsor of amendment No. 2176 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

At the request of Mr. Coons, the names of the Senator from Illinois (Mr. Durbin) and the Senator from Iowa (Mr. Grassley) were added as cosponsors of amendment No. 2177 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

At the request of Mrs. Gillibrand, the name of the Senator from Massachusetts (Mr. Markey) was added as a cosponsor of amendment No. 2199 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

At the request of Mr. Kennedy, the name of the Senator from Louisiana (Mr. Cassidy) was added as a cosponsor of amendment No. 2210 intended to be
proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2218

At the request of Mr. MENENDEZ, the names of the Senator from Hawaii (Ms. HIRONO, and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 2218 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2219

At the request of Mr. KING, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 2224 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2220

At the request of Mr. BARRASSO, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of amendment No. 2288 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2221

At the request of Mr. THUNE, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of amendment No. 2231 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2222

At the request of Mr. LEY, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of amendment No. 2256 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2223

At the request of Mr. DAINES, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of amendment No. 2283 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2228

At the request of Mr. BARRASSO, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of amendment No. 2288 intended to be proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2229

At the request of Mr. CASSIDY, his name was added as a cosponsor of amendment No. 2300 proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2230

At the request of Mr. CASSIDY, his name was added as a cosponsor of amendment No. 2300 proposed to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

AMENDMENT NO. 2231

At the request of Mr. HEINRICHS, Mr. MARKEN, and Mr. SOLOMON, the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

Whereas COVID–19 (SARS-CoV-2), the novel coronavirus, is a deadly illness caused by a virus that can transmit from person to person;

Whereas, in 2020, COVID–19 began to spread throughout the world, creating a global pandemic that has had a catastrophic impact on human life, communities in the United States, and the United States economy;

Whereas, in March 2020, communities in every state and territory, faced with increased loss of life and families lost fathers, mothers, brothers, sisters, sons, daughters, and neighbors from the virus;

Whereas, beginning in 2020, many across the United States were, and continue to be, personally impacted by COVID–19, including mourning their loved ones and neighbors or suffering from the unknown long-term health implications of the virus;

Whereas, by the end of July 2021, there had been more than 34,733,631 known cases of the COVID–19 virus, and more than 600,000 people tragically lost their lives;

Whereas COVID-19 has had a disproportionate impact on low-income communities and communities of color, with higher rates of infection and death, exacerbating inequities already prevalent in our systems that must be addressed throughout the United States;

Whereas harvesters, dealers, processors, and cooks adapted and innovated during the COVID-19 pandemic to help people enjoy their favorite lobster and discover new ones in the comfort of their homes;

Whereas lobstering is a versatile source of lean protein that is low in saturated fat and high in vitamin B12; and

Whereas countless people in the United States enjoy lobster rolls to celebrate summertime, beaches trips from fine-dining restaurants to lobster shacks; and

Whereas lobstering has served as an economic engine and family tradition in the United States for centuries; and

WHEREAS the COVID–19 pandemic continues to have an impact on the United States and countries around the world; and

WHEREAS each life lost to COVID–19, each infection and broken opportunity, will bring light, and each sacrifice made shall never be forgotten; Now, therefore, be it

RESOLVED, That the Senate

(1) will memorialize those lost to the COVID–19 virus;
(2) recognizes the suffering of those who contracted the COVID–19 virus and survived but carry with them the unknown health side effects; and
(3) expresses support for the designation of the first Monday in December of each year as “COVID–19 Victims and Survivors Memorial Day”.

SENATE RESOLUTION 335—DESIGNATING SEPTEMBER 25, 2021, AS “NATIONAL LOBSTER DAY”

Mr. KING (for himself, Ms. COLLINS, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. REED, Ms. HASMAN, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 335

Whereas lobstering has served as an economic engine and family tradition in the United States for centuries; and

WHEREAS the COVID–19 pandemic continues to have an impact on the United States and countries around the world; and

WHEREAS each life lost to COVID–19, each infection and broken opportunity, will bring light, and each sacrifice made shall never be forgotten: Now, therefore, be it

RESOLVED, That the Senate

(1) will memorialize those lost to the COVID–19 virus;
(2) recognizes the suffering of those who contracted the COVID–19 virus and survived but carry with them the unknown health side effects; and
(3) expresses support for the designation of the first Monday in December of each year as “COVID–19 Victims and Survivors Memorial Day”.

SENATE RESOLUTION 333—DESIGNATING SEPTEMBER 25, 2021, AS “NATIONAL LOBSTER DAY”

Mr. KING (for himself, Ms. COLLINS, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. REED, Ms. HASMAN, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 333

Whereas lobstering has served as an economic engine and family tradition in the United States for centuries; and

WHEREAS the COVID–19 pandemic continues to have an impact on the United States and countries around the world; and

WHEREAS each life lost to COVID–19, each infection and broken opportunity, will bring light, and each sacrifice made shall never be forgotten: Now, therefore, be it

RESOLVED, That the Senate

(1) will memorialize those lost to the COVID–19 virus;
(2) recognizes the suffering of those who contracted the COVID–19 virus and survived but carry with them the unknown health side effects; and
(3) expresses support for the designation of the first Monday in December of each year as “COVID–19 Victims and Survivors Memorial Day”.

SENATE RESOLUTION 335—DESIGNATING SEPTEMBER 25, 2021, AS “NATIONAL LOBSTER DAY”

Mr. KING (for himself, Ms. COLLINS, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. REED, Ms. HASMAN, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 335

Whereas lobstering has served as an economic engine and family tradition in the United States for centuries; and

WHEREAS the COVID–19 pandemic continues to have an impact on the United States and countries around the world; and

WHEREAS each life lost to COVID–19, each infection and broken opportunity, will bring light, and each sacrifice made shall never be forgotten: Now, therefore, be it

RESOLVED, That the Senate

(1) will memorialize those lost to the COVID–19 virus;
(2) recognizes the suffering of those who contracted the COVID–19 virus and survived but carry with them the unknown health side effects; and
(3) expresses support for the designation of the first Monday in December of each year as “COVID–19 Victims and Survivors Memorial Day”.

SENATE RESOLUTION 333—DESIGNATING SEPTEMBER 25, 2021, AS “NATIONAL LOBSTER DAY”

Mr. KING (for himself, Ms. COLLINS, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. REED, Ms. HASMAN, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 333

Whereas lobstering has served as an economic engine and family tradition in the United States for centuries; and

These resolutions were considered and agreed to.
Whereas lobster is a staple on the menus of beloved restaurants across the United States and in kitchens throughout the country, and in support of the lobster industry and the countless people it supports, reaffirms its support for ensuring equal pay for equal work and narrowing the gender wage gap.

AMENMENTS SUBMITTED AND PROPOSED

SA 2302. Mr. RISCH (for himself, Mr. BARRASSO, and Mr. CRAPO) 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, supra; which was ordered to lie on the table.

SA 2301. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2310 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, supra; which was ordered to lie on the table.

SA 2311. Ms. DUCKWORTH (for herself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2310 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, supra; which was ordered to lie on the table.
SA 2313. Mr. PADILLA (for himself and Mr. Moran) 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2314. Mr. PADILLA (for himself and Mr. Cornyn) 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2316. Mr. PADILLA 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2317. Mr. Hoeven 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2319. Mr. Hoeven (for himself and Ms. Smith) 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2320. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2322. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2323. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2324. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2325. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2326. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2327. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2328. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2329. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2330. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2331. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2332. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2333. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2334. Mrs. Blackburn 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2335. Mr. Thune 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2337. Mr. Scott of Florida 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, Mr. Murskowski, Mr. Warner, and Mr. Romney)) to the bill H.R. 3684, supra; which was ordered to lie on the table.
WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2352. 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, supra; which was ordered to lie on the table.

SA 2353. 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, supra; which was ordered to lie on the table.

SA 2354. Mr. VAN HOLLEN (for himself, Mr. ROUNDS, Mr. ERNST, and Mr. KELLY) proposed an amendment 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, supra; which was ordered to lie on the table.

SA 2355. Ms. ERNST 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, supra; which was ordered to lie on the table.

SA 2356. Mr. MERKLEY 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, supra; which was ordered to lie on the table.

SA 2357. Mr. MERKLEY 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, supra; which was ordered to lie on the table.

SA 2358. Ms. ROSEN (for herself and Mr. RISCH) 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, supra; which was ordered to lie on the table.

SA 2359. Mr. MERKLEY 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, supra; which was ordered to lie on the table.

SA 2360. Mr. MERKLEY 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, supra; which was ordered to lie on the table.

SA 2361. Mr. MERKLEY 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, supra; which was ordered to lie on the table.

SA 2362. Mr. WYDEN (for himself, Mrs. MURRAY, Mr. PETERS, Mr. PADILLA, and Mr. LEONARD) 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, supra; which was ordered to lie on the table.

SA 2363. Mr. BENNET (for himself and Mr. HOOVEN) 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, supra; which was ordered to lie on the table.

SA 2364. Mr. CARDIN (for himself and Mr. CARMICHAEL) 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, supra; which was ordered to lie on the table.

SA 2366. Mr. LUJAN (for himself and Mr. S川]三川for Florida) 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, supra; which was ordered to lie on the table.

SA 2367. Ms. WARNEN (for herself, Mr. MARKEY, and Ms. GILLIBRAND) 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, supra; which was ordered to lie on the table.

SA 2368. Ms. WARNEN (for herself, Mr. MARKEY, and Ms. GILLIBRAND) 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, supra; which was ordered to lie on the table.

SA 2369. Mr. BOOKER (for himself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY) 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, supra; which was ordered to lie on the table.
SA 2371. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2317 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2372. Mr. CARDIN (for himself and Mr. TULLIS) submitted an amendment intended to be proposed to amendment SA 2317 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2373. Mr. KAIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2374. Mr. BOOKER (for himself and Mr. MCNEDERZ) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2375. Ms. ERNST submitted an amendment intended to be proposed by her to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2376. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2377. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2381. Mr. LEW submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2382. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2383. Mr. RUCKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2384. Mr. DAINES (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2385. Mr. RISCH (for himself, Ms. CORTEZ MASTO, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2386. Mr. RISCH (for himself, Ms. CORTEZ MASTO, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2387. Mr. RISCH (for himself, Ms. CORTEZ MASTO, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2388. Mr. CRUZ (for himself, Mr. BARRASO, and Mr. CORNY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2389. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2390. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2391. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2392. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2393. Ms. CORTEZ MASTO (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2394. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2395. Ms. CORTEZ MASTO (for herself, Mr. PADILLA, Ms. FEINSTEIN, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2396. Ms. CORTEZ MASTO (for herself, Mr. CORNY, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2397. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2398. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.
proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2401. Mrs. CANTWELL (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, supra; which was ordered to lie on the table.

SA 2402. Mrs. GILLIBRAND (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2403. Mr. MEUKSCH (for himself and Mr. DAINES) submitted an amendment intended to be proposed to him by the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2404. Mr. SULLIVAN (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2405. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2406. Mrs. BLACKBURN (for herself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2407. Mrs. BLACKBURN (for herself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2408. Ms. CORTEZ MASTO (for herself and Mr. MARSHALL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2409. Mr. CORNYN (for himself, Mr. PADILLA, Ms. BALDWIN, Mrs. MURRAY, Mr. KELLY, Ms. LUMMIS, Mr. WICKER, Ms. HASCAN, Ms. CORTEZ MASTO, Mr. LIUAN, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2410. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2411. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA), 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, supra; which was ordered to lie on the table.

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) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2413. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2414. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2415. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2416. Mrs. HYDE–SMITH submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2417. Ms. LUMMIS (for herself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2418. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2419. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2420. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2421. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2422. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2423. Mr. RISCH (for himself, Mr. FEINSTEIN, and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2424. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2425. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2426. Mr. RUBIO (for himself and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2427. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2428. Mr. COTTON submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA) to the bill H.R. 3684, supra; which was ordered to lie on the table.
the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2439. Mr. BOOKER 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, supra; which was ordered to lie on the table.

SA 2438. Mrs. BLACKBURN 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, supra; which was ordered to lie on the table.

SA 2439. Mr. LEE 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, supra; which was ordered to lie on the table.

SA 2440. Mr. LEE 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, supra; which was ordered to lie on the table.

SA 2441. Mr. LEE 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, supra; which was ordered to lie on the table.

SA 2442. 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, supra; which was ordered to lie on the table.

SA 2443. Mr. KENNEDY 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, supra; which was ordered to lie on the table.

SA 2444. Mr. KENNEDY 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, supra; which was ordered to lie on the table.

SA 2445. Ms. ERNST 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, supra; which was ordered to lie on the table.

SA 2446. Mr. OBSEFF 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, supra; which was ordered to lie on the table.

SA 2447. Mr. CARPER (for himself, Mr. INHOFE, Mr. WICKER, and Ms. DUCKWORTH) 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, supra; which was ordered to lie on the table.

SA 2448. Mr. DAINES 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, supra; which was ordered to lie on the table.

SA 2449. Mr. DAINES 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, supra; which was ordered to lie on the table.

SA 2450. Mr. BARRASSO (for himself, Mr. TAYLOR, Mr. DAINES, Mr. CRAMER) 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, supra; which was ordered to lie on the table.

SA 2451. Mr. MORAN (for himself, Mrs. MURRAY, and Mr. INHOFE) 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, supra; which was ordered to lie on the table.

SA 2452. Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. ERNST) 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, supra; which was ordered to lie on the table.

SA 2453. Ms. BLACKBURN 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, supra; which was ordered to lie on the table.

SA 2454. Mrs. FEINSTEIN (for herself and Mr. PADILLA) 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, supra; which was ordered to lie on the table.

SA 2455. Mrs. FEINSTEIN 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, supra; which was ordered to lie on the table.
SA 2458. Mr. LUJÁN (for himself and Mr. H. NEHRICH) 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, supra; which was ordered to lie on the table.

SA 2459. Mr. LUJÁN (for himself and Mr. H. NEHRICH) 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, supra; which was ordered to lie on the table.

SA 2460. Mr. LUJÁN (for himself, Mr. PADILLA, Mr. BOOKER, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. BLUMENTHAL, and Mr. H. NEHRICH) 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, supra; which was ordered to lie on the table.

SA 2461. Mr. MARSHALL (for himself and Mr. COTTON) 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, supra; which was ordered to lie on the table.

SA 2462. Mr. MARKY (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. MERKLEY) 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, supra; which was ordered to lie on the table.

SA 2463. Mr. MARKY (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. MERKLEY) 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, supra; which was ordered to lie on the table.

SA 2464. Mr. FLETCHER (for himself, Mr. ROUND, Mr. PORTMAN, and Mr. WARNER) 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, supra; which was ordered to lie on the table.

SA 2465. Mr. CARDIN 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, supra; which was ordered to lie on the table.

SA 2466. Mr. CRUZ 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, supra; which was ordered to lie on the table.

SA 2467. Mr. CRUZ 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, supra; which was ordered to lie on the table.

SA 2468. Mr. CRUZ 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, supra; which was ordered to lie on the table.

SA 2469. Mr. CRUZ 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, supra; which was ordered to lie on the table.

SA 2470. Ms. SINEMA (for herself and Mr. KAIN) 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, supra; which was ordered to lie on the table.

SA 2471. Mr. ROUNDS (for Mr. INHOFE) 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, supra; which was ordered to lie on the table.

SA 2472. Mr. ROUNDS (for Mr. INHOFE) 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, supra; which was ordered to lie on the table.

SA 2473. Mr. ROUNDS (for Mr. INHOFE) 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, supra; which was ordered to lie on the table.

SA 2474. Mr. ROUNDS (for Mr. INHOFE) 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, supra; which was ordered to lie on the table.

SA 2475. Mr. LANKFORD 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 title XII of division D, insert the following:

SEC. 412. ENERGY EMERGENCY AND ENERGY SECURITY FUNCTIONS ASSIGNED TO ASSISTANT SECRETARIES OF ENERGY.

(a) IN GENERAL.—Section 203(a) of the Department of Energy Organization Act (42 U.S.C. 7131(a)) is amended—

(1) in the matter preceding paragraph (1), in the second sentence, by striking ‘‘, but are not limited to,’’; and

(2) by adding at the end the following:

‘‘(A) responsibilities with respect to infrastructure, cybersecurity, emerging threats, supply, and emergency planning, coordination, response, and restoration; and

(B) on request of a State, local, or Tribal government or energy sector entity, and in consultation with other Federal agencies, as appropriate, provision of technical assistance, support, and response capabilities with respect to the energy security threats, risks, and incidents.’’;

(b) COORDINATION.—The Secretary of Energy shall ensure that the functions of the Assistant Secretaries described in paragraph (12) of section 203(a) of the Department of Energy Organization Act (42 U.S.C. 7131(a)) are performed in coordination with relevant Federal agencies.

SA 2303. Mr. BARRASSO (for himself and Mr. CRUZ) 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 I, add the following:

SEC. 50009. IMPOSE SANCTIONS WITH RESPECT TO NORD STREAM 2.

(a) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the President shall—

(1) impose sanctions under subsection (b) with respect to—

TEXT OF AMENDMENTS
TITLES III—INTERAGENCY COORDINATION RELATING TO PERMITTING

SEC. 301. INTERAGENCY COORDINATION RELATING TO PERMITTING.

(a) PREPARATION OF ENVIRONMENTAL DOCUMENTS.—An agency or other entity seeking approval of, or otherwise responsible for carrying out, a project (referred to in this section as the "project") may prepare an environmental impact statement or environmental assessment for the purpose of an environmental review in support of the project for approval by the lead agency of the project if, before the project sponsor seeks approval under this Act, based on the environmental document, the lead agency—

(1) provides oversight in the preparation of the environmental impact statement or environmental assessment;

(2) independently evaluates the environmental impact statement or environmental assessment, and

(3) approves, within a reasonable time, and adopts the environmental impact statement or environmental assessment.

(b) ADOPTION AND USE OF ENVIRONMENTAL DOCUMENTS.—

(1) ENVIRONMENTAL IMPACT STATEMENTS AND ASSESSMENTS.—

(A) In general.—Except as provided in subparagraph (B), the lead agency shall not prepare more than 1 environmental impact statement and 1 environmental assessment under this Act for a project.

(B) EXCEPTIONS.—The limitation in subparagraph (A) shall not apply to—

(i) a supplemental environmental document;

(ii) an environmental impact statement or environmental assessment prepared pursuant to a court order;

(iii) a record of decision;

(iv) in general.—Except as provided in clause (ii), after the date on which the lead agency issues a record of decision for a project, the head of a Federal agency responsible for approving the project shall not rely on any environmental impact statement or environmental assessment prepared before that date.

(ii) ENVIRONMENTAL DOCUMENT OF LEAD AGENCY.—Notwithstanding clause (i), the head of a Federal agency may rely on an environmental impact statement or environmental assessment prepared by the lead agency after the date on which the lead agency issues a record of decision for the project.

(D) IMPACT ANALYSIS.—On request by a project sponsor, a lead agency may adopt, use, or rely on a secondary or cumulative impact analysis that is included in any environmental impact statement or environmental assessment prepared by the lead agency after the date on which the lead agency issues a record of decision for the project.

(2) STATE ENVIRONMENTAL DOCUMENTS.—

(A) ADOPTION.—

(i) In general.—On request by a project sponsor, a lead agency may adopt, use, or rely on a secondary or cumulative impact analysis that is included in any environmental impact statement or environmental assessment prepared by the lead agency after the date on which the lead agency issues a record of decision for the project.

(2) STATE ENVIRONMENTAL DOCUMENTS.—

(A) ADOPTION.—

(i) In general.—On request by a project sponsor, a lead agency may adopt, use, or rely on a secondary or cumulative impact analysis that is included in any environmental impact statement or environmental assessment prepared by the lead agency after the date on which the lead agency issues a record of decision for the project.

(ii) SUPPLEMENTAL DOCUMENTS.—
"(1) IN GENERAL.—A lead agency shall prepare and publish a supplement to an environmental document referred to in clause (i) before adopting the State environmental document if the lead agency determines that—

"(aa) a significant change has been made to the project that is relevant for purposes of the environmental review by the lead agency;

"(bb) there have been significant changes in circumstances or availability of information relevant to that environmental review.

"(II) The lead agency shall not evaluate an alternative that—

"(i) it has no jurisdiction or authority with respect to the project;

"(ii) has no expertise or information relevant to the project; and

"(iii) does not intend to submit comments on the project.

"(3) OTHER COOPERATING AGENCIES.—

"(A) IN GENERAL.—The lead agency shall provide to the head of each cooperating agency for a project an environmental impact statement or environmental assessment prepared for a project if the lead agency determining the range of alternatives to be considered and statutory authority of the cooperating agency, as expressly delegated by Congress; and

"(B)(Notification) —The lead agency shall provide to the head of each Federal agency described in paragraph (1) notice of the designation under subparagraph (A) if it provides notice of designation under subparagraph (A) to any other Federal agency.

"(1) FAILURE TO RESPOND.—An agency or official that fails to respond to an invitation under subparagraph (B)(ii) shall be considered to have declined the invitation for designation.

"(2) EFFECT OF DESIGNATION.—Designation of a Federal agency as a cooperating agency under this subsection does not imply that the cooperating agency will assume the responsibilities of the lead agency under subclause (I), the lead agency may so designate an agency under subparagraph (A) to be a cooperating agency in the environmental review for the project.

"(1) IN GENERAL.—The lead agency shall provide a written invitation to any agency or official identified under subparagraph (A) to become a cooperating agency in the environmental review for the project.

"(1) IN GENERAL.—The invitation described in clause (i) shall include a deadline, not to exceed 30 days after the date on which the invitation is received, by which the invited agency or official shall accept or decline the invitation.

"(2) EXTENSION.—The lead agency may extend the deadline under subclause (I) only for good cause shown.

"(3) PARTICIPATION OF Cooperating AGENCIES.—As early as practicable during the environmental review, but not later than the period during which the preparation of an environmental impact statement is required, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

"(1) E XCEPTION.—Notwithstanding subparagraphs (B) and (C), after completion of the environmental review required for the applicable period described in paragraph (1), the lead agency shall determine the range of alternatives for consideration in the environmental impact statement for the project.

"(2) OTHER COOPERATING AGENCIES.—As early as practicable during the environmental review, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

"(3) OTHER COOPERATING AGENCIES.—As early as practicable during the environmental review, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

"(1) IN GENERAL.—Subject to subparagraphs (B) and (C), after completion of the environmental review required for the applicable period described in paragraph (1), the lead agency shall determine the range of alternatives for consideration in the environmental impact statement for the project.

"(2) OTHER COOPERATING AGENCIES.—As early as practicable during the environmental review, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

"(3) OTHER COOPERATING AGENCIES.—As early as practicable during the environmental review, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

"(1) IN GENERAL.—Subject to subparagraphs (B) and (C), after completion of the environmental review required for the applicable period described in paragraph (1), the lead agency shall determine the range of alternatives for consideration in the environmental impact statement for the project.

"(2) OTHER COOPERATING AGENCIES.—As early as practicable during the environmental review, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

"(3) OTHER COOPERATING AGENCIES.—As early as practicable during the environmental review, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

"(1) IN GENERAL.—Subject to subparagraphs (B) and (C), after completion of the environmental review required for the applicable period described in paragraph (1), the lead agency shall determine the range of alternatives for consideration in the environmental impact statement for the project.

"(2) OTHER COOPERATING AGENCIES.—As early as practicable during the environmental review, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.

"(3) OTHER COOPERATING AGENCIES.—As early as practicable during the environmental review, the lead agency shall provide an opportunity to the cooperating agencies to participate in determining the range of alternatives to be considered for a project.
“(4) EMPLOYMENT ANALYSIS.—The evaluation of each alternative in an environmental impact statement or environmental assessment shall identify the potential effects of the action on employment, including—

“(A) potential short-term and long-term employment increases and reductions; and

“(B) shifts in employment.

“(i) COORDINATION PLAN AND SCHEDULING.—

“(1) The lead agency shall consult with each cooperating agency and the project sponsor to develop a schedule for the completion of the environmental review that—

“(i) considers factors such as—

“(I) the responsibilities of the cooperating agencies under applicable law;

“(II) the resources available to the cooperating agencies;

“(III) the overall size and complexity of the project; and

“(IV) the schedule for and cost of the project; and

“(ii) establishes a schedule for the completion of the environmental review.

“(2) The schedule shall—

“(A) establish a deadline for the completion of the environmental review.

“(B) establish a deadline for the completion of the environmental assessment.

“(C) establish a deadline for the receipt of the written response of each cooperating agency.

“(D) include the following deadlines:

“(i) the date on which the lead agency receives an application for the project from a sponsor and the lead agency makes a decision to prepare an environmental impact statement; and

“(ii) a deadline by which the lead agency issues a final decision, finding, or request for the lead agency not to issue an environmental impact statement or to issue a draft finding of no significant impact.

“(ii) the lead agency shall consider whether to extend the deadline for good cause or in accordance with applicable law.

“(iii) Limitation.—The lead agency shall extend the deadline for good cause only after consultation with the cooperating agencies and the project sponsor. The lead agency shall not extend the deadline for any other reason.

“(iii) Failure to Object.—If a cooperating agency fails to object to a project, the lead agency may make a decision to prepare an environmental impact statement, an environmental assessment, or a programmatic environmental review.

“(iv) Certification.—The lead agency shall certify to the cooperating agencies that the lead agency has completed the cumulative impacts analysis.

“(v) Consultation.—The lead agency shall consult with the following agencies:

“(A) The lead agency and the project sponsor.

“(B) Each cooperating agency.

“(C) The environmental protection agency.

“(D) The state and local government entities.

“(E) The relevant state agencies.

“(F) The relevant local government entities.

“(G) Any other relevant federal agency.

“(v) Extension.—The lead agency may extend the deadline for good cause.

“(B) Employment Analysis.—The lead agency shall establish for each employment analysis the following:

“(i) The responsibilities of the cooperating agencies under applicable law.

“(ii) The resources available to the cooperating agencies.

“(iii) The overall size and complexity of the project.

“(iv) The sensitivity of the natural and historical resources that may be affected by the project.

“(v) The extent to which similar projects in geographical proximity to the project were recently subject to environmental review or similar State procedures.

“(B) Coordination Plan and Scheduling.—

“(A) The lead agency shall—

“(i) establish a deadline for the completion of the environmental review.

“(ii) establish a deadline for the completion of the environmental assessment.

“(iii) establish a deadline for the receipt of the written response of each cooperating agency.

“(B) The schedule shall—

“(i) establish a deadline for the receipt of the application for the project and the decision to prepare an environmental impact statement.

“(ii) establish a deadline by which the lead agency issues a final decision, finding, or request for the lead agency not to issue an environmental impact statement.

“(B) Coordination Plan and Scheduling.—

“(A) The lead agency shall—

“(i) establish a deadline for the completion of the environmental review.

“(ii) establish a deadline for the completion of the environmental assessment.

“(iii) establish a deadline for the receipt of the written response of each cooperating agency.

“(B) The schedule shall—

“(i) establish a deadline for the receipt of the application for the project and the decision to prepare an environmental impact statement.

“(ii) establish a deadline by which the lead agency issues a final decision, finding, or request for the lead agency not to issue an environmental impact statement.
make available information (including information based on existing data sources, including geographic information systems) relating to the environmental, historic, and socioeconomic resources located in the project area and the general location of any alternative under consideration.

(3) Cooperating agency responsibilities. Information received from the lead agency, a cooperating agency shall identify, as early as practicable, any issue of concern relating to the potential environmental, historic, and socioeconomic impacts of a project, including any issue that may substantially delay or prevent an agency from furnishing any other approval required for the project.

(4) Issue resolution.

(A) Meeting of cooperating agencies. To resolve any issue that may delay the completion of an environmental review or result in the denial of an approval required for a project under applicable law, the lead agency shall promptly convene a meeting with the relevant cooperating agency and the project sponsor on request by a project sponsor at any time.

(B) Resolution or resolution cannot be achieved. If a resolution to an issue identified under paragraph (1) cannot be achieved by the date that is 30 days after the date on which is convened under subparagraph (A), and the lead agency determines that all information necessary to resolve the issue has been obtained, the lead agency shall—

(i) notify—

(I) each cooperating agency;

(II) the project sponsor; and

(III) the Council on Environmental Quality established by section 202 for further proceedings in accordance with section 204; and

(ii) by rule, designate each State with laws and procedures that satisfy the criteria under section 301(b)(2)(A) of the National Environmental Policy Act of 1969 (42 U.S.C. 4370m–6(a)) is amended—

(b) Regulations.—The Secretary shall promulgate regulations, in consultation with the Administrator of the Federal Emergency Management Agency and the Secretary of the Army to identify communities that are immediately threatened by a natural disaster or other emergency and

(2) designate as an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements for the Moving Ahead for Progress in the 21st Century Act (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in subparagraph (A), by striking “$5,000,000” and inserting “$10,000,000”;

and

(2) in paragraph (b), by striking “15 percent” and inserting “16 percent.”

(a) Statement of policy. It is the policy of the United States Congress, by requiring an environmental document relating to a project is only to ensure that the process of considering the effects of the project takes place before the occurrence of any significant Federal action to carry out the project.

(b) Page limits. (1) In general. To facilitate public transparency and understanding of environmental documentation, an environmental document—

(A) shall—

(i) be sufficient to provide a reasonable consideration of the potential environmental effects of a project; and

(ii) reflect a thorough examination of the potential impacts of the project; but

(B) shall not exceed 300 pages without substantial justification.

(2) Notice and comment requirements. (A) In general. An agency may exceed the 300-page limit under paragraph (1)(B) if the agency provides to proponents of the applicable project a notice, and a period of not less than 30 days for comment, regarding the proposed exceedance.

(B) Eligibility to comment. The opportunity to comment under subparagraph (A) shall not be provided to any individual or entity other than a proponent of the applicable project.

SEC. 71216. PERMITTEE BILL OF RIGHTS.

Section 101 of the National Environmental Policy Act of 1969 (42 U.S.C. 4331) is amended by adding at the end the following:

“(d) Permittee Bill of Rights. (1) Statement of policy. It is the policy of the United States:

(A) to use natural resources in a responsible manner to maximize value and utility, while protecting public health and welfare; and

(B) that, therefore, in implementing a Federal permitting law, a Federal agency

SEC. 71213. DESIGNATION OF CATEGORICAL EXCLUDED EMERGENCY PROJECTS AND STRUCTURALLY DEFICIENT INFRASTRUCTURE.

(a) In general. Within 180 days after the date of enactment of this Act, the Secretary shall—

(1) consult with the Administrator of the Federal Emergency Management Agency and the Secretary of the Army to identify communities that are immediately threatened by a natural disaster or other emergency and

(2) designate as an action categorically excluded from the requirements relating to environmental assessments or environmental impact statements for the Moving Ahead for Progress in the 21st Century Act (23 U.S.C. 109 note; Public Law 112–141) is amended—

SEC. 71214. CATEGORICAL EXCLUSION FOR PROJECTS OF LIMITED FEDERAL ASSISTANCE.

Section 1317(1) of the MAP–21 (23 U.S.C. 109 note; Public Law 112–141) is amended—

(1) in subparagraph (A), by striking “$5,000,000” and inserting “$10,000,000”; and

(b) Page limits. (1) In general. To facilitate public transparency and understanding of environmental documentation, an environmental document—

(A) shall—

(i) be sufficient to provide a reasonable consideration of the potential environmental effects of a project; and

(ii) reflect a thorough examination of the potential impacts of the project; but

(B) shall not exceed 300 pages without substantial justification.

(2) Notice and comment requirements. (A) In general. An agency may exceed the 300-page limit under paragraph (1)(B) if the agency provides to proponents of the applicable project a notice, and a period of not less than 30 days for comment, regarding the proposed exceedance.

(B) Eligibility to comment. The opportunity to comment under subparagraph (A) shall not be provided to any individual or entity other than a proponent of the applicable project.

SEC. 71216. PERMITTEE BILL OF RIGHTS.

Section 101 of the National Environmental Policy Act of 1969 (42 U.S.C. 4331) is amended by adding at the end the following:

“(d) Permittee Bill of Rights. (1) Statement of policy. It is the policy of the United States:

(A) to use natural resources in a responsible manner to maximize value and utility, while protecting public health and welfare; and

(B) that, therefore, in implementing a Federal permitting law, a Federal agency
should, to the maximum extent practicable, seek to issue permit decisions favorably.

(2) DEFINITION OF FEDERAL PERMITTING LAW.—In this subsection:

(A) Agency.—The term ‘Federal permitting law’ means any provision of Federal law pursuant to which a Federal agency may issue a permit.

(B) Issuance.—The term ‘Federal permitting law’ includes—

(i) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.);

(ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(iii) the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.);

(iv) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(v) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(vi) the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);

(vii) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(viii) the Clean Air Act (42 U.S.C. 7401 et seq.); and

(ix) the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(C) Permittee.—The term ‘permittee’ means any person or entity that has been issued a permit, or which seeks to have a permit issue to it by a Federal agency pursuant to Federal permitting laws.

(D) Permit applicant.—The term ‘permit applicant’ includes any person or entity that seeks to have a permit issue to it by a Federal agency pursuant to Federal permitting laws.

(E) Permit substantive decision.—The term ‘permit substantive decision’ means a decision by a Federal agency on an application for a permit under Federal law or permitting regulations.

(F) Permit application.—The term ‘permit application’ means a written request for a permit under Federal law or permitting regulations.

(G) Permit proceeding.—The term ‘permit proceeding’ means a permit substantive decision, whether or not related to a permit application.

(H) Permit appeal.—The term ‘permit appeal’ means an appeal of a permit substantive decision.

(I) Final agency action.—The term ‘final agency action’ means a permit substantive decision, a permit appeal, or any other action, order, or determination of a Federal agency that is subject to judicial review, that ends the legal relationship between the Federal agency and the permit applicant.

SEC. 71217. POLICY REVIEW UNDER CLEAN AIR ACT.
Section 209(a) of the Clean Air Act (42 U.S.C. 7606(a)) is amended by striking “any” (1) legislation proposed by any Federal department or agency, (2) newly authorized Federal projects for construction and any major Federal agency action (other than a project for construction) to which section 102(2)(C) of Public Law 91–190 applies, and (3) proposed regulations” and inserting “any legislation proposed by a Federal department or agency of proposed regulations”.

Subtitle B—Judicial Provisions

SEC. 71212. DEADLINE FOR FILING ENERGY-RELATED CAUSES OF ACTION.

(a) DEFINITIONS.—In this section:

(1) AGENCY; AGENCY ACTION.—The terms “agency” and “agency action” have the meanings given the term “internal agency action” in section 702(2)(A) of title 5, United States Code.

(2) COVERED CIVIL ACTION.—The term “covered civil action” means any action that affects the rights of—

(A) an individual or entity to conduct on Indian land or public land activities involving the exploration, development, production, or transportation of oil, gas, coal, shale gas, oil shale resources, underground coal gasification, biomass, or the generation of electricity; or

(B) an Indian tribe, or any organization of 2 or more entities at least 1 of which is an Indian tribe, to conduct activities involving the exploration, development, production, or transportation of oil, gas, coal, shale gas, oil shale resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of the location at which those activities are located.

(3) INDIAN LAND.—


(B) INCLUSION.—The term “Indian land” includes lands owned by a Native Corporation under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(C) PUBLIC LAND.—The term “public land” has the meaning given the term “public lands” in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(4) DEFENDANT.—The term “defendant” means the United States and any State, local, or tribal government.

(5) COVERED SETTLEMENT AGREEMENT.—The term “covered settlement agreement” means—

(A) any settlement agreement, consent decree, or consent order that is 180 days after the date on which the settlement agreement, consent decree, or consent order of the district court; or

(B) any settlement agreement, consent decree, or consent order that is 180 days after the date on which the settlement agreement, consent decree, or consent order is published in the Federal Register.

(B) APPELLATE REVIEW.—The term “appealable final agency action” shall be determined on the basis of the administrative record, as a whole, relating to the energy-related cause of action for which fees and other expenses are sought.

SEC. 71222. LIMITING SUIT AND SETTLE PRATICES.

(a) DEFINITIONS.—In this section:

(1) AGENCY; AGENCY ACTION.—The terms “agency” and “agency action” have the meanings given the term “internal agency action” in section 702(2)(A) of title 5, United States Code.

(2) COVERED CIVIL ACTION.—The term “covered civil action” means any action that affects the rights of—

(A) an individual or entity to conduct on Indian land or public land activities involving the exploration, development, production, or transportation of oil, gas, coal, shale gas, oil shale resources, underground coal gasification, biomass, or the generation of electricity; or

(B) an Indian tribe, or any organization of 2 or more entities at least 1 of which is an Indian tribe, to conduct activities involving the exploration, development, production, or transportation of oil, gas, coal, shale gas, oil shale resources, wind or solar resources, underground coal gasification, biomass, or the generation of electricity, regardless of the location at which those activities are located.

(3) INDIAN LAND.—


(B) INCLUSION.—The term “Indian land” includes lands owned by a Native Corporation under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(C) PUBLIC LAND.—The term “public land” has the meaning given the term “public lands” in the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(4) DEFENDANT.—The term “defendant” means the United States and any State, local, or tribal government.

(5) COVERED SETTLEMENT AGREEMENT.—The term “covered settlement agreement” means—

(A) any settlement agreement, consent decree, or consent order that is 180 days after the date on which the settlement agreement, consent decree, or consent order of the district court; or

(B) any settlement agreement, consent decree, or consent order that is 180 days after the date on which the settlement agreement, consent decree, or consent order is published in the Federal Register.

(B) APPELLATE REVIEW.—The term “appealable final agency action” shall be determined on the basis of the administrative record, as a whole, relating to the energy-related cause of action for which fees and other expenses are sought.
readily accessible manner, including by making the notice of intent to sue and the complaint available in the Federal Register or online not later than 15 days after receiving service of intent to sue or complaint, respectively.

(B) ENTRY OF A COVERED CONSENT DECREES OR SETTLEMENT AGREEMENT.—A party may not make entry on the docket for entry of a covered consent decree or to dismiss a civil action pursuant to a covered settlement agreement until after the end of proceedings in accordance with subparagraph (A) and paragraph (2)(B)(i).

(2) PUBLICATION OF AND COMMENT ON COVERED CONSENT DECREES OR SETTLEMENT AGREEMENTS.—

(A) IN GENERAL.—Not later than 60 days before the date on which a covered consent decree or settlement agreement is filed with a court, the agency seeking to enter the covered consent decree or settlement agreement shall publish in the Federal Register and on the proposed covered consent decree or settlement agreement.

(B) PUBLIC COMMENT.—

(i) IN GENERAL.—An agency seeking to enter a covered consent decree or settlement agreement shall accept public comment during the period described in subparagraph (A) on any issue relating to the matters alleged in the complaint, the applicability of the applicable civil action or addressed or affected by the proposed covered consent decree or settlement agreement.

(ii) SUBMISSIONS TO COURT.—When moving that the court enter a proposed covered consent decree or settlement agreement or for dismissal pursuant to a proposed covered consent decree or settlement agreement, an agency shall inform the court of the statutory basis for the proposed covered consent decree or settlement agreement and its terms.

(3) REVIEW BY COURT.—

(A) IN GENERAL.—A court shall review the statutory basis for the proposed covered consent decree or settlement agreement and its terms de novo.

(B) REVIEW OF DEADLINES.—

(i) PROPOSED COVERED CONSENT DECREES.—For a proposed covered consent decree, a court shall not approve the covered consent decree unless the proposed covered consent decree incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, for all applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

(ii) PROPOSED SETTLEMENT AGREEMENTS.—For a proposed settlement agreement, a court shall ensure that the settlement agreement allows sufficient time to incorporate adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

Subtitle C—Natural Gas Pipeline Permitting

SEC. 71231. REGULATORY APPROVAL OF NATURAL GAS PIPELINE PROJECTS.

Section 7 of the Natural Gas Act (15 U.S.C. 717f) is amended by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

(B) REVIEW OF DEADLINES.—

1. PROPOSED COVERED CONSENT DECREES.—For a proposed covered consent decree, a court shall not approve the covered consent decree unless the proposed covered consent decree incorporates adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

2. PROPOSED SETTLEMENT AGREEMENTS.—For a proposed settlement agreement, a court shall ensure that the settlement agreement allows sufficient time to incorporate adequate procedures for the agency to comply with chapter 5 of title 5, United States Code, and other applicable statutes that govern rulemaking and, unless contrary to the public interest, the provisions of any Executive order that governs rulemaking.

Subtitle D—Transportation Conformity Reform

SEC. 71241. LIMITATIONS ON CERTAIN FEDERAL ASSISTANCE UNDER CLEAN AIR ACT.

Section 176 of the Clean Air Act (42 U.S.C. 7506) is amended—

(1) in subsection (c)(1)—

(A) by striking the undesignated matter following clause (iii) of subparagraph (B); and

(B) in the fourth sentence, by striking “Conformity to an implementation plan means—” and inserting—

“(a) DEFINITION OF CONFORM.—

(1) IN GENERAL.—In this section, the term ‘conform’ has respect to the status of an activity, project, program, or plan as determined under an applicable implementation plan, means that the activity, project, program, or plan

(2) in subsection (a) (as so redesignated)—

(A) in paragraph (1) (as so redesignated)—

(i) by striking “(A) conformity to” and inserting the following:

“(A) achieves compliance with”; and

(ii) by striking “(B) such activities will” and inserting the following:

“(B) will

(iii) by moving the subsection (as so amended) to appear at the beginning of the section; and

(C) by adding at the end the following:

(2) DETERMINATION ESTIMATES.—For purposes of paragraph (1), a determination regarding the conformity of an activity, project, program, or plan shall be based on the most recent estimates of the emissions of the activity, project, program, or plan, which shall be determined based on the most recent applicable population, employment, travel, and congestion estimates (as determined by the metropolitan planning organization or other agency authorized to make those estimates).”;

(3) by redesigning subsections (c) and (d) as subsections (b) and (c), respectively;

(4) in subsection (b) (as so redesignated)—

(A) by striking the section designation and all that follows through “No department” in the first sentence and inserting the following:

(1) REQUIREMENT OF CONFORMITY FOR FEDERAL ASSISTANCE.

(1) LIMITATIONS.

(A) FEDERAL AGENCIES.—No department

(B) METROPOLITAN PLANNING ORGANIZATIONS.—No metropolitan

(C) by adding at the end the following:

“(2) NO ASSURANCE OF CONFORMITY TO IMPLEMENTATION PLAN.

(1) (as so redesignated).”;

(2) in the first sentence, by striking “it has” and inserting “the implementation plan has”;

(3) in the third sentence, by striking “The assurance of conformity to such an implementation plan” and inserting the following:

“The assurance of conformity to an implementation plan approved or promulgated under section 110”; and

(4) in the second sentence, by striking “No metropolitan” and inserting the following:

“(B) METROPOLITAN PLANNING ORGANIZATIONS.—No metropolitan.”;

(C) in paragraph (2)—

(i) in subparagraph (A), by striking “(B)” and inserting “(B)”;

(ii) in subparagraph (C), by inserting “(1)” and “(ii)” after “(i)”; and

(iii) in clause (i), by striking “such a project” and inserting the following:

“(ii) the project”;

(iv) in clause (ii), by striking “(b)” and the design and inserting the following:
“(bb) the design;”

(III) in clause (ii), by striking “(iii) the design” and inserting the following:

“(cc) the design”; and

(IV) in subparagraph (A) preceding clause (i), by striking “only if it meets either the requirements of subparagraph (D) or the following requirements” and inserting the following:

“only if—”

“(I) the transportation project achieves compliance with all applicable requirements of clause (iv); or”

(ii) in subparagraph (D), by striking “subparagraph (C)” and inserting “clause (iii)”; and

(iv) in subparagraph (E)—

(1) in clause (ii), by striking “clause (i)” and inserting “subclause (I)” and

(2) by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting the subclauses appropriately; and

(v) by redesigning subparagraphs (A) through (E) as clauses (i) through (v), respectively, and indenting the clauses appropriately; and

(vi) in the matter preceding clause (i) as so redesignated—

(I) in the third sentence, by striking “in particular—” and inserting the following:

“(C) ADDITIONAL REQUIREMENTS.—The additional requirements referred to in subparagraph (B)(i)(II) are that—”;

(II) the second sentence—

(aa) by striking “been found to conform to any applicable implementation plan in effect under this Act,” and inserting the following:

been determined—”

“(I) to conform to an applicable implementation plan in effect under this Act (as determined in accordance with paragraph (4)(B)); and

(II) to achieve compliance with all applicable additional requirements described in subparagraph (C);”;

(bb) by striking “No Federal” and inserting the following:

“(B) CONFORMITY REQUIRED.—

(I) in GENERAL.—Subject to clause (ii), no Federal transportation plan, program, or project carried out in an area designated under this Act as a marginal nonattainment or attainment-maintenance area; and

(ii) by adding with respect to any area that is not an area described in item (aa), until the date that is 180 days after the date on which the Administrator approves the motor vehicle emissions budget contained in the State implementation plan applicable to the relevant transportation plan, program, or project;”;

(3) in subparagraph (D)—

(I) in clause (ii)—

(aa) in subclause (II), by striking “paragraph (2)(E)” and inserting “paragraph (2)(C)(v)”;

(bb) by redesigning subclauses (I) and (II) appropriately; and

(II) by indenting clauses (I) and (II) appropriately;

(III) by striking “subclause (I)” and inserting the following:

“(D) MINIMUM REQUIREMENTS.—The”; and

(II) in subparagraph (F), by striking “(F) Compliance” and inserting the following:

“(F) TRAFFIC SIGNAL SYNCHRONIZATION PROJECTS.—Compliance;”

(F) by striking paragraphs (5) and (6); and

(G) by redesigning paragraphs (7) through (9) as paragraphs (5) through (7), respectively;

(H) in subparagraph (A) of paragraph (5) (as so redesignated), by striking “Each” and inserting “Subject to paragraph (2)(B)(ii)(II), each”;

(I) in paragraph (7) (as so redesignated), by striking “If” and inserting the following:

“(A) DEFINITION OF LAPSE.—In this paragraph, the term ‘lapse’, with respect to a conformity determination for a transportation plan or transportation improvement program, means that—

(i) the conformity determination has expired; and

(ii) as a result of that expiration, no currently conforming transportation plan or transportation improvement program exists.

(B) LAPSES.—

(I) by striking paragraph (10); and

(II) by redesigning paragraph (12)(A), (B), and (C)

(ii) in subparagraph (F) (as so redesignated), by striking “(I) the transportation project achieves compliance with all applicable requirements of clause (iv);” and inserting “subclause (I)”;

(ii) by redesignating subclauses (I) through (III) as subclauses (I) through (III), respectively, and indenting the subclauses appropriately; and

(v) by redesigning subparagraphs (A) through (E) as clauses (i) through (v), respectively, and indenting the clauses appropriately; and

(vi) in the matter preceding clause (i) as so redesignated—

(I) in the second sentence, by striking “in particular—” and inserting the following:

“(A) IN GENERAL.—Each”; and

(II) in the first sentence, by striking “(2) Any” and inserting the following:

“(2) TRANSPORTATION CONFORMITY.—

(A) IN GENERAL.—Each”; and

(IV) in subparagraph (B) (as designated by subclause (II)(bb)), by adding at the end the following:

“(K) the design;”

(II) APPLICABILITY.—The requirement described in clause (i) shall not apply—

(I) to a transportation plan, program, or project carried out in an area designated under this Act as a marginal nonattainment or attainment-maintenance area; and

(II) in an area that is not an area described in subparagraph (I), until the date that is 180 days after the date on which the Administrator approves the motor vehicle emissions budget contained in the State implementation plan applicable to the relevant transportation plan, program, or project;”;

(3) NO FEDERAL APPROVAL FOR CERTAIN ACTIVITIES.—

“(A) IN GENERAL.—Notwithstanding any other provision of law (including regulations), no approval of the Secretary shall be required under this section for any project described in subparagraph (B), subject to the condition that the project shall be carried out in accordance with all other applicable requirements under this title and title 49.

(B) DESCRIPTION OF PROJECTS.—A project referred to in subparagraph (A) is any project—

(1) carried out under—

(I) a stewardship and oversight agreement; or

(II) any other agreement under this section; and

(II) relating to—

(I) the standard specifications of the applicable State transportation department; or

(II) such other matter as the Secretary, in consultation with State transportation departments, determines to be appropriate.”;

SEC. 71252. PROJECT APPROVAL AND OVERSIGHT FOR HIGH RISK PROJECTS.

Section 106(c)(4) of title 23, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking “shall not assign any responsibilities to a State for projects” and inserting “may assign to a State responsibility for a project in the State that”; and

(B) by inserting “subject to the requirement that the project shall be carried out in accordance with all applicable requirements of an agreement between the Secretary and the State under this section” before the period at the end; and

(2) in subparagraph (B), by striking “The Secretary may define the high risk categories under this subparagraph on” and inserting the following: “For purposes of subparagraph (A), the Secretary—

(A) shall establish high risk categories in consultation with State transportation departments; and

(B) may define the categories on”.

SEC. 71253. ADVANCE ACQUISITION OF REAL PROPERTY.

Section 108 of title 23, United States Code, is amended—

(1) in subsection (a)(1), by striking “may make” and inserting “shall make”;

(2) in subsection (b) and inserting the following:

“(b) MAXIMUM PARTICIPATION.—Federal’’;

(3) in subsection (c)(3)—

(A) in the matter preceding subparagraph (A), by striking “State demonstrates to the Secretary and the Secretary finds” and inserting “State ensures”; and

(B) by striking paragraph (A), by striking “of 1969 (42 U.S.C. 3421 et seq.)” after “Policy Act”;
(ii) by striking “this Act” and inserting “the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 1914)”; and

(iii) by inserting “of 1973 (16 U.S.C. 1531 et seq.)” after “Species Act”; and

(C) in subparagraph (G), by striking “the Secretary” and inserting “the State”; and

(4) in subsection (d)—

(A) in paragraph (2)—

(i) by striking “a State” each place it appears and inserting “the State”; and

(ii) by striking “The Secretary may” and inserting “On receipt of a request from a State, the Secretary shall”;

(B) in paragraph (4), in the matter preceding subparagraph (A), by striking “, with concurrence by the Secretary.”; and

(C) in paragraph (7)—

(i) by striking “If” and inserting the following:

“(A) IN GENERAL.—Subject to subparagraph (B), if, and

(ii) by striking at the end the following:

“(B) EXTENSION.—On receipt of a request from a State, the Secretary shall delay the effective date of the offset against the apportionments described in subparagraph (A) for such period as the Secretary determines to be appropriate, in accordance with applicable law (including regulations).”.

SEC. 71254. AGREEMENTS RELATING TO USE OF, AND ACCESS TO, RIGHTS-OF-WAY ON INTERSTATE SYSTEM.

Section 111 of title 23, United States Code, is amended—

(1) in subsection (a)—

(A) in the fourth sentence—

(i) by striking “Nothing” and inserting the following:

“(4) EFFECT OF SECTION.—Nothing;

(ii) by striking “Interstate System (1) if such establishment (A) was” and inserting the following: “Interstate System, if—

“A) the establishment—

“(1) was “;

(B) by striking “1960, (B) is owned by a State, and (C) is” and inserting the following:

“(ii) is owned by a State; and

“(iii) is”; and

(iv) by striking “otherwise, and (2) if all” and inserting the following: “otherwise; and

“(B) all”;

(B) in the third sentence, by striking “Such agreements may, however,” and inserting “Such agreements shall also contain a clause providing” and inserting the following:

“(2) AUTOMOTIVE SERVICE STATIONS.—An agreement described in paragraph (1)(A) may”;

(C) in the second sentence, by striking “Such agreements shall also contain a clause providing” and inserting the following:

“(3) USE OF AIRSPACE.—An agreement described in paragraph (1)(A) may”; and

(D) by striking the section designation and heading and all that follows through “All agreements between the Secretary and the” in the first sentence and inserting the following:

“(a) REQUIREMENTS FOR AGREEMENTS.—

“(1) POINTS OF ACCESS AND EXIT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), each agreement between the Secretary and a”; and

(E) in paragraph (1) (as so redesignated), by adding at the end the following:

“(B) TRANSFER OF AUTHORITY TO STATES.—On receipt of a request from a State transportation department, the Secretary shall transfer to the State transportation department the sole authority to approve the addition of a point of access to, or exit from, an applicable project on the Interstate System on approval by the State transportation department of a justification report under subsection (e),”;

(2) in subsection (e), by striking “Secretary may permit a State transportation department to approve the report” and inserting “Secretary, on receipt of a request from an affected State transportation department, shall transfer to the State transportation department in accordance with subparagraph (a)(1)(B) the sole authority to approve the addition of a point of access to, or exit from, a relevant project on the Interstate System on approval by the State transportation department of the report.”;

SA 2305. MR. RISCH 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. CASDID, 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:

On page 1046, strike lines 4 through 25 and insert the following:

(1) RULEMAKING.—

(A) IN GENERAL.—Not later than 2 years after the date of completion of the research under subsection (a), the Secretary shall issue a final rule requiring all new passenger motor vehicles with a gross vehicle weight rating of less than 10,000 pounds to be equipped with a driver monitoring system described in that subsection.

(B) DEADLINE.—Not later than 500 days after the date on which the Administrator takes effect on September 1 of the first calendar year beginning after the date on which the Secretary issues the rule.

SA 2309. MR. MARKEY submitted an amendment intended to be proposed to amendment SA 2317 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASDID, 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:

Strike section 11515.

SA 2310. MR. MARKEY submitted an amendment intended to be proposed to amendment SA 2317 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASDID, 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:

In section 40106(a)(2) of division D, in the matter preceding subparagraph (A), strike “than 500 kilovolts.”.

SA 2311. MS. DUCKWORTH (for herself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 2317 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASDID, 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 title III of division B, insert the following:
SEC. 230. UNIVERSAL ELECTRONIC VEHICLE IDENTIFIER.

Not later than 2 years after the date of enactment of this Act, the Secretary shall issue a final motor vehicle safety standard that requires a commercial motor vehicle manufactured after the effective date of such standard to be equipped with a unique electronic vehicle identifier that provides a single point of data, such as the Vehicle Identification Number, that—

(1) identifies the vehicle for compliance, inspection, or enforcement purposes;

(2) does not transmit personally identifiable information regarding operators; and

(3) does not create an undue cost burden for operators and carriers.

SA 2312. Mr. COONS (for himself, Ms. MURKOWSKI, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2317 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:

On page 2683, line 20, strike "$10,250,000,000" and insert "$11,500,000,000".

On page 2683, line 21, strike "$2,050,000,000" and insert "$3,200,000,000".

On page 2683, line 23, strike "$2,050,000,000" and insert "$3,200,000,000".

On page 2683, line 25, strike "$2,050,000,000" and insert "$3,200,000,000".

On page 2683, line 32, strike "$2,050,000,000" and insert "$3,200,000,000".

On page 2683, line 24, strike "and".

On page 2684, line 4, strike the colon and insert ";".

On page 2683, between lines 4 and 5, insert the following:

(4) "$1,250,000,000 shall be to carry out passenger ferry grants under section 5007(b) of title 49, United States Code;"

SEC. 2313. Mr. PADILLA (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 2317 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. ADVANCED AIR MOBILITY PLANNING GRANT PROGRAM.

(a) Grants.

(1) In general.—The Secretary shall make grants to eligible entities to develop a comprehensive plan for the establishment of a program that may be necessary to integrate advanced air mobility solutions into the National Airspace System.

(2) Priority.—In awarding grants under this section, the Secretary shall give priority to eligible entities where an eligible entity partners with at least one—

(A) an airport operator or airport sponsor, or

(B) a political subdivision of State, local, or Tribal governments in its region or geographic area; or

(C) not-for-profit research institution or institution of higher education with relevant experience working with industry on new technology and commercialization.

(3) Minimum allocation to rural areas.—Not less than 20 percent of amounts made available under subsection (c) are to be awarded grants to eligible entities located in a rural area.

(4) Required elements.—In making grants under this section, the Secretary shall give priority to applications where an eligible entity—

(A) provides a comprehensive plan for the establishment of a program that may be necessary to integrate advanced air mobility solutions into the National Airspace System.

(B) the Secretary determines is likely to contribute to the attainment or maintenance of a national ambient air quality standard; or

(C) the project or program of projects involves the deployment of hyperlocal air quality mobile monitoring systems primarily to monitor transportation-related emissions.

(5) Authorization of appropriations.—In this section, the term “hyperlocal air quality mobile monitoring system” means a system of monitoring and mapping ambient air quality and greenhouse gases at a block-level of resolution, and which may include remotely piloted or autonomous aircraft.

(b) Eligible entity.

(1) In general.—The term “eligible entity” means—

(A) a State;

(B) a unit of local government;

(C) a metropolitan planning organization;

(D) a Tribal government;

(E) a political subdivision of a State or local government;

(F) a special purpose district or a public authority with a transportation function, including airport operators and port authorities; and

(G) a group of entities described in subparagraphs (A) through (F).

(c) High-volume operations.—The term “high-volume operations” means more than 1,000 simultaneous advanced air mobility operations taking place in the relevant region or jurisdiction.

(d) Low-volume operations.—The term “low-volume operations” means under 100 simultaneous advanced air mobility operations taking place in the relevant region or jurisdiction.

(e) Medium-volume operations.—The term “medium-volume operations” means more than 100, but less than 1,000, simultaneous advanced air mobility operations taking place in the relevant region or jurisdiction.

SA 2314. Mr. PADILLA (for himself, Mr. BOOKER, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2317 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:

Beginning on page 126, strike line 17 and all that follows through page 127, line 3, and insert the following:

(a) a national ambient air quality standard;

(b) if the project is on a marine highway corridor, connector, or crossing designated by the Secretary under section 55601(c) of title 46 (including an inland waterway corridor, connector, or crossing) that—

(1) is functionally connected to the Federal-aid highway system; and

(2) the Secretary determines is likely to contribute to the attainment or maintenance of a national ambient air quality standard; or

(c) if the project or program of projects involves the deployment of hyperlocal air quality mobile monitoring systems primarily to monitor transportation-related emissions.

On page 130, strike lines 12 and 13 and insert the following:

(1) an urbanized area with a population of 200,000 or fewer.

(d) Definition of Hyperlocal Air Quality Mobile Monitoring System.—In this section, the term “hyperlocal air quality mobile monitoring system” means a system of monitoring and mapping ambient air quality and greenhouse gases and detecting the presence of pollutants using mobile vehicles that—

(i) yields frequently repeated, ongoing measurements of pollutants and greenhouse gases at a block-level of resolution; and

(ii) identifies hotspots of persistent elevated levels of pollutants and greenhouse gases.

SA 2315. Mr. PADILLA (for himself and Mr. COWEN) submitted an amendment intended to be proposed to amendment SA 2317 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:

In section 1101(b)(1), add at the end the following:

(H) NATIONAL SCENIC BYWAYS PROGRAM.—For the National scenic byways program under section 162 of title 23, United States Code—

(1) $55,000,000 for fiscal year 2022;
(2) $60,000,000 for fiscal year 2023;
(3) $65,000,000 for fiscal year 2024;
(4) $70,000,000 for fiscal year 2025; and
(5) $75,000,000 for fiscal year 2026.

SA 2316. Mr. PADILLA 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. CASIDY, 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 H, insert the following:

SEC. 6431. ELECTIVE PAYMENT FOR CARBON OXIDE SEQUESTRATION.

(a) ELECTIVE PAYMENT FOR CARBON OXIDE SEQUESTRATION.—

(b) SPECIAL RULE FOR PROCEEDS OF TRANSFERS FOR MUTUAL OR COOPERATIVE ELECTRIC COMPANIES.—Section 501(c)(12)(I) of the Internal Revenue Code of 1986 is amended by inserting ‘‘or 6431(a)’’ after ‘‘section 45J(e)(1).’’

(c) CLEIICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 of such Code is amended by adding at the end the following new item:

‘‘6431. Elective payment for carbon oxide sequestration. .’’

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of enactment of this Act.

SA 2319. Mr. HOEVEN (for himself and Mr. CRAMER) 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. CASIDY, 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:

SEC. 71201. LOAN ADJUSTMENTS FOR CRITICAL RURAL UTILITY SERVICE PROVIDERS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Treasury (‘‘Secretary’’) may, in accordance with this subsection, make an adjustment or modification to any portion of an obligation incurred by the Secretary under the heading ‘‘DISTANCE LEARNING,’’ which shall include a report summarizing how the adjustment or modification will assist the borrower in providing critical utility services to a rural community.

(b) QUALIFIED LOAN DISCHARGED.—A qualified loan (as defined in this paragraph) is a loan made or guaranteed on or before the date of enactment of this Act under—

(1) section 4, 201, 305, 306, or 601 of the Rural Electrification Act of 1936 (7 U.S.C. 904, 922, 935, 936, 950b); or
(2) the program carried out under the heading ‘‘DISTANCE LEARNING,’’ in title I of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 125 Stat. 116) (commonly known as the ‘‘Broadband Initiative’’).

(c) ADJUSTMENT OF INTEREST RATE; MODIFICATION OF LOAN TERMS.—

In general.—(A) Adjustment of interest rate.—Not later than 120 days after the date of enactment of this Act, the Secretary, upon request of the borrower, shall adjust the interest rate on a qualified loan made or guaranteed under this Act to a rate equal to the rate in effect on the date of such request.

(B) Extension of loan term.—Not later than 180 days after the date of enactment of this Act, the Secretary, upon request of the borrower, shall extend the maturity of a qualified loan made or guaranteed under this Act to a date not later than 180 days after the request.

(C) Modification of loan term.—Not later than 180 days after the date of enactment of this Act, the Secretary, upon request of the borrower, shall modify the terms of a qualified loan made or guaranteed under this Act to allow the borrower to—

(1) refinance such loan at a lower rate of interest; or
(2) modify the terms of such loan, in the case of a rural utility service project, to allow the borrower to refinance such loan at a lower rate of interest.

(D) Notice.—Not later than 30 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice of the benefits available to borrowers under this section.
(f) APPROPRIATIONS; REIMBURSEMENTS.—
(1) IN GENERAL.—Out of any amounts in the Treasury not otherwise appropriated—
(A) there are appropriated to the Secretary such amounts as are necessary to remain available until December 31, 2021, for the cost of interest rate adjustments under subsection (c)(1)(A); and
(B) there is appropriated to the Secretary $300,000,000, to remain available until December 31, 2021, for the cost of modifications under subsection (c)(1)(B); and
(C) there are appropriated to the Federal Financing Bank such sums as are necessary, to remain available until December 31, 2023, for the cost of liquidation of residual intragovernmental amounts owed by the Federal Financing Bank in connection with qualified loans described in subsection (b) modified after the date of enactment of this Act.
(2) CALCULATION.—For purposes of paragraph (1)(C), the calculation of the sums necessary for the liquidation of residual intragovernmental amounts owed shall take into account all amounts otherwise transferred to the Federal Financing Bank for the qualified loans described in that paragraph.

SEC. 806. ADDITIONAL DEDUCTION FOR COST OF CERTAIN MATERIALS PURCHASED DIRECTLY FROM A DOMESTIC SMELTER OR PROCESSOR.

(a) FINDINGS.—Congress finds the following:
(1) It is in America’s best interest to ensure a robust and secure domestic supply chain for U.S. manufacturers.
(2) The United States’ increasing reliance on foreign sources of metals and minerals threatens our economic and national security while providing our geopolitical rivals, such as China and Russia, leverage over our economy.
(3) Incentivizing domestic mineral and metal production and the purchase of these materials will make our nation’s supply chains more secure and resilient.

(b) DEDUCTION.—Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 181 the following new section:

"SEC. 182. ADDITIONAL DEDUCTION FOR COST OF CERTAIN MATERIALS PURCHASED DIRECTLY FROM A DOMESTIC SMELTER OR PROCESSOR."

"(a) IN GENERAL.—There shall be allowed as a deduction in addition to any other deduction allowed under this chapter for the cost of specified domestically-produced materials an amount equal to 10 percent of the cost of specified domestically-produced materials if such materials are acquired by the taxpayer directly from the domestic smelter or processor.

(b) SPECIFIED DOMESTICALLY-PRODUCED MATERIALS.—For purposes of this section—
(1) IN GENERAL.—The term ‘specified domestically-produced materials’ means any of the following:
(A) Any specified material which is a mine product that is smelted or processed in the United States.
(B) Any specified material which is a mine tailings product which is beneficiated in the United States.
(C) Any specified material which is metal or metal compound production which is—
(i) reprocessed from slags or residues in the United States, or
(ii) melted, sintered, or otherwise produced in the United States.
(D) Any specified material which is an alloy produced by melting together metals in the United States.
(E) Any specified material which is a magnet which is sintered or bonded and magnetized in the United States.
(2) SPECIFIED DOMESTICALLY-PRODUCED MATERIALS.—
(A) IN GENERAL.—The term ‘specified material’ means that which is necessary—
(i) for the national defense and national security;
(ii) for the energy infrastructure of the United States, including—
(I) pipelines,
(ii) refining capacity,
(iii) electrical power generation and transmission, and
(iv) renewable energy production,

SEC. 410. FUNDING LIMITATION.

(a) IN GENERAL.—Funding made available by this title shall only be made available for the application or deployment of established technologies with documented performance and an existing commercialization record in order to ensure the timely and desired outcome and performance of the activities funded by this title.

(b) TECHNOLOGY READINESS.—For purposes of determining whether a technology meets the criteria described in subsection (a), the technology readiness level of the technology shall be greater than or equal to 6, as defined by the Technology Readiness Assessment Guide of the Government Accountability Office.

SEC. 2321. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2317 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 title X of division D, add the following:

"(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of enactment of this Act."

SEC. 2322. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 2317 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:
In section 4032(b)(1) of title III of division D, strike “Committee on Energy and Natural Resources of the Senate” and insert “Committees on Energy and Natural Resources and Armed Services of the Senate”.
In section 4032(b) of title III of division D, insert “, Armed Services,” after “Energy and Commerce.”
In section 4032(c)(1) of title III of division D, after the Department of Defense installations domestically.

SEC. 2323. Mrs. BLACKBURN 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 subtitle E of title I of division A, add the following:

SEC. 115. HOV FACILITIES EXCEPTION FOR ACTIVE TRAFFIC MANAGEMENT STRATEGIES.

Section 166(b) of title 23, United States Code (as amended by section 11527), is amended—

(1) in paragraph (1), by striking “(through (5))” and inserting “(through (7));” and

(2) by adding at the end the following:

(7) ACTIVE TRAFFIC MANAGEMENT STRATEGIES.—

(A) DEFINITIONS.—In this paragraph:

(i) ACTIVE TRAFFIC MANAGEMENT.—The term ‘active traffic management’ means the ability—

(I) dynamically to manage traffic congestion based on prevailing and predicted traffic conditions; and

(II) to maximize the efficiency and effectiveness of a HOV facility with respect to trip efficiency.

(ii) ACTIVE TRAFFIC MANAGEMENT STRATEGY.—The term ‘active traffic management strategy’ means a strategy implemented for purposes of active traffic management, including—

(I) speed advisory controls;

(II) dynamic lane assignment;

(III) shoulder running; and

(IV) adaptive ramp metering.

(B) EXCEPTION.—A public authority operating a HOV facility may implement 1 or more active traffic management strategies to replace the HOV facility in any case in which, as determined by the public authority, research and analysis demonstrate that the active traffic management strategy will result in—

(i) an improvement in overall safety; and

(ii) a reduction in traffic congestion.

SA 2325. Mrs. BLACKBURN 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—FEDERALLY FUNDED PROJECTS AND ACTIVITIES NOT IN METROPOLITAN STATISTICAL AREAS.

SEC. 12101. FEDERALLY FUNDED PROJECTS AND ACTIVITIES NOT IN METROPOLITAN STATISTICAL AREAS.

Notwithstanding any other provision of law, the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and division A of subtitle III of title 54, United States Code (formerly known as the “National Historic Preservation Act”), shall not apply to any project or activity that—

(1) is not located in a metropolitan statistical area (as defined by the Office of Management and Budget); and

(2) is carried out using Federal funds.

SA 2326. Mrs. BLACKBURN 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 F, insert the following:

TITLES XIII—CERTS ACT FUNDING

SEC. 71201. REALLOCATION OF FUNDING FOR CERTS ACT.

Notwithstanding any other provision of this Act (or an amendment made by this Act), the following amounts shall be reallocated to carry out the Coronavirus Economic Relief for Transportation Services Act (subtitle B of title IV of division N of Public Law 116-200; 134 Stat. 1182):

(1) $2,000,000,000 of the total amount authorized to be appropriated for Northeast Corridor grants under section 22101(a).

(2) $1,000,000,000 of the total amount authorized to be appropriated for National Network for Public Safety and Disaster Communications, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division G, add the following:

SEC. 13107. APPLICATION OF NEPA AND NHPA TO CERTS ACT COMMUNICATIONS PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ‘Commission’ means the Federal Communications Commission.

(2) COMMUNICATIONS FACILITY.—The term ‘communications facility’ includes—

(A) any wireless or wireline infrastructure for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds;

(B) any transmitting device, tower, or support structure, and any equipment, switches, wiring, cable, power sources, shelters, or cabinets, not located at a communications service provider’s site, used in connection with the provision of communications services; and

(C) any antenna or apparatus that—

(i) is designed for the purpose of emitting radio frequency energy; or

(ii) is designed to be operated, or is operating, from a fixed location; and

(iii) is added to a tower, building, or other structure.

(b) NEPA CONSIDERATIONS.—The term ‘communications service’ means a service for the transmission of writing, signs, signals, data, images, pictures, or sounds of all kinds.

(c) NATIONAL HISTORIC PRESERVATION CONSIDERATIONS.—Section 106 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

SA 2327. Mrs. BLACKBURN 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:

On page 2063, line 14, insert before “from eligibility” the following: “; except for municipal broadband providers that are prohibited by State law from offering broadband service in the applicable jurisdiction.”.

SA 2328. Mrs. BLACKBURN 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:

On page 2063, strike lines 12 through 16 and insert the following:

of such individuals; and

(b) broadband adoption, including programs to provide affordable internet-capable devices.
SA 2329. Mrs. BLACKBURN 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:

On page 1318, line 3, strike “The term” and insert “Except as otherwise expressly provided, the term”. On page 1420, beginning on line 15, strike “in this” and all that follows through “section” on line 16, and insert “Except as otherwise expressly provided, in this section.” On page 1326, between lines 2 and 3, insert the following:

(b) NATIONAL BLOCKCHAIN IMPLEMENTATION POLICY PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) CRITICAL MINERAL.—The term “critical mineral” has the meaning given the term in Executive Order 13817 (as defined by the Office of Management and Budget); and

(B) R EQUIREMENTS.—In carrying out the Program, the Secretary, acting in coordination with such Federal agencies, advisory councils, working groups, and subcommittees as the Secretary considers appropriate, shall:

(i) establish the goals, priorities, and metrics for a 5-year plan to accelerate the development of blockchain technology, and the applications for blockchain technology, in the United States;

(ii) monitor global regulatory developments; and

(iii) in order to achieve the purposes described in clause (1), pursue fundamental research, development, demonstration, and other activities with respect to blockchain technology;

(iv) invest in activities to develop a blockchain technology workforce pipeline;

(v) provide for interagency planning and coordination of research, development, demonstration, standards engagement, and other activities with respect to blockchain technology;

(vi) partner with private industry, institutions of higher education, and the National Laboratories to leverage knowledge and resources with respect to blockchain technology; and

(vii) leverage Federal investments regarding blockchain technology that are in existence, as of the date on which the Program is established, to advance the goals of the Program, including the purposes described in clause (i).

SA 2332. Mrs. BLACKBURN 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 A, insert the following:

SEC. 9. USE OF PREVIOUS ENVIRONMENTAL STUDIES, ANALYSES, AND DECISIONS FOR CURRENT PROJECTS.

(a) DEFINITIONS.—In this section:

(1) LEAD FEDERAL AGENCY.—The term “lead Federal agency” means the Federal agency that is responsible for navigating a major infrastructure project through environmental review and authorization processes.

(2) MAJOR INFRASTRUCTURE PROJECT.—The term “major infrastructure project” means an infrastructure project for which—

(A) multiple authorizations by Federal agencies will be required to proceed with construction;

(B) the lead Federal agency has determined that it will prepare an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and

(C) the project sponsor has identified the reasonable availability of funds sufficient to complete the project.

(b) DEADLINE FOR AUTHORIZATION DECISIONS.—Not later than 90 days after the date on which the lead Federal agency issues a record of decision following the completion of an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), all environmental authorization decisions relating to the construction of a major infrastructure project shall be completed, on the condition that such final environmental impact statement includes an adequate level of detail to inform agency decisions pursuant to specific statutory authority and requirements.

(c) EXTENSION.—The head of a lead Federal agency may extend the deadline referred to in subsection (b) if the head of the lead Federal agency determines that—

(i) Federal law prohibits the Federal agency from issuing an approval or permit within the 90-day period; or

(ii) the project sponsor requests that the permit or approval follow a different timeline; or

(iii) an extension would better promote completion of the environmental review and authorization process of the project.
local environmental reviews or authorization decisions.

SA 2334. Mrs. BLACKBURN 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, Ms. 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:

On page 1065, line 17, insert ‘‘motorcyclists,’’ after ‘‘bicyclists.’’

SA 2335. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2336 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 high- ways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2638, strike line 6 and all that follows through page 2642, line 18, and insert the following:

(1) $27,500,000,000 shall be for a bridge replacement, rehabilitation, preservation, protection, and construction program. Provided further. That, except as otherwise provided under this paragraph, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: Provided further, That a project funded with funds made available under this paragraph shall be treated as a project on a Federal-aid highway: Provided further. That, of the funds made available under this paragraph for a fiscal year, 3 percent shall be set aside to carry out section 202(d) of title 23, United States Code: Provided further, That funds set aside under this paragraph shall be available to the States to pay made available under this paragraph, to carry out section 202(d) of title 23, United States Code; Provided further, That the funds set aside under this paragraph shall be available to pay the Secretary of the Interior for the Federal-aid highway bridge replacement or rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads:

SA 2336. Mr. THUNE 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 title IV of division A, add the following:

SEC. 2336. TRIBAL TRANSPORTATION.

(a) Tribal Transportation Program.—

(I) In general.—Section 202 of title 23, United States Code, is amended—

(A) in subsection (a)(9), by striking ‘‘construction and improvement’’ and inserting ‘‘construction, improvement, and highway safety’’;

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking subparagraph (D) and inserting the following:

'(D) IN GENERAL.—Not later than 270 days after the date of enactment of the Infra-structure Investment and Jobs Act, and not less frequently than every 3 years thereafter, the Secretary of the Interior shall publish in the Federal Register a notice requesting pro- posals from Indian tribes to include additional facilities that are eligible for funding under the tribal transportation program in the inventory described in subparagraph (A), if those proposed additional facilities are included in the inven- tory in a uniform and consistent manner na-

(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph—

'(I) prohibits the Secretary of the Interior from including in the inventory under subsection (a)(9)(A) additional facilities more frequently than required under clause (i), including, as necessary, in re- sponse to a proposal from an eligible Indian tribe;

(ii) requires Indian tribes to submit pro- posals to the Secretary of the Interior in re- sponse to the notice required under clause (i); and

(iii) by adding at the end the following:

'(F) PUBLIC AVAILABILITY.—The Secretary of the Interior shall ensure that all non- confidential information within the inventory described in subparagraph (A) is made avail-

(i) in a user-friendly manner on the public website of the Department of the Interior; and

(ii) in a manner capable of being searched and downloaded by users of the public website of the Department of the Interior;''.

and

Provided fur-

ther. That for purposes of this heading for the bridge replacement and rehabilitation program, the Secretary shall calculate the percentages of total deck area of bridges (including the percentages of total deck area in poor condition) based on the National Bridge In- ventory as of December 31, 2018:

(1) $27,500,000,000 shall be for a bridge replacement, rehabilitation, preservation, protection, and construction program. Provided further. That, except as otherwise provided under this paragraph, the funds made available under this paragraph shall be administered as if apportioned under chapter 1 of title 23, United States Code: Provided further, That a project funded with funds made available under this paragraph shall be treated as a project on a Federal-aid highway: Provided further. That, of the funds made available under this paragraph for a fiscal year, 3 percent shall be set aside to carry out section 202(d) of title 23, United States Code: Provided further, That funds set aside under this paragraph shall be available to the States to pay made available under this paragraph, to carry out section 202(d) of title 23, United States Code; Provided further, That the funds set aside under this paragraph shall be available to pay the Secretary of the Interior for the Federal-aid highway bridge replacement or rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads:

At the end of title IV of division A, add the following:

SEC. 2336. TRIBAL TRANSPORTATION.

(a) Tribal Transportation Program.—

(I) In general.—Section 202 of title 23, United States Code, is amended—

(A) in subsection (a)(9), by striking ‘‘construction and improvement’’ and inserting ‘‘construction, improvement, and highway safety’’;

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking subparagraph (D) and inserting the following:

'(D) IN GENERAL.—Not later than 270 days after the date of enactment of the Infra-

structure Investment and Jobs Act, and not less frequently than every 3 years thereafter, the Secretary of the Interior shall publish in the Federal Register a notice requesting pro-

Interior shall jointly submit a report describing the results of the audit under subparagraph (A) to—

(i) the Committee on Environment and Public Works of the Senate;

(ii) the Committee on Indian Affairs of the Senate;

(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

(iv) the Committee on Natural Resources of the House of Representatives.

(3) ROLES.—

(A) IN GENERAL.—The Comptroller General of the United States (referred to in this paragraph as the "Comptroller General") shall initiate an audit of the program.

(B) REVIEW.—The audit under subparagraph (A) shall include an examination of—

(i) the methodology of the program under section 202(b)(3) of title 23, United States Code, including key decisions made over time that have affected the methods used to determine tribal shares of program funds;

(ii) whether, for purposes of allocating funding under section 202 of title 23, United States Code, any tribe is eligible for funding under section 202 of title 23, United States Code;

(iii) how the Secretary of the Interior ensures that—

(I) the program is consistently administered; and

(II) program decisions are transparently and consistently administered and enforced; and

(v) the potential effects of having the program administered solely by the Secretary of the Interior or the Secretary.

(C) REPORT.—Not later than 45 days after the date of enactment of this Act, the Comptroller General shall submit a report describing the results of the audit under subparagraph (A) to—

(i) the Committee on Environment and Public Works of the Senate;

(ii) the Committee on Indian Affairs of the Senate;

(iii) the Committee on Transportation and Infrastructure of the House of Representatives; and

(iv) the Committee on Natural Resources of the House of Representatives.

(4) OBLIGATIONS LIMITATIONS.—Notwithstanding section 112(a) of the FAST Act (23 U.S.C. 194 note; Public Law 114–94) or any other provision of law providing a limitation on obligations for Federal-aid highway and highway safety construction programs for a fiscal year, amounts made available to carry out the tribal transportation program under section 202 of title 23, United States Code, for a fiscal year shall not be subject to the obligations limitations that fiscal year.

(b) TRANSPORTATION FACILITY ELIGIBILITY

(1) DEFINITIONS.—In this subsection:

(A) INVENTORY.—The term "inventory" means the national inventory of tribal transportation facilities under section 202(b) of title 23, United States Code.

(B) PROPOSED ROAD.—The term "proposed road" means a proposed road or facility (as defined in section 170.5 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act)) that is a road, including a primary access route (as defined in that section).

(C) DATING.—Not later than 180 days after the date of enactment of this Act, and not less frequently than every 3 years thereafter, the Secretary and the Secretary of the Interior shall require each Indian Tribe that intends to include a proposed road in the inventory to complete and submit for approval the documentation information required under section 170.443(a) of title 25, Code of Federal Regulations (as in effect on November 8, 2019), for the proposed road.

(2) REQUIREMENTS.—

(A) IN GENERAL.—Not later than 180 days after each deadline described in paragraph (2), the Secretary of the Interior shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the proposed roads approved to be included in the inventory.

(B) REQUIREMENTS.—Each report under subparagraph (A) shall include, for each Indian tribe, Alaskan Native village, or other recognized Indian community (including former Indian reservations in the State of Oklahoma)—

(i) the mileage of proposed roads included in the inventory before the deadline described in paragraph (2);

(ii) the mileage of proposed roads approved to be included in the inventory on the basis of the documentation and other information submitted under paragraph (2); and

(iii) an estimate, based on the documentation and other information submitted under paragraph (2), of the construction and maintenance costs of the proposed roads described in clause (i).

(c) TRIBAL HIGHWAY SAFETY PARTNERSHIPS.—Section 402 of title 23, United States Code, is amended—

(1) in subsection (b)(1)(C), by striking "by" and inserting "by, or on behalf of;"

(2) in subsection (b)(2)—

(A) by striking "Notwithstanding" and inserting the following:

"(A) IN GENERAL.—Notwithstanding;" and

(B) by adding at the end the following:

"(B) Cooperation.—In accordance with section 202(a)(9)(A), an Indian tribe may use amounts described in subparagraph (A) in cooperation with States, counties, and other local subdivisions for highway safety purposes.

(d) NATIONALLY SIGNIFICANT FEDERAL LANDS AND TRIBAL PROJECTS PROGRAM.—Section 1125 of the FAST Act (23 U.S.C. 201 note; Public Law 114–94) is amended—

(1) in subsection (c)(3), by inserting "for a project that is to be carried out by an eligible entity that is not an Indian tribe," before "before having an";

(2) in subsection (g)(1)—

(A) by striking "shall be up to" and inserting the following: "shall be up to and";

(B) for a project carried out by an Indian tribe, up to 100 percent; and

(C) for a project not described in subparagraph (A), to

(e) TRIBAL TRANSPORTATION ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall establish within the Bureau of Indian Affairs a committee, to be known as the "Tribal Transportation Advisory Committee" (referred to in this Act as the "Committee"), which shall replace the Tribal Transportation Program Coordinating Committee established under sections 170.135 through 170.137 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) REQUIREMENTS.—The Committee shall be composed of—

(I) the Secretary of the Interior (or a designee);

(ii) representatives of a diverse group of Indian Tribes, including—

(i) not fewer than 1 tribal representative from each region of the Bureau of Indian Affairs; and

(ii) not more than 3 tribal representatives from any 1 region of the Bureau of Indian Affairs;

(iii) State and local representatives;

(iv) not fewer than 1 representative of the Bureau of Indian Affairs;

(v) not fewer than 1 representative of the Department; and

(vi) other members, as determined to be appropriate by the Secretary of the Interior in consultation with the Committee.

(3) CHAIRPERSON.—The Secretary of the Interior shall appoint each member of the Committee.

(4) TERMS.—Except for the Secretary of the Interior, each member of the Committee shall serve for a term of 3 years.

(5) DUTIES.—

(A) IN GENERAL.—The Committee shall—

(i) regularly provide recommendations to the Secretary of the Interior on and, subject to the discretion of the Committee, study issues relating to tribal transportation, including—

(I) the tribal transportation program under section 202 of title 23, United States Code, including—

(aa) the funding formula used to determine tribal shares under the tribal transportation program; and

(bb) the national tribal transportation facility inventory established under subsection (b) of that section;

(II) the road maintenance program managed by the Bureau of Indian Affairs;

(III) grants awarded to Indian tribes for public transportation using amounts made available under section 5331(c)(1) of title 49, United States Code;

(iv) transportation safety within tribal reservations, including—

(aa) traffic safety; and

(bb) safety partnerships with Federal, State, and local authorities;

(II) the availability of transportation funding in the event of a natural disaster; and

(VI) any other policies or procedures related to tribal transportation, as determined by the Committee; and

(ii) carry out the duties of the Tribal Transportation Program Coordinating Committee established under sections 170.135 through 170.137 of title 25, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(6) REPORT TO CONGRESS.—Not later than 180 days after receiving any recommendations from the Committee under paragraph (5), the Secretary of the Interior shall submit to the relevant committees of Congress a report describing those recommendations.

(f) FEDERAL ADVISORY COMMITTEE ACT.—Except as otherwise provided in this section, the Federal Advisory Committee Act (5
SA 2337. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by 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. 71201. MAINTENANCE OF CLASSIFICATION AS A PRIMARY NONHUB AIRPORT.

Notwithstanding any other provision of law, the Secretary of Transportation may designate an airport as a primary nonhub airport if that airport was certified as a primary nonhub airport prior to January 1, 2017, and meets all of the conditions of that waiver. Other than the waiver's limits for Reid Vapor Pressure, May be introduced into commerce if the fuel or fuel additive meets all other applicable Reid Vapor Pressure requirements.

SA 2340. Mr. DAINES (for himself, Mr. PADILLA, Mr. HOEVEN, and Mr. KING) 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. 71201. MAINTENANCE OF CLASSIFICATION AS A PRIMARY NONHUB AIRPORT.

Notwithstanding any other provision of law, the Secretary of Transportation may designate an airport as a primary nonhub airport if that airport was certified as a primary nonhub airport prior to January 1, 2017, and meets all of the conditions of that waiver. Other than the waiver's limits for Reid Vapor Pressure, May be introduced into commerce if the fuel or fuel additive meets all other applicable Reid Vapor Pressure requirements.

SA 2342. Mr. KELLY (for himself and Mr. DAINES) 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. 71201. MAINTENANCE OF CLASSIFICATION AS A PRIMARY NONHUB AIRPORT.

Notwithstanding any other provision of law, the Secretary of Transportation may designate an airport as a primary nonhub airport if that airport was certified as a primary nonhub airport prior to January 1, 2017, and meets all of the conditions of that waiver. Other than the waiver's limits for Reid Vapor Pressure, May be introduced into commerce if the fuel or fuel additive meets all other applicable Reid Vapor Pressure requirements.

TITLE XII—OTHER MATTERS


(a) In General.—Section 47104(c)(1) of title 49, United States Code, is amended by adding at the end the following:

"(K) Special rule on classification for fiscal years 2022 and 2023. Notwithstanding section 47102 and subparagraph (A), and subject to subparagraph (J), for fiscal years 2022 and 2023, the Secretary shall classify an airport as a primary nonhub airport if that airport was a primary nonhub airport for fiscal year 2021.

(b) Effective Date.—The amendment made by this subsection (a) shall take effect as if included in the enactment of division L of the Consolidated Appropriations Act, 2021 (Public Law 116–260)."
SEC. 2. ACCELERATING RURAL BROADBAND DEPLOYMENT ACT.

(a) SHORT TITLE.—This section may be cited as the “Accelerating Rural Broadband Deployment Act”.

(b) ACCESS TO FEDERAL RIGHTS-OF-WAY FOR BUILD OUT OF BROADBAND SERVICE.—

(1) DEFINITIONS.—In this subsection:

(A) BROADBAND SERVICE.—The term “broadband service” means—

(i) any service that has the capacity to transmit data to enable users or devices to originate and receive high-quality voice, data, video, and audio;

(ii) any service by wire or radio that provides the capability to transmit data to, and receive data from, all or substantially all internet endpoints;

(iii) any capabilities that are incidental to, and enable the operation of, the service;

(iv) excluding dial-up internet access service; or

(v) any service that is the functional equivalent of a service described in clause (i) or (ii).

(B) EXECUTIVE AGENCY.—The term “Executive agency” means—

(i) the meaning given the term in section 105 of title 5, United States Code; and

(ii) does not include the Department of Defense, except for the Army Corps of Engineers.

(C) RIGHT-OF-WAY OWNED BY THE FEDERAL GOVERNMENT.—The term “right-of-way owned by the Federal Government” means a right-of-way held by a Federal agency across land owned by another person or entity.

(2) ACCESS.—

(A) IN GENERAL.—If an Executive agency, a State, a political subdivision or agency of a State, an Indian tribal government, or a person, firm, or organization requests access to a right-of-way owned by the Federal Government, or an instrumentality thereof, or to a structure owned by the Federal Government, or an instrumentality thereof, in any right-of-way, in order to place, construct, modify, or operate facilities for the provision of broadband service, the Executive agency having control of the right-of-way or structure may grant to the applicant, on behalf of the Federal Government, in a manner that is consistent with subchapter I of chapter 35 of title 44, United States Code, the following:

(i) FEDERAL OWNED LAND.—In the case of a Federal Government-owned right-of-way or structure located in a right-of-way located on Federal land, the Executive agency having control of the right-of-way or structure shall consult with the owner of the Federal land on whether to approve a request for a license under this paragraph.

(ii) TRIBAL LAND.—In the case of a Federal Government-owned right-of-way or structure located in a right-of-way located on Tribal land or held by the Federal Government for the benefit of an Indian Tribe, the Executive agency having control of the right-of-way or structure shall consult with the Indian Tribe, as otherwise required by law, before determining whether to approve a request for a license under this paragraph.

(F) AUTOMATIC DENIAL.—In the case of a request for access under subparagraph (A) by a person, firm, or organization, the Executive agency having control of the right-of-way shall deny the request if the person, firm, or organization is determined by the head of the Executive agency to—

(i) be a risk to national security under the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1601 et seq.); or

(ii) otherwise pose a threat to national security.

(G) RULE OF CONSTRUCTION.—Nothing in this subsection is intended to exempt an Executive agency from the requirements of division A of subtitle III of title 54, United States Code, or the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) TIMELY CONSIDERATION OF APPLICATION.—

(A) IN GENERAL.—Not later than 180 days after the date on which an Executive agency receives a completed application under paragraph (2), the Executive agency shall—

(i) on behalf of the Federal Government, grant the application subject to conditions, or deny the application; and

(ii) notify the applicant of the decision of the Executive agency under clause (i).

(B) EXPLANATION OF DENIAL.—If an Executive agency denies an application under this subsection, the Executive agency shall notify the applicant in writing of such denial, which shall—

(i) be supported by substantial evidence contained in a written record; and

(ii) include a clear statement of the reasons for the denial.

(C) PUBLIC RELEASE OF RECORD.—The written record described in subparagraph (B)(i) shall be made available for public inspection—

(i) on the date on which the written notification is provided to the applicant under subparagraph (B); and

(ii) in accordance with section 552a of title 5, United States Code (commonly known as the “Freedom of Information Act”) and other related provisions of law.

(D) AUTOMATIC GRANT OF REQUEST.—If an Executive agency fails to act on a request received under paragraph (2) by the end of the 180-day period described in subparagraph (A), the application shall be considered granted.

(4) REQUIREMENT.—Any regulation issued by an Executive agency governing management of access to a Federal right-of-way or structure under subsection (c) in a right-of-way under this section shall—

(A) be competitively and technologically neutral; and

(B) apply to all providers of broadband service on a competitively neutral and nondiscriminatory basis.

(5) EXECUTIVE AGENCY WEBSITE REQUIREMENT.—The Executive agency shall make publicly available on the website of the Executive agency, in a manner that is consistent with subchapter I of chapter 35 of title 44, United States Code, the following:

(A) The name or unique identifier of each entity submitting an application under paragraph (2) with respect to which the Executive agency has control over the applicable right-of-way or structure in the right-of-way.

(B) For any application described in subparagraph (A) that was submitted to the Executive agency.

(i) the date on which the application was submitted to the Executive agency.

(ii) the status of each application described in subparagraph (A), including—

(I) if the application has been granted, any accompanying information, including the period during which the applicant will have access to the applicable right-of-way or structure.

(ii) if the application has been granted subject to conditions, any accompanying information, including the conditions that the applicant is required to satisfy in order for the Executive agency to grant the application; and

(iii) if the application has been denied, the written record and statement required under paragraph (3)(B).

SA 2343. Mr. CASSIDY 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, Mr. MUIRKOWSKI, 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:

On page 492, strike lines 24 and 25 and insert the following:

Route 22 in the vicinity of Holly Springs, Mississippi.

“99) The Central Louisiana Corridor commencing at the logical terminus of Louisiana Highway 8 at the Sabine River Bridge at Burs Crossing and generally following portions of Louisiana Highway 8 to Leesville, Louisiana, and then on Interstate Route I–14, and the State of Louisiana, and then eastward on Louisiana, and then on Interstate Route I–14, to the Mississippi River Bridge at Vidalia, Louisiana.”

On page 483, line 8, strike “and subsection (c)(97)” and insert “, subsection (c)(97), and subsection (c)(98)”.

On page 485, line 14, insert “The route referred to in subsection (c)(99) is designated as Interstate Route I–14, and the State of Louisiana shall erect signs, as appropriate and as approved by the Secretary, identifying such route as future Interstate Route I–14.” after “I–365.”

SA 2344. Mr. THUNE 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, Mr. MUIRKOWSKI, 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:

Beginning on page 2168, strike line 14 and all that follows through page 2169, line 8, and insert the following:
SA 2345. Mr. RUBIO 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. CASIDY, 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:

On page 2491, between lines 16 and 17, insert the following:

SOUTH FLORIDA ECO SYSTEM RESTORATION

For an additional amount for South Florida ecosystem restoration, $5,000,000,000, to remain available until expended: Provided, That the amounts made available under this heading in this Act shall be used to undertake work authorized to be carried out by law; Provided further, That the amounts made available under this heading in this Act shall be appropriated from amounts in the Treasury not otherwise appropriated: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 412(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, and to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 2346. Ms. ERNST 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. CASIDY, 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 title XII of division D, insert the following:

SEC. 412. PROHIBITION ON CLEAN ENERGY MANDATES.

No Federal agency may establish a clean energy mandate if the clean energy mandate would result in higher energy prices for taxpayers or small businesses in the United States.

SA 2347. Mr. KENNEDY 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. CASIDY, 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 title XII of division D, insert the following:

SEC. 90. BUILDING FOR EVACUATION ROUTES.

Notwithstanding any other provision of this Act, the total amount of funds made available for a purpose under this Act or the amendments made by this Act, 5 percent shall be used to carry out eligible projects on roads classified by 1 or more States as hurricane or other natural disaster evacuation routes.

SA 2348. Mr. KENNEDY 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. CASIDY, 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:

In title VII of division B, add at the end the following:

SEC. 27005. REPORT ON NATIONAL CENTER OF EXCELLENCE FOR LIQUEFIED NATURAL GASES.

Section 111(c)(1) of the PIPES Act of 2020 (Public Law 116–260) is amended, in the matter preceding subparagraph (A), by striking “18 months” and inserting “1 year”.

SA 2349. Mr. KENNEDY 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. CASIDY, 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. 107. USE OF CERTAIN FUNDS.

(a) USE OF FUNDS.—Notwithstanding any other provision of law, any amount made available to a State or local governmental entity under any COVID–19 relief legislation, including any amendment made by any such legislation, that remains unobligated after September 30, 2021, may be used by such State or local government for any purpose, including infrastructure, subject to subsection (b).

(b) RESTRICTIONS.—

(1) APPLICATION OF CERTAIN RESTRICTIONS.—Any amount appropriated pursuant to any COVID–19 relief legislation, including any amendment made by any such legislation, shall be subject to the requirements contained in Public Law 116–260 for funds for programs authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 245b through 256).

(2) UNDERFUNDED STATE PENSION PLANS.—No amounts described in subsection (a) may be used to fund an underfunded State pension plan.

(3) COVID–19 RELIEF LEGISLATION.—For purposes of this section, the term “COVID–19 relief legislation” means the Families First Coronavirus Response Act (Public Law 116–127);
“(I) sending, receiving, maintaining, or exchanging with any Federal, State, or local government entity information regarding the citizenship or immigration status (lawful or unlawful) of an individual who is convicted of violating laws that prohibit the operation of motor vehicles by intoxicated persons; or
“(II) complying with a request lawfully made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to detain for a period of time a person who is convicted of violating laws that prohibit the operation of motor vehicles by intoxicated persons.”

“(ii) Exception.—A State or political subdivision of a State shall not be deemed a sanctuary jurisdiction based solely on the State or political subdivision having a policy under which officials of the State or political subdivision will not share information regarding, or comply with a request made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a request made by an agency, office, or other establishment within the executive or legislative branch of an agency, office, or other establishment within the executive or legislative branch of the State, the Sergeant at Arms of the House of Representatives, the Senate, the Secretary of the Department of Homeland Security, or the Department of Homeland Security, as applicable, is informed about the release of, an individual who is convicted of violating laws that prohibit the operation of motor vehicles by intoxicated persons.”

SA 2353. 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. CASIDY, MRS. SHAHEEN, MS. COLLINS, MR. TESTER, MS. MURKOWSKI, MR. WARNER, and MR. ROMNEY)) to the bill S. 18, United States Code.

At the appropriate place, insert the following:

**SEC. 12. FEDERAL REQUIREMENTS FOR TIFIA ELIGIBILITY AND PROJECT SELECTION.**

(a) In General.—Section 602(c) of title 23, United States Code, is amended by adding at the end the following:

“(B) Written Determination.—If payment and performance security is required to be authorized by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

“(C) No Determination or Applicable Requirements.—If there are no payment and performance security requirements applicable to the obligor, the Secretary, after considering any State or local government, public authority, or private party.

“(B) Written Determination.—If payment and performance security is required to be authorized by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

“(B) Written Determination.—If payment and performance security is required to be authorized by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

“(C) No Determination or Applicable Requirements.—If there are no payment and performance security requirements applicable to the obligor, the Secretary, after considering any State or local government, public authority, or private party.

“SA 2355. Ms. ERNST 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. CASIDY, 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; at the end of title II of division A, add the following:

**SEC. 12. FEDERAL REQUIREMENTS FOR TIFIA ELIGIBILITY AND PROJECT SELECTION.**

(a) In General.—Section 602(c) of title 23, United States Code, is amended by adding at the end the following:

“(B) Written Determination.—If payment and performance security is required to be authorized by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

“(C) No Determination or Applicable Requirements.—If there are no payment and performance security requirements applicable to the obligor, the Secretary, after considering any State or local government, public authority, or private party.

“(B) Written Determination.—If payment and performance security is required to be authorized by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

“(C) No Determination or Applicable Requirements.—If there are no payment and performance security requirements applicable to the obligor, the Secretary, after considering any State or local government, public authority, or private party.

“SA 2355. Ms. ERNST 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. CASIDY, 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; at the end of title II of division A, add the following:

**SEC. 12. FEDERAL REQUIREMENTS FOR TIFIA ELIGIBILITY AND PROJECT SELECTION.**

(a) In General.—Section 602(c) of title 23, United States Code, is amended by adding at the end the following:

“(B) Written Determination.—If payment and performance security is required to be authorized by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

“(C) No Determination or Applicable Requirements.—If there are no payment and performance security requirements applicable to the obligor, the Secretary, after considering any State or local government, public authority, or private party.

“(B) Written Determination.—If payment and performance security is required to be authorized by applicable State or local statute or regulation, the Secretary may accept such payment and performance security requirements applicable to the obligor if the Federal interest with respect to Federal funds and other project risk related to design and construction is adequately protected.

“(C) No Determination or Applicable Requirements.—If there are no payment and performance security requirements applicable to the obligor, the Secretary, after considering any State or local government, public authority, or private party.
otherwise made available under this Act may be provided to any State in which the governor of such State has been found, by the relevant State or Federal authorities, to have sexually harassed employees while holding the position of governor.

SA 2356. Mr. MERRICK submitted an amendment intended to be proposed to amendment SA 237 proposed by Mr. SCHUMER for Ms. SINEMA for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, 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:

On page 2059, between lines 9 and 10, insert the following:

(C) PRIORITY FOR PROJECTS THAT USE COMPONENTS FROM DOMESTICALLY MANUFACTURED SOURCES.—In addition to the prioritization required under subparagraph (A), an eligible entity, in awarding subgrants for the deployment of a broadband network using grant funds received under this section, as authorized under subparagraph (B)(1), shall give priority to projects that incorporate broadband componentry, including radio frequency integrated circuits, from domestically manufactured sources.

SA 2357. Mr. MERRICK submitted an amendment intended to be proposed to amendment SA 237 proposed by Mr. SCHUMER for Ms. SINEMA for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, 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 title VIII of division D, add the following:

SEC. 408. FOREST SERVICE HIRE AUTHORITY.

Section 12518 of the Agriculture Improvement Act of 2018 (16 U.S.C. 1725b) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking the period at the end and inserting a semicolon;

(B) by striking paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) as redesignated—

(i) by striking “Land” and inserting “Lands”;

(ii) by striking “applies to a former resource assistant” and inserting the following: “applies to—

(1) a former resource assistant;”;

(D) by adding at the end the following:

(2) except as provided in paragraph (1), a former participant in the Public Lands Corps program established by section 294 of the Public Lands Corps Act of 1993 (16 U.S.C. 1725c) who—

(A) successfully fulfilled the requirements of a qualified candidate and program participation; and

(B) earned a high school diploma or equivalent diploma of completion, or completed a workforce development training program; and

(C) a graduate of a Civilian Conservation Center program described in section 147(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197(d)) who successfully completed a training program focused on forestry, wildland firefighting, or another topic relating to the mission of the Forest Service.”;

(2) in subsection (c)—

(A) by striking the period at the end and inserting a semicolon;

(B) by striking “date on which the candidate” and inserting the following: “date on which—

(1) in the case of a qualified candidate described in subsection (b)(1), the candidate;”;

and

(C) by adding at the end the following:

(2) in the case of a qualified candidate described in subsection (b)(3),—

(A) the candidate successfully fulfilled the requirements described in subsection (b)(2)(A); or

(B) the candidate earned a diploma or completed a program described in subsection (b)(2)(B);

and

(3) in the case of a qualified candidate described in subsection (b)(3), the candidate graduated from the Civilian Conservation Center.”;

SA 2358. Ms. ROSEN (for herself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 237 proposed by Mr. SCHUMER for Ms. SINEMA for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, 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:

On page 2683, line 22, insert “wildfires,” after “flooding.”;

SA 2359. Mr. MERRICK submitted an amendment intended to be proposed to amendment SA 237 proposed by Mr. SCHUMER for Ms. SINEMA for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, 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:

On page 60, line 22, insert “notwithstanding any other provision of law, if local matching funds are required for a project for which amounts made available under this paragraph in this Act are provided and the total Federal contribution to the project does not exceed $25,000,000, the local matching funds required for the project may not exceed 10 percent of the total cost of the project: Provided further, That” after “That”.

SA 2360. Mr. MERRICK submitted an amendment intended to be proposed by him 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 title VIII of division D, add the following:

SEC. 408. PERMANENT REAUTHORIZATION OF COLLABORATIVE FOREST LAND SCAPING RESTORATION PROGRAM.

Section 4003(f)(6) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(6)) is amended by striking “for each of fiscal years 2019 through 2023” and inserting “for fiscal year 2021 and each fiscal year thereafter”.

SA 2361. Mr. MERRICK submitted an amendment intended to be proposed to amendment SA 237 proposed by Mr. SCHUMER for Ms. SINEMA for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, 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:

On page 2463, line 12, strike “$500,000,000,” and insert “$1,000,000,000.”.

SA 2362. Mr. WYDEN (for himself, Mrs. MURRAY, Mr. PETERS, Mr. PADILLA, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 237 proposed by Mr. SCHUMER for Ms. SINEMA for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, 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:

TITLE —STATE AND LOCAL DIGITAL SERVICE

SEC. 1. SHORT TITLE.

This title may be cited as the “State and Local Digital Service Act of 2021”.

SEC. 2. DEFINITIONS.

In this title—

(1) the term “Administrator” means the Administrator of General Services;

(2) the term “digital service agreement” means a grant awarded or a cooperative agreement or memorandum of agreement entered into under section 3; and

(3) the term “digital service team” means a team of employees of an eligible applicant that—

(A) extends existing digital service capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts;

(B) extends existing digital service capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts;

(C) extends existing digital service capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts;

(D) extends existing digital service capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts;

(E) extends existing digital service capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts;

(F) extends existing digital service capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts; and

(G) extends existing digital service capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts.

SEC. 3. PERMANENT AUTHORIZATION AND REAUTHORIZATION OF STATE AND LOCAL DIGITAL SERVICE.

(A)friends of the Federal, State, or local government, or any instrument there-
documents, products, platforms, and other similar services; (7) the term “State” has the meaning given that term in section 549(a) of title 47, United States Code; (8) the term “underserved or disadvantaged community” means—

(A) a low-income community;

(B) a community of color;

(C) a Tribal community;

(D) a rural community;

(E) aging individuals;

(F) individuals with a language barrier, including individuals who—

(i) are English learners; or

(ii) have low levels of literacy;

(H) veterans; or

(I) any other community that the Administrator determines is disproportionately vulnerable to, or bears a disproportionate burden of, any combination of economic, social, environmental, or climate stressors; and

(9) the term “unit of local government” means a city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State. SEC. 3. DIGITAL SERVICE AGREEMENT. (a) IN GENERAL.—The Administrator, in consultation with the Administrator of the United States Digital Service, shall establish a Digital Service Agreement Program, under which the Administrator shall award grants to, or enter into cooperative agreements or memoranda of agreements with, eligible applicants to, or enter into services agreements with, eligible applicants, in accordance with the requirements of this section for the purpose of planning, establishing, or supporting a digital service team or supporting digital service collaboration between digital service teams to improve the delivery of government assistance through digital services.

(b) DIGITAL SERVICE AGREEMENT CRITERIA.—In considering whether to execute a digital service agreement under this section, the Administrator shall consider—

(1) evidence of significant executive support from the eligible applicant for the establishment of digital service teams and a commitment to modernizing government technology and delivery;

(2) evidence of the ability and commitment of the eligible applicant to ensure sustainable funding of digital service teams after the digital service agreement expires, including financial resources and any administration changes that may be necessary;

(3) the extent to which the eligible applicant demonstrates financial need;

(4) the extent to which the establishment of digital service teams will support the eligible applicant in adopting innovative procurement and service design practices;

(5) whether the eligible applicant would be otherwise unable to establish or support digital service teams without a digital service agreement;

(6) the extent to which the establishment of digital service teams is likely to lead to improvements in service delivery related to Federal programs;

(7) to the extent applicable, whether an eligible applicant is committed to support a collaborative agreement under subsection (c); and

(8) any other criteria determined by the Administrator in a notice of funding availability made available in advance to all eligible applicants.

(c) COLLABORATIVE AGREEMENTS.—The Administrator may execute a digital service agreement with 1 or more eligible applicants, in accordance with the criteria established in subsection (b), for the purpose of supporting collaborative service delivery projects across jurisdictional boundaries.

(d) PLANNING SUPPORT.—In addition to the digital service agreement criteria under subsection (b), the Administrator shall, to the greatest extent possible, minimize the burden on an eligible applicant in the development of proposals for a digital service agreement, including by providing direct technical assistance to eligible applicants in the preparation of applications for digital service agreements.

(e) SUPPLEMENT NOT SUPPLANT.—Any awards made as part of a digital service agreement with an eligible applicant shall not—

(1) supplant, not supplant, or replace Federal, State, local, or Tribal funds that are available to the eligible applicant to carry out activities described in this section.

(f) LIMITATIONS.—

(1) TERM.—A digital service agreement shall have a term of not longer than 5 years, unless the Administrator determines that a longer term is warranted to ensure significant return on investment or the adoption of innovative practices to meet the requirements of the eligible applicant.

(2) AMOUNT.—A digital service agreement may not exceed $10,000,000, unless the Administrator determines that a greater amount is likely to provide a significant return on investment or the adoption of innovative practices to meet the requirements of the eligible applicant.

(3) CONCLUSION AND NOTIFICATION.—Not later than 30 days before the Administrator executes a digital services agreement that would result in a term in excess of the maximum term set forth in paragraph (1) or exceed the maximum amount specified under paragraph (2), the Administrator shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations and Committee on Oversight and Reform of the House of Representatives a report on the determination and an explanation of the reasons for the determinations by the Administrator.

(g) MATCHING REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of an activity carried out using amounts received under a digital service agreement for establishing or supporting a digital service team shall be not more than 90 percent.

(2) WAIVER.—Upon application by an eligible applicant, the Administrator may waive the requirement under paragraph (1) if the Administrator determines that the eligible applicant demonstrates financial need.

(h) S I R T ASIDES.—

(1) IN GENERAL.—From amounts made available in a fiscal year to carry out the Digital Service Agreement Program under this section, the Administrator shall reserve not more than 5 percent for implementation and administration of the program, which shall include—

(A) providing assistance to eligible applicants that are entering into, or extending an existing, digital service agreements in accordance with subsection (d);

(B) upon request of an eligible applicant whose application is successful, providing technical support and assistance to support the execution of a digital services agreement;

(C) assisting eligible applicants in preparing and submitting reports required under section 4; and

(D) conducting outreach to eligible applicants regarding the type of agreement that, as of the date of the report, has a digital services agreement that is in effect, including identifying whether the eligible applicant is an eligible applicant under a digital services agreement and the cost to the Administrator to administer the Digital Services Agreement Program under this title.

(E) I NFORMATION REGARDING SUCCESSES OF, FAILURES OF, LESSONS LEARNED BY, OPPORTUNITIES FOR IMPROVEMENT FOR, OR RECOMMENDATIONS RELATED TO THE DIGITAL SERVICE AGREEMENT PROGRAM OR ELIGIBLE TRIBAL GOVERNMENTS.

(2) ELIGIBLE TRIBAL GOVERNMENTS.—From amounts made available in a fiscal year to carry out the Digital Service Agreement Program under this section, the Administrator is encouraged to use not less than 10 percent for digital service agreements with eligible tribal governments.

(i) CONSULTATION AND PUBLIC ENGAGEMENT.—In carrying out this title, the Administrator shall conduct ongoing collaboration and consultation with—

(1) the Administrator of the United States Digital Service;

(2) State agencies and governors of States or equivalent officials of the States, local, and Tribal organizations that have digital service teams or that have particular experience with providing digital services for underserved or disadvantaged communities;

(3) researchers, academics, and philanthropic organizations;

(4) industry stakeholders that have demonstrated experience in designing, developing, and supporting digital service teams and modern technology service delivery projects on behalf of public sector clients; and

(6) other agencies, organizations, entities, and community stakeholders as determined appropriate by the Administrator.

(j) SPENDING LIMITATIONS.—An eligible applicant may use amounts received under a digital service agreement for salaries and benefits of members of a digital service team and other costs related to establishing or supporting the capacity and continuity of a digital service team.

SEC. 4. REPORTING AND EVALUATION. (a) IN GENERAL.—The Administrator shall require quarterly progress reports from eligible applicants awarded or entering into a digital service agreement, and shall make a publicly available dashboard of service delivery metrics, performance under the terms and conditions of any digital service agreements.

(b) REPORTS TO CONGRESS.—The Administrator shall, on an annual basis, submit to the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and Committee on Oversight and Reform of the House of Representatives a report on the Digital Service Agreement Program, which shall include the following:

(1) A description of digital service agreements under the Digital Service Agreement Program, including the following:

(A) The cost and scope of each digital service agreement, including the type of agreement awarded or entered into and information regarding compliance with the matching requirements under section 3(g).

(B) The names of each eligible applicant that, as of the date of the report, has a digital services agreement that is in effect, including identifying whether the eligible applicant is an eligible applicant under a digital services agreement and the cost to the Federal Government to administer the Digital Services Agreement Program under this title.

(C) An analysis of common characteristics regarding the full allocation of digital services agreements in effect.

(D) An accounting of the expenditure of funds received by an eligible applicant under a digital services agreement and the cost to the Federal Government to administer the Digital Services Agreement Program under this title.

(E) Additional information determined necessary by the Administrator.
SA 2363. Mr. BENNET (for himself and Mr. HOEVEN) 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. CASIDY, 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, for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408. JOINT CHIEFS LANDSCAPE RESTORATION PARTNERSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CHIEFS.—The term ‘‘Chiefs’’ means the Chief of the Forest Service and the Chief of the Natural Resources Conservation Service.

(2) ELIGIBLE ACTIVITY.—The term ‘‘eligible activity’’ means—

(A) to reduce the risk of wildfire; (B) to protect water quality and supply; or (C) to improve wildlife habitat for at-risk species.

(3) PROGRAM.—The term ‘‘program’’ means the Joint Chiefs Landscape Restoration Partnership Program established under subsection (b)(1). (4) SECRETARY.—The term ‘‘Secretary’’ means the Secretary of Agriculture.


(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a Joint Chiefs Landscape Restoration Partnership Program to improve the health and resilience of forests across National Forest System land and State, Tribal, and private land.

(2) ADMINISTRATION.—The Secretary shall administer the program by coordinating eligible activities conducted on National Forest System land and State, Tribal, or private land and implementing eligible activities on the forest landscape by—

(A) assisting producers and landowners in implementing eligible activities on eligible private or Tribal land using the applicable programs and authorities administered by the Chief of the Forest Service, or the Natural Resources Conservation Service under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), not including the conservation reserve program established under chapter 1 of subtitle D of that title (16 U.S.C. 3831 et seq.); and (B) conducting eligible activities on National Forest System land or assisting landowners in implementing eligible activities on State, Tribal, or private land using the applicable programs and authorities administered by the National Resources Conservation Service on an annual basis proposals for eligible activities under the program.

(d) EVALUATION CRITERIA.—In evaluating and selecting proposals submitted under subsection (c), the Chiefs shall consider—

(1) criteria including whether the proposal— (A) reduces wildfire risk in a municipal watershed or the wildland-urban interface; (B) was developed through a collaborative process with participation from diverse stakeholders; (C) increases forest workforce capacity or forest business infrastructure and development; (D) leverages existing authorities and non-Federal funding; (E) provides measurable outcomes; or (F) supports established State and regional priorities; and

(2) such other criteria relating to the merits of the proposals as the Chiefs determine to be appropriate.

(e) OUTREACH.—The Secretary shall provide—

(1) public notice on the websites of the Forest Service and the Natural Resources Conservation Service describing—

(A) the solicitation of proposals under subsection (c); and (B) the criteria for selecting proposals in accordance with subsection (d); and

(2) information relating to the program and funds awarded or entered into, and the criteria for selecting proposals in accordance with subsection (d), to the Inspector General of the General Services Administration, the Administrator of the National Park Service, and the Heads of applicable programs and authorities administering Federal funding;

(f) ACCOUNTABILITY.—

(1) in an area in which the eligible activity is—

(A) in a wilderness area or designated wilderness study area; or

(B) in an inventoried roadless area;

(3) on any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited; or

(4) in an area in which the eligible activity would be inconsistent with the applicable land and resources management plan.

(g) ACCOUNTABILITY.—

(1) PROVISIONAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report providing recommendations to Congress relating to the program, including a review of—

(A) funding mechanisms for the program; (B) staff capacity to carry out the program; (C) privacy laws applicable to the program; (D) data collection under the program; (E) monitoring and outcomes under the program; and (F) such other matters as the Secretary considers to be appropriate.

(2) ADDITIONAL REPORTS.—For each of fiscal years 2022 and 2023, the Chiefs shall submit a report to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate and the Committee on Agriculture and the Committee on Appropriations of the House of Representatives a report describing projects for which funding is authorized under the program, including the status and outcomes of those projects.

(h) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available to the Secretary to carry out the program, there is authorized to be appropriated to the Secretary to carry out the program $100,000,000 for each of fiscal years 2022 and 2023.

(2) DURATION OF AVAILABILITY.—Funds made available under paragraph (1) shall remain available until expended.

SA 2364. Mr. CARDIN (for himself and Mr. CRAMER) 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. CASIDY, 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:

Beginning on page 1579, strike line 21 and all that follow through page 1589, line 15, and insert the following:

SEC. 4023. ZERO-EMISSION NUCLEAR POWER PRODUCTION CREDIT.

(a) IN GENERAL.—Subsection B of section 45J of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

SEC. 45U. ZERO-EMISSION NUCLEAR POWER PRODUCTION CREDIT.

(1) AMOUNT OF CREDIT.—For purposes of section 36, the zero-emission nuclear power production credit for any taxable year is an amount equal to the amount by which—

(A) 1.5 cents, multiplied by

(1) the product of—

(i) produced by the taxpayer at a qualified nuclear power facility, and

(ii) the kilowatt hours of electricity; or

(B) the kilowatt hours of electricity—

(ii) the taxpayer or an affiliate of the taxpayer to an unrelated person during the taxable year, exceeds

(2) the reduction amount for such taxable year.

(b) DEFINITIONS.—

(1) QUALIFIED NUCLEAR POWER FACILITY.—For purposes of this section, the term ‘‘qualified nuclear power facility’’ means any nuclear facility—

(A) which is owned by the taxpayer and which uses nuclear energy to produce electricity; and

(B) which is not an advanced nuclear power facility, as defined in subsection (d)(1) of section 45J, or which has not received an allocation under subsection (b) of such section.

(2) REDUCTION AMOUNT.—
“(A) IN GENERAL.—For purposes of this section, the term ‘reduction amount’ means, with respect to any qualified nuclear power facility for any taxable year, the amount equal to—

(1) the amount determined under subsection (a)(1), or

(2) the amount equal to 80 percent of the excess of—

(I) the amount equal to subparagraph (B), the gross receipts from any electricity produced by such facility and sold to an unrelated person during such taxable year (as determined under the rules established or approved by a State or political subdivision thereof, any agency or instrumentality of the United States, or a public service or public utility commission or other similar body of any State or political subdivision thereof, in the case of any property described in section 38(a)(10), over—

(II) the amount equal to the product of—

(aa) 2.5 cents, multiplied by

(bb) the amount determined under subsection (a)(1)(B).

(B) TREATMENT OF CERTAIN RECEIPTS.—

(1) IN GENERAL.—The amount determined under subparagraph (A)(ii)(1) shall include any amount that is a reduction amount under section 45A or 45L with respect to the taxable year with respect to the qualified nuclear power facility from a zero-emission credit program unless the amount received by the qualified nuclear power facility with respect to any qualified nuclear power facility from a zero-emission credit program under section 45A or 45L is less than the amount determined under section 45L with respect to any qualified nuclear power facility from a zero-emission credit program.

(2) CERTAIN ENTITIES TREATED AS TAXPAYERS.—(I) IN GENERAL.—In the case of a qualified nuclear power facility that—

(aa) is a qualified power group (as defined in section 58A(b)), or

(bb) is an electric utility (as defined in section 58A(b)), the term ‘qualified nuclear power facility’ shall be treated as a taxpayer, but only if—

(aa) the amount equal to subparagraph (B) reduces the amount that—

(i) subject to subparagraph (B), the gross receipts from any electricity produced by a qualified nuclear power facility (as determined under section 45(e)(2) by subsection (d)(3)),

(ii) the amount equal to the product of—

(aa) 0.5 cents, multiplied by

(bb) the total labor hours of such work performed by qualified apprentices.

(II) an amount (expressed as a percentage) equal to twice the percentage amount that the percentage determined by the Secretary pursuant to this paragraph exceeds 50 percent.

(2) RECAPTURE.—(I) IN GENERAL.—The Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electric power production in the United States for a calendar year are equal to or less than 50 percent of the annual greenhouse gas emissions from electric power production in the calendar year in which the sale occurs. If any amount as increased under the preceding sentence is not a multiple of 0.1 cent, such amount shall be rounded to the nearest multiple of 0.1 cent.

(2) SPECIAL RULES.—Rules similar to the rules of paragraphs (1), (3), (4), and (5) of section 45(e) shall apply for purposes of this section.

(3) PHASEOUT OF CREDIT.—If the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electric power production in the United States for the calendar year 2020, the amount of the credit determined under the subsection (a) shall be reduced by an amount equal to the product of—

(A) the amount of credit determined under the subsection (a), as determined before application of this paragraph, multiplied by—

(B) an amount (expressed as a percentage) equal to twice the percentage amount that the percentage determined by the Secretary pursuant to this paragraph exceeds 50 percent.

(B) special rules.—(I) in general.—The amount determined under subsection (a) shall be reduced by the amount of—

(aa) 0.5 cents, multiplied by

(bb) the total labor hours of such work performed by qualified apprentices.

(II) the amount equal to the product of—

(aa) 2.5 cents, multiplied by

(bb) the amount determined under subsection (a)(1)(B).

(C) an Indian tribal government (as defined in section 501(c)(12)), shall be treated as a taxpayer, but only if—

(aa) the amount equal to subparagraph (B) reduces the amount that—

(i) subject to subparagraph (B), the gross receipts from any electricity produced by a qualified nuclear power facility (as determined under section 45(e)(2) by subsection (d)(3)),

(ii) the amount equal to the product of—

(aa) 0.5 cents, multiplied by

(bb) the total labor hours of such work performed by qualified apprentices.

(II) an amount (expressed as a percentage) equal to twice the percentage amount that the percentage determined by the Secretary pursuant to this paragraph exceeds 50 percent.

(D) ELECTION FOR DIRECT PAYMENT.—(I) IN GENERAL.—In the case of a taxpayer making an election under this subsection with respect to any portion of the taxable year (without regard to the public service or public utility commission or other similar body of any State or political subdivision thereof), in the case of any property described in section 38(a)(10),—

(aa) the amount equal to subparagraph (B), the gross receipts from any electricity produced by a qualified nuclear power facility (as determined under section 45(e)(2) by subsection (d)(3)),

(bb) the amount equal to the product of—

(aa) 0.5 cents, multiplied by

(bb) the total labor hours of such work performed by qualified apprentices.

(II) zero-emission credit program.—For purposes of this paragraph, the term ‘zero-emission credit program’ means any State or local government program that provides payments to any entity to cover a portion of the cost of electricity produced by a qualified nuclear power facility; or in part, the zero-emission, zero-carbon, or air quality attributes of any portion of the electricity produced by such facility.

(E) ELECTRICITY.—For purposes of this section (with the exception of subsection (d)(3)), the term ‘electricity’ means the energy produced by a qualified nuclear power facility from the conversion of nuclear fuel into electric power.

(F) ELECTION FOR DIRECT PAYMENT.—(I) IN GENERAL.—The Secretary, in consultation with the Secretary of Energy and the Secretary of Labor, shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) for any taxable year if the Secretary determines that—

(A) any contractor or subcontractor has failed to pay a laborer or mechanic employed by the contractor or subcontractor for work performed in the performance of any construction, repair, alteration, or maintenance with respect to the qualified nuclear power facility during such taxable year wages at rates not less than the rates prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter B of chapter 31 of title 49, United States Code,

(B) any such contractor or subcontractor has failed to make the records required under section 3141(a) of title 29, United States Code.

(G) TERMINATION.—This section shall apply to taxable years beginning after the earlier of—

(I) the date as of which the Secretary determines that the aggregate of the credits allowed under subsection (a) to all taxpayers in all taxable years exceeds $6,000,000,000, or

(II) December 31, 2030.

(H) QUALIFIED APPRENTICE.—The term ‘qualified apprentice’ means an individual who is an employee of the contractor or subcontractor and who is participating in a registered apprenticeship program, as defined in section 333(c)(3)(B).

(1) IN GENERAL.—All contractors and subcontractors make a good faith effort, and its contractors and subcontractors make a good faith effort, to comply with the requirements of this subsection.

(2) ECONOMIC.—In this subsection:

(A) LABOR HOURS.—The term ‘labor hours’—

(I) means the total number of hours devoted to the performance of construction, repair, alteration, or maintenance by employees of the contractor or subcontractor; and

(II) excludes any hours worked by—

(aa) any State utility with a service obligation, as such terms are defined in section 217 of the Public Utility Holding Company Act of 1935, any electric utility (as defined in section 58A(b)), any mutual or cooperative electric company described in section 501(c)(12) or section 1381(a)(2)(C), and

(aa) an Indian tribal government (as defined in section 501(c)(12)), shall be treated as a taxpayer, but only if such entity makes the election under this subsection.

(B) TIMING.—The payment described in paragraph (1) shall be treated as made on the last day of the taxable year that, as determined under the rules established or approved by a State or political subdivision thereof, any agency or instrumentality of the United States, or a public service or public utility commission or other similar body of any State or political subdivision thereof, in the case of any property described in section 38(a)(10), after the date of the enactment of this subsection.

(C) DEFINITIONS.—In this paragraph, the term ‘qualified nuclear power facility’ means a nuclear power facility that—

(I) is being constructed, repaired, altered, or maintained with respect to a nuclear power facility for the purposes described in such paragraph, or

(II) is operated and maintained with respect to a nuclear power facility for the purposes described in such paragraph.

(2) REQUIREMENTS.—Each contractor and subcontractor shall satisfy the requirements under subsection (f) during such taxable year.

(3) INVESTIGATION.—Upon receipt of a complaint or its own initiative, the Secretary, in consultation with the Secretary of Energy and the Secretary of Labor, shall request and review the payroll records of contractors and subcontractors engaged in the performance of any construction, repair, alteration, or maintenance with respect to a qualified nuclear power facility, and interview individuals employed by such contractors and subcontractors to determine whether the requirements of paragraph (1)(A) and (1)(C) have been met.

(3) ADMINISTRATION AND ENFORCEMENT.—With respect to the administration and enforcement of the standards in paragraph (1)(A) and (1)(C), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Number 14 of 1950 (64 Stat. 1287; 5 U.S.C. App.), and section 3145 of title 40, United States Code.

(4) USE OF QUALIFIED APPRENTICES.—

(1) IN GENERAL.—All contractors and subcontractors engaged in the performance of construction, repair, alteration, or maintenance with respect to the qualified nuclear power facility shall employ 1 or more qualified apprentices to perform such work.

(2) EXCEPTION.—Notwithstanding any other provision in this subsection, this section shall not apply in the case of a taxpayer who—

(A) demonstrates a lack of availability of qualified apprentices in the geographic area of the construction, repair, alteration, or maintenance; and

(B) makes a good faith effort, and its contractors and subcontractors make a good faith effort, to comply with the requirements of this subsection.

(4) TERMINATION.—This subsection:

(1) Section 301(b) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (32), by striking “plus” at the end,

(B) in paragraph (33), by striking the period at the end and inserting “; plus”, and

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

(2) the table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:
Mr. S. C. of Florida) submitted an amendment intended to be proposed 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:

In section 11101(a)(5), in the matter preceding subparagraph (A), strike ‘‘(5) NATIONAL SIGNIFICANCE PROJECTS.—For nationally significant freight and highway projects under section 117’’ and inserting ‘‘(5) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.—For projects of national and regional significance under section 117’’;

Strike section 1110 and insert the following:

SEC. 11110. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.

(a) In General.—Section 117 of title 23, United States Code, is amended to read as follows:

*§ 117. Projects of national and regional significance.*

(1) an evaluation of the effectiveness of the credits allowed under such section in regards to ensuring grid reliability while avoiding emissions of carbon dioxide, nitrogen oxides, sulfur oxides, particulate matter, and hazardous air pollutants;

(2) a quantification of the ratepayer savings achieved as a result of the credits allowed under such section; and

(3) any recommendations to renew or expand the credits allowed under such section.

(d) EFFECTIVE DATE.—This section shall apply to electricity produced and sold after December 31, 2020, in taxable years beginning after such date.

SA 2356. Mr. PETERS (for himself, Mr. ROUNDS, Mr. WARNER, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2317 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:

In subsection (b) of title I of division D, strike ‘‘consultation’’ each place it appears and insert ‘‘coordination’’.

In section 219a(d)(1) of the Federal Power Act (as added by section 40123 of subtitle B of division D), strike ‘‘consultation’’ and insert ‘‘coordination’’.

SA 2366. Mr. LUJAN (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 2317 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:

In section 22220, add at the end the following:

(f) EFFECT.—Subject to paragraphs (1) and (2) of subsection (e), nothing in paragraph (3) of that section shall prohibit the application of a requirement to meet the deadline established under subsection (c).

SA 2367. Ms. WARREN (for herself, Mr. MARKY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2317 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:

‘‘(1) CERTAIN FREIGHT PROJECTS.—Projects described in clauses (1)(C) may receive a grant under this section only if—

(i) the project will make a significant improvement to the movement of freight on the National Highway System; and

(ii) the Federal share of the project funds only elements of the project that provide public benefits.’’

‘‘(2) LIMITATION.—‘‘(A) CERTAIN FREIGHT PROJECTS.—Projects described in clauses (1)(C) may receive a grant under this section only if—

(i) the project will make a significant improvement to the movement of freight on the National Highway System; and

(ii) the Federal share of the project funds only elements of the project that provide public benefits.’’

‘‘(3) SPECIAL RULES.—

‘‘(A) IN GENERAL.—A multiyear grant agreement under this subsection—

(i) shall obligate an amount of available budget authority specified in law in advance for commitments under this paragraph to obligate an additional amount from future available budget authority specified in law.

(ii) CONTINGENT COMMITMENT.—A contingent commitment under this subsection is not an obligation of the Federal Government under section 1501 of title 31.

‘‘(3) INTEREST AND OTHER FINANCING COSTS.—

‘‘(1) IN GENERAL.—Interest and other financing costs of carrying out a part of the project within a reasonable period shall be considered a cost of carrying out the project under a multiyear grant agreement, except that eligible costs may not be more than the estimated cost of the most favorable financing terms reasonably available for the project at the time of borrowing.

‘‘(ii) Certification.—The applicant shall certifi- cate to the Secretary that the multiyear grant agreement has shown reasonable diligence in seeking the most favorable financing terms.

‘‘(4) ADVANCE PAYMENT.—An eligible entity carrying out a large project under a multiyear grant agreement—

‘‘(A) may use funds made available to the eligible entity under this title or title 49 for eligible project costs of the large project; and

‘‘(B) may be reimbursed, at the option of the eligible entity, for such expenditures from the amount made available under the multiyear grant agreement for the project in that fiscal year or a subsequent fiscal year.

‘‘(c) GRANT AMOUNTS AND PROJECT COSTS.—

‘‘(1) IN GENERAL.—Each grant made under this section—

(A) shall be in an amount that is at least $25,000,000; and

(B) shall be for a project that has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

(i) $100,000,000; or

(ii) the amount apportioned under this chapter to the participating State or territory in the most recently completed fiscal year; or

(C) located in more than 1 State or territory, 30 percent of the amount apportioned under this chapter to the State or territory in the most recently completed fiscal year; or

(D) located in 1 State or territory, 50 percent of the amount apportioned under this chapter to the participating State or territory with the largest apportionment under this section in the most recently completed fiscal year.

‘‘(2) LARGE PROJECTS.—For a project that has eligible project costs that are reasonably anticipated to equal or exceed $500,000,000, a grant made under this section—

(A) shall be in an amount sufficient to fully fund the project, or in the case of a grant made under this section—

(B) be awarded pursuant to the process under subsection (d), as necessary based on the amount of the grant.

‘‘(D) MULTIYEAR GRANT AGREEMENTS FOR LARGE PROJECTS—

(1) IN GENERAL.—A large project that receives a grant under this section may be carried out through a multiyear grant agreement in accordance with this subsection.

(2) REQUIREMENTS.—A multiyear grant agreement for a large project shall—

(A) establish the terms of participation by the Federal Government in the project;

(B) establish the amount of Federal financial assistance for the project;

(C) establish a schedule of anticipated Federal obligations for the project that provides for full grant amount by not later than 4 fiscal years after the fiscal year in which the initial amount is provided; and

(D) determine the period of time for completing the project, even if such period extends beyond the period of an authorization.

‘‘(E) EFFECTIVE DATE.—This section shall apply—

(1) to highway projects carried out on the National Highway System, or that is eligible to be carried out under section 165;

(2) a project to improve person through-put that is—

(i) a highway project carried out on the National Highway System, or that is eligible to be carried out under section 165;

(ii) a public transportation project; or

(iii) a capital project (as defined in section 22001 of title 49) for the intercity rail passenger transportation; or

(C) a project to improve freight through-put that is—

(i) a highway freight project carried out on the National Highway Freight Network established under section 167 or on the National Highway System;

(ii) a freight intermodal, freight rail, or railway-highway grade crossing or grade separation project; or

(iii) within the boundaries of a public or private freight rail, or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility.

‘‘(F) LIMITATION.—

‘‘(A) CERTAIN FREIGHT PROJECTS.—Projects described in clauses (1)(C) may receive a grant under this section only if—

(i) the project will make a significant improvement to the movement of freight on the National Highway System; and

(ii) the Federal share of the project funds only elements of the project that provide public benefits.

(B) CERTAIN PROJECTS FOR PERSON THROUGHPUT.—Projects described in clauses..."
(ii) and (iii) of paragraph (1)(B) may receive a grant under this section only if the project will make a significant improvement in mobility on public roads.

(2) Allocating Project Costs.—An eligible entity that receives a grant under this section may use the grant for—

(i) development phase activities, including preliminary engineering and design work, and other reconstruction activities; and

(ii) construction, rehabilitation, acquisition of real property (including land related to the project and improvements to the land), environmental mitigation, noise abatement, acquisition of equipment, and operational improvements directly related to improving system performance.

(g) Project Requirements.—The Secretary may select a project described under this section for funding under this section only if the Secretary determines that the project—

(i) generates significant regional or national economic, mobility, safety, resilience, or environmental benefits;

(ii) includes transportation and infrastructure projects that are highly under the evaluation and rating processes that meet the minimally acceptable level for eligibility under this section;

(iii) gives final consideration only to applications that meet the minimally acceptable level for eligibility under this section.

(h) Merit Criteria and Considerations.—

(1) Merit Criteria.—In awarding a grant under this section, the Secretary shall evaluate the merit criteria:

(A) the extent to which the project supports achieving a state of good repair;

(B) the level of benefits the project is expected to generate, including—

(i) the costs avoided by the prevention of closure or reduced use of the asset to be improved by the project;

(ii) reductions in maintenance costs over the life of the asset;

(iii) safety benefits, including the reduction of accidents and related costs;

(iv) improved person or freight throughput, including congestion reduction and reliability improvements;

(v) national and regional economic benefits;

(vi) resilience benefits, including the ability to withstand disruptions from a seismic event;

(vii) environmental benefits, including reduction in greenhouse gas emissions and air quality benefits; and

(viii) benefits to all users of the project, including pedestrian, bicycle, nonvehicular, railroad, and public transportation users.

(C) How the benefits compare to the costs of the project.

(D) The average number of people or volume of freight, as applicable, supported by the project, including visitors based on travel and tourism.

(3) Additional Considerations.—In awarding a grant under this section, the Secretary shall consider the following:

(1) Whether the project spans at least 1 border between 2 States.

(2) Whether the project serves low-income residents of low-income communities, including addressing poverty, while not displacing those residents.

(3) Whether the project uses innovative technologies, innovative design and construction materials, or demonstrates technologies, techniques, or materials used.

(4) Whether the project improves connectivity between modes of transportation, including people or goods in the United States or region.

(5) Whether the project provides new or improved connections between at least two metropolitan areas with a population of at least 500,000.

(6) Whether the project would replace, reconstruct, or rehabilitate a commuter corridor that is in poor condition.

(7) Whether the project would improve the shared transportation corridor of a multistate or state corridor.

(8) How the benefits compare to the costs of the project.

(9) Whether the project provides new or improved connections between at least two metropolitan areas with a population of at least 500,000.

(10) Whether the project would replace, reconstruct, or rehabilitate a commuter corridor that is in poor condition.

(11) Whether the project would improve the shared transportation corridor of a multistate or state corridor.

(12) How the benefits compare to the costs of the project.

(1) Federal Share.—The Federal share of the cost of a project carried out with a grant under this section may not exceed 80 percent of the total project cost.

(2) Maximum Federal Involvement.—Federal assistance other than a grant under this section may be used to satisfy the non-Federal share of the cost of a project for which such a grant is made, except that the total Federal assistance provided for a project receiving a grant under this section may not exceed 80 percent of the total project cost.

(k) Bridge Investments.—Of the amounts made available to carry out this section, the Secretary shall reserve not less than $10,000,000 for each fiscal year to make grants for projects described in subsection (e)(1)(A).

(l) Treatment of Projects.—In awarding a grant under this section, the Secretary shall, with respect to a project funded by a grant under this section, apply—

(A) the requirements of this title to a highway project;

(B) the requirements of chapter 53 of title 49 to a public transportation project; and

(C) the requirements of section 22905 of title 49 to a passenger rail or freight project.

(2) Multimodal Projects.—

(A) In General.—Except as otherwise provided by this paragraph, if a project is a multimodal project, the Secretary shall—

(i) determine the predominant modal component of the project; and

(ii) apply the applicable requirements of such predominant modal component to the project.

(B) Exceptions.—For any public transportation component of a project, the requirements of section 5333 of title 49 shall apply.

(3) Buy America.—In applying the Buy America requirements under section 313 of this title and sections 5323(k), 22905(a), and 24305(f) of title 49 to a multimodal project under this paragraph, the Secretary shall—

(i) consider the various modal components of the project; and

(ii) seek to maximize domestic jobs.

(m) TIFIA Program.—At the request of an eligible entity under this section, the Secretary may use amounts awarded to the entity to pay subsidy and administrative costs necessary to provide the entity Federal credit assistance under chapter 6 with respect to the project for which the grant was awarded.

(n) Administration.—Of the amounts made available to carry out this section, the Secretary may use up to $5,000,000 for each fiscal year for the costs of administering the program under this section.

(o) Technical Assistance.—Of the amounts made available to carry out this section, the Secretary may reserve up to $5,000,000 to provide technical assistance to eligible entities.

(p) Congressional Review.—

(1) Notification.—Not less than 60 days before making an award under this section, the Secretary shall make available to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee...
on Environment and Public Works, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Commerce, Science, and Transportation of the Senate—

"(A) a list of applications determined to be eligible for a grant by the Secretary;

"(B) the quality ratings assigned to each application pursuant to subsection (i);

"(C) a list of applications that received final consideration by the Secretary to receive an award under this section;

"(D) each application proposed to be selected for a grant award;

"(E) proposed grant amounts, including for each new multyear grant agreement, the proposed payout schedule for the project; and

"(F) an analysis of the impacts of any large projects proposed to be selected on existing commitments and anticipated funding levels for the next 4 fiscal years, based on information available to the Secretary at the time of the report.

"(2) COMMITTEE REVIEW.—Before the last day of the 60-day period described in paragraph (1), each Committee described in paragraph (1) shall review the Secretary’s list of proposed projects.

"(3) CONGRESSIONAL DISAPPROVAL.—The Secretary may not make a grant or any other obligation or commitment to fund a project under this section if a joint resolution of disapproval is submitted to the Senate for the project before the last day of the 60-day period described in paragraph (1).

"(q) TRANSPARENCY.—

"(1) IN GENERAL.—Not later than 30 days after awarding a grant for a project under this section, the Secretary shall send to all applicants, and publish on the website of the Department of Transportation—

"(A) a summary of each application made to the program for the grant application period;

"(B) the evaluation and justification for the project selection, including ratings assigned to all applications and a list of applications that received final consideration by the Secretary to receive an award under this section, for the grant application period.

"(2) BRIEFING.—The Secretary shall provide, at the request of a grant applicant under this section, the opportunity to receive a briefing to explain any reasons the grant applicant was not awarded a grant.

"(r) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term "eligible entity" means—

"(1) a State or a group of States;

"(2) a political subdivision, including a metropolitan planning organization, or a group of local governments;

"(3) a political subdivision of a State or local government;

"(4) a special purpose district or public authority with a transportation function, including a port authority;

"(5) an Indian Tribe or Tribal organization;

"(6) a Federal agency eligible to receive funds under section 201, 203, or 204, including the Corps of Engineers, Bureau of Reclamation, or an agent of Land Management, that applies jointly with a State or group of States;

"(7) a territory; and

"(8) a multistate or multijurisdictional group of entities described in this subsection.

"(s) CLERICAL AMENDMENT.—The analysis for chapter 1 of title 23, United States Code, is amended by striking the item relating to section 117 and inserting the following:

"117. Projects of national and regional significance.

On page 2625, lines 19 and 20, strike “the nationally significant freight and highways projects under section 117” and insert “projects of national and regional significance under section 117”.

On page 2665, line 25, strike “ Nationally Significant Freight and Highway Projects” and insert “projects of national and regional significance”.

SA 2368. Ms. WARREN (for herself, Mr. MARKEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2337 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:

On page 283, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

'(t) PROJECTS IN FLOOD-PRONE AREAS.—For projects and actions that, in whole or in part, encroach within the limits of a flood-prone area, the Secretary shall ensure that such projects and actions are—

"(1) designed and constructed in a way that takes into account, and mitigates where appropriate, flood risk by using hydrologic, hydraulic, and hydrodynamic data, methods, and analysis that integrate current and projected changes in flooding based on scientific forecasts over the anticipated service life of the asset and future forecasted land use changes; and

"(2) designed using analysis that considers the capital costs, risks, and other economic, engineering, social and environmental concerns of constructing a project in a flood-prone area.

SA 2369. Mr. BOOKER (for himself, Mr. MARKEY, and Ms. SMITTI) submitted an amendment intended to be proposed to amendment SA 2337 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 C, insert the following:

SEC. 2. TRANSIT TO TRAILS GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

"(1) COMMUNITY OF COLOR.—The term "community of color" means a geographically distinct area in which the population are individuals with an average median income of the area in which the community is located:

(A) Black.

(B) African American.

(C) Asian.

(D) Pacific Islander.

(E) Other non-White race.

(F) Hispanic.

(G) Latino.

"(2) CRITICALLY UNDERSERVED COMMUNITY.—The term "critically underserved community" means—

(A) a community that can demonstrate to the Secretary that the community has inadequate, insufficient, or no park space or recreation facilities, including by demonstrating—

(i) quality concerns relating to the available park space or recreation facilities;

(ii) the presence of recreational facilities that do not serve the needs of the community; or

(iii) the inequitable distribution of park space for high-need populations, based on income, age, or other measures of vulnerability and need;

(B) a community in which at least 50 percent of the population is not located within ½ mile of park space;

(C) an environmental justice community; and

(D) any other community that the Secretary determines to be appropriate.

(B) 200 percent of the Federal poverty line.

"(3) PROGRAM.—The term "program" means the Transit to Trails Grant Program established under subsection (b)(1).

"(4) RURAL AREA.—The term "rural area" means a community that is not an urban area.

"(5) S ECRETARY.—The term "Secretary" means the Secretary of Transportation.

"(6) TRANSPORTATION CONNECTION.—(A) IN GENERAL.—The term "transportation connection" means a system that—

(i) connects 2 zip codes or communities within a 15-mile radius of a designated service area; and

(ii) offers rides available to the public.

(B) INCLUSIONS.—The term "transportation connection" includes microtransits, bus lines, light rail, rapid transit, or personal rapid transit.

On page 2656, line 25, strike "Nationally" and insert "projects of national and regional signifi-

On page 2625, lines 19 and 20, strike "the" and insert "projects of national and regional signifi-

On page 2665, line 25, strike "projects of national and regional signifi-

On page 2625, line 25, strike "projects of national and regional signifi-

On page 2665, line 25, strike "projects of national and regional signifi-
(II) URBAN AREA.—The term ‘‘urban area’’ means a community that—
(A) is densely developed;
(B) has residential, commercial, and other non-agricultural uses; and
(C)(i) is an urbanized area with a population of 50,000 or more; or
(ii) is an urban cluster with a population of—
(I) not less than 2,500; and
(II) not more than 50,000.

(b) GRANT PROGRAM.—
(1) ESTABLISHMENT.—The Secretary shall establish a grant program, to be known as the ‘‘Transit to Trails Grant Program’’, under which the Secretary shall award grants to eligible entities for—
(A) projects that develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities; and
(B) projects that facilitate transportation improvements to enhance access to Federal or non-Federal public land, inland and coastal waters, parkland, or monuments;

(c) ADMINISTRATION.—
(A) IN GENERAL.—The Secretary shall administer the program, to include—
(1) annually solicit the submission of project proposals for grants from eligible entities under the program; and
(2) select and award project proposals submitted under subclause (I) on a timeline established by the Secretary.

(d) REQUIRED ELEMENTS FOR PROJECT PROPOSALS.—A project proposal submitted under clause (I) shall include—
(I) a statement of the purposes of the project;
(II) the name of the entity or individual with overall responsibility for the project;
(III) a description of the qualifications of the entity or individuals identified under subclause (II); and
(IV) a description of—
(aa) staffing and stakeholder engagement for the project;
(bb) the logistics of the project; and
(cc) anticipated outcomes of the project;

(e) ADEQUATE RESOURCES.—
(A) description of the amount and source and amount of matching funding available for the project;

(f) TECHNICAL ASSISTANCE.—It is the intent of Congress that grants provided under the program deliver project funds to areas of greatest need while offering technical assistance to all applicants and potential applicants for grant preparation to encourage full participation in the program.

(g) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project provided under the program may be in the form of in-kind contributions.

(h) ELIGIBLE USES.—Grants provided under the program may be used—
(A) to develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities to increase access and mobility to Federal and non-Federal public land, inland and coastal waters, parkland, and monuments; and
(B) to create or significantly enhance access to Federal or non-Federal public land and recreational opportunities in an urban area or a rural area.

(2) DEADLINES.—The Secretary shall establish deadlines for the submission of each project proposal under paragraph (1) or (2).

(3) TRANSPORTATION PLANNING PROCEDURES.—
(A) PROCEDURES.—In consultation with the head of each appropriate Federal land management agency, the Secretary shall develop, by rule, transportation planning procedures for projects conducted under the program that—
(I) ensure the input of the stakeholders, particularly—
(aa) impacted communities members;
(bb) transportation partners;
(cc) potential users of the transportation connectors; and
(dd) faith-based and community-based organizations;

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project provided under the program may be in the form of in-kind contributions.

(C) ELIGIBLE USES.—Grants provided under the program may be used—
(A) to develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities to increase access and mobility to Federal and non-Federal public land, inland and coastal waters, parkland, and monuments; and
(B) to create or significantly enhance access to Federal or non-Federal public land and recreational opportunities in an urban area or a rural area.

(2) GRANT AMOUNT.—A grant provided under the program shall be—
(A) not less than $25,000; and
(B) not more than $500,000.

(3) ADMINISTRATION.—
(A) IN GENERAL.—The Department of Transportation shall arrange to carry out this section—
(I) to develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities; and

(B) projects that facilitate transportation improvements to enhance access to Federal or non-Federal public land, inland and coastal waters, parkland, or monuments;

(C) ADMINISTRATION.—
(A) IN GENERAL.—The Secretary shall administer the program, to include—

(B) requirements.—All projects carried out under the program shall be—
(I) a statement of the purposes of the project;
(II) the name of the entity or individual with overall responsibility for the project;
(III) a description of the qualifications of the entity or individuals identified under subclause (II); and
(IV) a description of—
(aa) staffing and stakeholder engagement for the project;
(bb) the logistics of the project; and
(cc) anticipated outcomes of the project;

(D) PROJECT PROPOSALS.—A project proposal submitted under subclause (I) shall include—
(I) a statement of the purposes of the project;
(II) the name of the entity or individual with overall responsibility for the project;
(III) a description of the qualifications of the entity or individuals identified under subclause (II); and
(IV) a description of—
(aa) staffing and stakeholder engagement for the project;
(bb) the logistics of the project; and
(cc) anticipated outcomes of the project;

(E) ADEQUATE RESOURCES.—
(A) description of the amount and source and amount of matching funding available for the project;

(F) TECHNICAL ASSISTANCE.—It is the intent of Congress that grants provided under the program deliver project funds to areas of greatest need while offering technical assistance to all applicants and potential applicants for grant preparation to encourage full participation in the program.

(G) NON-FEDERAL SHARE.—The non-Federal share of the cost of an eligible project provided under the program may be in the form of in-kind contributions.

(H) ELIGIBLE USES.—Grants provided under the program may be used—
(A) to develop transportation connectors or routes in or serving, and related culturally and linguistically appropriate education materials for, critically underserved communities to increase access and mobility to Federal and non-Federal public land, inland and coastal waters, parkland, and monuments; and
(B) to create or significantly enhance access to Federal or non-Federal public land and recreational opportunities in an urban area or a rural area.

(2) GRANT AMOUNT.—A grant provided under the program shall be—
(A) not less than $25,000; and
(B) not more than $500,000.

(3) TECHNICAL ASSISTANCE.—It is the intent of Congress that grants provided under the program deliver project funds to areas of greatest need while offering technical assistance to all applicants and potential applicants for grant preparation to encourage full participation in the program.

(10) PUBLIC INFORMATION.—The Secretary shall ensure that current schedules and routes for transportation systems developed under the receipt of a grant under the program are available to the public, including on a website maintained by the recipient of a grant.

(11) REPORTING REQUIREMENT.—
(1) REPORTS BY GRANT RECIPIENTS.—The Secretary shall require a recipient of a grant under the program to submit to the Secretary at least 1 performance and financial report that—
(A) includes—
(i) demographic data on communities served by the project; and
(ii) a summary of project activities conducted after receiving the grant; and

(B) describes the status of each project funded by the grant as of the date of the report.

(2) ADDITIONAL REPORTS.—In addition to the report required under paragraph (1), the Secretary may require additional reports from a recipient, as the Secretary determines to be appropriate, including a final report.

(3) DEADLINES.—The Secretary shall establish deadlines for the submission of each report required under paragraph (1) or (2).

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—
(A) $15,000,000 for each of fiscal years 2022 and 2023;
(B) $20,000,000 for each of fiscal years 2024 and 2025; and
(C) $40,000,000 for fiscal year 2026.

SA 2370. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINESTA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Ms. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highway, rail, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 312, line 10, insert ‘‘, including with respect to power levels and charging station capacity’’, before the semicolon at the end.
SA 2371. Mr. BOOKER 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TASSOULIAS, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3864, 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:

On page 67, strike line 10 and insert the following:

metropolitan planning organizations.

"(5) AREAS OF PERSISTENT POVERTY.—The Federal share payable on account of a project, program, or activity carried out in an area of persistent poverty (as term is defined under section 6702 of title 49) with funds apportioned under section 104(b) of this title or made available under chapter 53 of title 49 may be increased by up to 5 percent, up to 100 percent of the total project cost of any such project, program, or activity.

SA 2372. Mr. CARDIN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2375 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3864, 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:

In section 71103(a)(2) of title XI of division G, strike subparagraph (B) and insert the following:

(B) serves rural areas.

In section 71103(b) of title XI of division G, strike “funds to States to provide such basic essential ferry service,” and inserting the following:

"funds to—

(1) States to provide such basic essential ferry service; and

(2) to local government to support eligible activities, as determined by the Secretary under subsection (c), that are carried out by private ferry operators within the jurisdiction of such local government.

In section 71103(c) of title XI of division G, strike “for the provision of funds to States and insert “for the provision of funds to, and use of funds by, States and units of local government”.

In section 71103(e) of title XI of division G, insert “local government” after “State” each place it appears.

SA 2373. Mr. KAIN 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3864, 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:

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

"(1) STATE OF GOOD REPAIR.—

"(1) IN GENERAL.—Before the Secretary approves any project funded, in whole or in part, with funds apportioned pursuant to section 104(b) of this title or made available under chapter 53 of title 49 may be increased by up to 5 percent, up to 100 percent of the total project cost of any such project, program, or activity.

SA 2374. Mr. BOOKER (for himself and Mr. MENENDEZ) 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3864, 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:

On page 1308, strike line 18 and insert the following:

The Secretary shall ensure that—

"(A) the benefit-cost analysis includes a calculation of all the benefits addressed in the performance measures established under section 156; and

"(B) the benefit-cost analysis includes a consideration of the total maintenance cost of an asset over the lifecycle of the asset; and

"(C) the State demonstrates that any transportation demand modeling used to calculate the benefit-cost analysis is based on retrospective analysis of the accuracy of past forecasting and calibration to real-world conditions or has a documented record of accuracy.

"(8) SAVINGS ClAUSE.—The provisions of this subsection shall not apply to any project that is fully funded in an adopted State transportation improvement program as of the date of enactment of this section.

SA 2375. Ms. ERNST submitted an amendment intended to be proposed by her to the bill H.R. 3864, 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. 40324. AUTHORIZATION OF APPROPRIATION FOR URANIUM ENRICHMENT ACTIVITIES.

There are appropriated to be authorized to the Secretary to carry out the activities described in section 40322 of title III of division D, the following:

SEC. 40323. AUTHORIZATION OF APPROPRIATION FOR URANIUM ENRICHMENT ACTIVITIES.

There are authorized to be appropriated to the Secretary to carry out the activities described in section 40322 of title III of division D, the following:

SEC. 40322. AUTHORIZATION OF APPROPRIATION FOR URANIUM ENRICHMENT ACTIVITIES.

There are appropriated to be authorized to the Secretary to carry out the activities described in section 40322 of title III of division D, the following:

SEC. 40321. AUTHORIZATION OF APPROPRIATION FOR URANIUM ENRICHMENT ACTIVITIES.
(g) Authorization of Appropriation for Lithium Extraction or Purification Activities.—There are authorized to be appropriated to the Secretary $360,000,000 for each of the fiscal years 2022 through 2028 for lithium extraction or purification activities.

SA 2377. Mrs. BLACKBURN 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:

Strike section 65504.

SA 2378. Mr. LEE 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:

On page 1209, line 9, strike "illegal".

SA 2379. Mr. LEE 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:

Beginning on page 2397, strike line 9 and all that follows through page 2399, line 10.

Beginning on page 2691, strike line 13 and all that follows through page 2692, line 24.

SA 2380. Mr. LEE 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:

On page 2065, strike lines 18 through 20.

On page 2149, lines 11 and 12, strike "gender identity, sexual orientation.".

SA 2381. Mr. LEE 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:

On page 2438, between lines 12 and 13, insert the following new paragraph:

(7) Limitation on deduction for qualified conservation contributions made by pass-through entities. —

(A) In general.—A contribution by a partnership (whether directly or as a distributive share of a contribution of another partnership) shall not be treated as a qualified conservation contribution for purposes of this section if the amount of such contribution exceeds 2.5 times the sum of each partner’s relevant basis in such partnership.

(B) Relevant basis.—For purposes of this paragraph—

(i) In general.—The term ‘relevant basis’ means, with respect to any partner, the partner’s adjusted basis in the partnership which is allocable (under rules similar to the rules of section 752) to the portion of the real property with respect to which the contribution described in subparagraph (A) is made.

(ii) Modified basis.—The term ‘modified basis’ means, with respect to any partner, such partner’s adjusted basis in the partnership as determined—

(I) immediately before the contribution described in subparagraph (A), and

(ii) without regard to section 752, and

(iii) by the partnership after taking into account the adjustments described in subsections (b) and (i) and any adjustments as the Secretary may provide.

(C) Exception for contributions outside 3-year holding period.—Subparagraph (A) shall not apply to any contribution which is made at least 3 years after the latest of—

(i) the last date on which the partnership in which such contribution acquired any property of the real property with respect to which such contribution is made,

(ii) the last date on which any partner in the partnership that made such contribution acquired any interest in such partnership, and

(iii) if the interest in the partnership that made such contribution is held through one or more partnerships—

(I) the last date on which any such partnership acquired any interest in any other such partnership, and

(ii) the last date on which any partner in any such partnership acquired any interest in such partnership.

(D) Exception for family partnerships.—

(i) In general.—Subparagraph (A) shall not apply with respect to any contribution made by any partnership if substantially all of the interests in such partnership are held, directly or indirectly, by an individual and members of the family of such individual.

(ii) Members of the family.—For purposes of this subparagraph, the term ‘members of the family’ means, with respect to any individual—

(I) the spouse of such individual, and

(ii) any individual who bears a relationship to such individual which is described in subparagraphs (A) through (G) of section 1041.

(E) Application to other pass-through entities.—Except as may be otherwise provided by the Secretary, the rules of this paragraph shall apply to S corporations and other pass-through entities in the same manner as such rules apply to partnerships.

(F) Regulations.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this paragraph, including regulations or other guidance to require reporting including reporting related to tiered partnerships and the modified basis of partners, and
"(1) In General.—Except as provided in paragraph (2), the amendments made by this section shall apply to contributions made after December 23, 2016, in taxable years ending after such date.

(2) CERTIFIED HISTORIC STRUCTURES.—In the case of any disallowance of a deduction described in section 170(h)(7) of the Internal Revenue Code of 1986 (as added by this section), paragraph (b)(7) of such Code shall apply to contributions made after December 23, 2016, in taxable years ending after such date.

(3) No Inference.—No inference is intended to be drawn from the application of paragraph (b)(7) of such Code to contributions made after December 23, 2016, in taxable years ending after such date.

SEC. 90009. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.

(a) In General.—The President shall—

(1) pursuant to the Act of August 14, 1914 (38 Stat. 623, chapter 223; 19 U.S.C. 2), designate each airport described in subsection (b) as a port of entry; and

(2) terminate the application of the user fee requirement under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b) with respect to the airport.

(b) Airport Described.—An airport described in this subsection is an airport that—

(1) is a primary airport (as defined in section 47122 of title 49, United States Code);

(2) is located not more than 30 miles from the northern or southern international land border of the United States;

(3) is associated, through a formal, legal instrument, with purchasing a valid contract or governmental ordinance, with a land border crossing or a seaport not more than 30 miles from the airport; and

(4) is through the association, meets the numerical criteria considered by U.S. Customs and Border Protection for establishing a port of entry, as set forth in—

(A) Treasury Decision 82–37 (47 Fed. Reg. 10137; relating to revision of customs criteria for establishing ports of entry and stations), as revised by Treasury Decisions 84–14 (51 Fed. Reg. 4539) and 85–43 (52 Fed. Reg. 16239); or

(B) any successor guidance or regulation.

SEC. 2386. Mr. RISCH (for himself, Mr. CORTEZ MASTO, and Ms. ROSEN) 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. THURSTON, Mr. WAXMAN, Mr. WESTERVELT, 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 section 1, insert the following:

SEC. 90009. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.

(a) In General.—The President shall—

(1) pursuant to the Act of August 14, 1914 (38 Stat. 623, chapter 223; 19 U.S.C. 2), designate each airport described in subsection (b) as a port of entry; and

(2) terminate the application of the user fee requirement under section 236 of the Trade and Tariff Act of 1984 (19 U.S.C. 58b) with respect to the airport.

(b) Airport Described.—An airport described in this subsection is an airport that—

(1) is a primary airport (as defined in section 47122 of title 49, United States Code);

(2) is located not more than 30 miles from the northern or southern international land border of the United States;

(3) is associated, through a formal, legal instrument, with purchasing a valid contract or governmental ordinance, with a land border crossing or a seaport not more than 30 miles from the airport; and

(4) is through the association, meets the numerical criteria considered by U.S. Customs and Border Protection for establishing a port of entry, as set forth in—

(A) Treasury Decision 82–37 (47 Fed. Reg. 10137; relating to revision of customs criteria for establishing ports of entry and stations), as revised by Treasury Decisions 84–14 (51 Fed. Reg. 4539) and 85–43 (52 Fed. Reg. 16239); or

(B) any successor guidance or regulation.

SEC. 90009. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.
SEC. 3. Submission to Congress of report on broadband deployment.


SEC. 5. Submission to Congress of report on the effectiveness of Federal programs.


SEC. 7. Submission to Congress of report on the impact of Federal programs on the environment.

to eliminate racism wherever it exists. Critical race theory and its propagation within the Federal Government through EO 13950 desecrates this paramount pursuit to eliminate racism.

(c) PROHIBITION.—No Executive agency may act in contravention of EO 13950, except as EO 13950 relates to contractors and grant recipients.

d) LIMITATION ON FUNDS.—An Executive agency or any other recipient of Federal funds may not use Federal funds to teach or advance the idea, or otherwise award grants or subgrant using Federal funds to any Executive agency, entity, or individual that teaches or otherwise advances the idea, that—

(1) one race is inherently superior or inferior to another race;

(2) an individual or a group of individuals, by virtue of the race of the individual or group of individuals—

(A) is superior or inferior to another individual or a group of individuals, who is of a different race;

(B) bears responsibility or moral culpability for the actions committed by other individuals of the same race as the individual or group of individuals; or

(C) is inherently racist or oppressive, whether consciously or unconsciously;

(3) an individual or a group of individuals is determinative of the moral worth of the individual or group of individuals;

(4) the United States is a fundamentally racist country; or

(5) the founding documents of the United States, including the Declaration of Independence and the Constitution of the United States, are fundamentally racist documents.

SA 2390. Mr. CRUZ submitted an amendment intending to be proposed to amendment SA 237 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill S. 3848, 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 I, add the following:

SEC. 9009. RESTRICTION OF FUNDING FOR LOCAL EDUCATIONAL AGENCIES THAT DO NOT HAVE IN-PERSON INSTRUCTION.

Notwithstanding any other provision of this Act, or an amendment made by this Act, to a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) if any public elementary school or secondary school served by such agency does not provide, in the 2021–2022 school year, 5-day-a-week, in-classroom instruction for the students enrolled in the school in the same manner as 5-day-a-week, in-classroom instruction for the students enrolled in the school was provided in the 2018–2019 school year.

SA 2391. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 237 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, 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:

On page 304, between lines 3 and 4, insert the following:

SEC. 1120. LIMITATIONS ON CLAIMS.

(a) In General.—Section 1109 of title 23, United States Code, is amended by striking “150 days” each place it appears and inserting “90 days”.

(b) CONFORMING AMENDMENTS.—

(1) Section 330(e) of title 23, United States Code, is amended—

(A) in paragraph (2)(A), by striking “150 days” and inserting “90 days”; and

(B) in paragraph (3)(B)(i), by striking “150 days” and inserting “90 days”.

(2) Section 2401(a)(6) of title 49, United States Code, is amended by striking “of 150 days”.

On page 2394, strike line 15. On page 2365, between lines 19 and 20, insert the following:

(C) in paragraph (4)(A), by striking “or” and inserting “and”;

and

On page 2360, strike line 21 and insert the following:

(A) in subparagraph (A)—

(1) by striking “coordination” and inserting “coordinated”;

and

(B) by redesignating subparagraphs (B) through (G) as subparagraphs (C) through (H), respectively;

and

(C) by inserting after subparagraph (A) the following:

“(B) NOTICE OF INTENT AND SCOPING.—

(i) In general.—The permitting timetable under subparagraph (A) shall require that not later than 5 business days after the date on which the lead agency determines that a draft environmental impact statement under subsection (c)(1) is required, the lead agency shall prepare and publish in the Federal Register a notice of intent to prepare the relevant environmental document required under NEPA.

(ii) Environmental impact statement.—If the lead agency determines that a draft environmental impact statement under Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required, the lead agency shall prepare and publish in the Federal Register a notice of intent to prepare the relevant environmental document required under NEPA.

(iii) Preparing the environmental impact statement.—If the lead agency determines that an environmental impact statement under Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) is required, the lead agency shall—

(A) prepare and publish a draft environmental impact statement;

(B) independently evaluate the environmental impact statement; and

(C) by inserting after subparagraph (A) the following:

“(D) RECORD OF DECISION.—When an environmental impact statement is approved and adopted, the lead agency shall—

(i) contract with a consultant to prepare the final environmental impact statement; and

(ii) publish the final environmental impact statement.”

SA 2391. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 237 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, 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:

On page 2310, strike lines 23 and 24 and in-
“(1) the environmental review has failed substantially and materially to comply with the requirements of NEPA; and
“(2) the failure described in paragraph (1) cannot be cured by supplementing the environmental document or other mitigation and monitoring measures.”;

(5) in subsection (f) (as so redesignated), in the matter preceding paragraph (1), by striking “this section” and inserting “this title”.

SA 2392. Mr. HENNET 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. CASEY, Mrs. SHAHEEN, Ms. COLLINS, Mr. Tester, Ms. MURkowski, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3864, 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 H, insert the following

"TITLE VII—DISASTER MITIGATION"

SEC. 80701. SHORT TITLE. This title may be cited as the “SHELTER Act.”

SEC. 80702. NONREFUNDABLE PERSONAL CREDIT FOR DISASTER MITIGATION EXPENDITURES.

(a) In General.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 25D the following new section: "SEC. 25E. DISASTER MITIGATION EXPENDITURES."

(1) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 25 percent of the qualified disaster mitigation expenditures made by the taxpayer during such taxable year.

(2) MAXIMUM CREDIT.—

"(1) In General.—Subject to paragraph (2), the credit allowed under subsection (a) for any taxable year shall not exceed $5,000.

"(2) LIMITATION.—

"(A) In General.—The amount under paragraph (1) for the taxable year shall be reduced (but not below zero) by an amount which bears the same ratio to the amount under such paragraph as—

"(i) the amount (not less than zero) equal to the adjusted gross income of the taxpayer for such taxable year minus $41,200, bears to

"(ii) $40,800.

"(B) Joint Return.—For purposes of determining the amount of any reduction under subparagraph (A) for any taxable year, if a joint return was filed for such taxable year, each of the dollar amounts under such subparagraph shall be doubled.

(3) IN GENERAL.—In the case of any taxable year after 2022, each of the dollar amounts under subparagraph (A) shall be increased by an amount equal to—

"(i) such dollar amount, multiplied by

"(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, determined by substituting ‘calendar year 2023’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

(4) ROUNDING.—If any reduction determined under paragraph (3) is not a multiple of $50, or any increase under subparagraph (C) is not a multiple of $50, such amount shall be rounded to the nearest multiple of $50.

(c) DEFINITIONS.—For purposes of this section—

"(1) QUALIFIED DISASTER MITIGATION EXPENDITURE.—

"(A) IN GENERAL.—The term ‘qualified disaster mitigation expenditure’ means an expenditure relating to a qualified dwelling unit—

"(i) for property to—

"(I) improve the durability, impact resistance (not less than class 3 or 4 rating), or wind resistance (not less than class A rating) of a roof covering,

"(II) reinforce the connection between a roof and supporting structure,

"(III) protect openings from penetration by wind-borne debris,

"(IV) protect exterior doors and garages from natural hazards,

"(V) complete measures contained in the publication of the Federal Emergency Management Agency entitled ‘Wind Retrofit Guide for Homes’ (P-880),

"(VI) in the case of a qualified dwelling unit which is located in a flood zone, raise and protect the basement of the dwelling through—

"(aa) the publication of the Federal Emergency Management Agency or the United States Forest Service, including fuel management techniques such as creating fuel and fire breaks, latticework and other firebreaks, and grass and other water and weather data to better understand the local climate and drought history,

"(bb) replace flameable vegetation with less flameable species, or

"(cc) determine the risk of natural disasters which may occur in the area in which the qualified dwelling unit is located, or

"(dd) for property relating to satisfying the standards required for receipt of a FOR-TIFIED designation from the Insurance Institute for Business and Home Safety, provided that the qualified dwelling unit receives such designation following installation of such property.

"(B) EXCEPTION.—The term ‘qualified disaster mitigation expenditure’ shall not include any expenditure or portion thereof which is paid, funded, or reimbursed by a Federal, State, or local government entity, any political subdivision, agency, or instrumentality thereof.

"(2) QUALIFIED DWELLING UNIT.—The term ‘qualified dwelling unit’ means a dwelling unit which is—

"(A) located—

"(i) in the United States or in a territory of the United States, and

"(ii) in an area—

"(I) in which a Federal disaster declaration has been made within the preceding 10-year period, or

"(II) which is adjacent to an area described in subclause (I), and

"(B) used as a residence by the taxpayer.

"(C) LIMITATION.—

"(I) IN GENERAL.—In the case of an expenditure described in clause (i) or (ii) of subsection (c)(1)(A), such expenditure shall be taken into account in determining the qualified disaster mitigation expenditures made by the taxpayer during the taxable year only if the on-site preparation, assembly, or original installation of the property with respect to which such expenditure is made has been completed in a manner that is deemed to be in compliance with the latest published edition of relevant consensus-based codes, specifications, and standards or any more restrictive Federal, State, or local floodplain management standards and consistent with the floodplain management requirements of the local jurisdiction in which the qualified dwelling unit is located.
SEC. 45U. DISASTER MITIGATION CREDIT.

(a) General rule.—Subject to paragraph (2), the amount of the credit determined under subsection (a) for any taxable year shall not exceed $5,000,000.

(b) Maximum credit.—(1) In general.—Subject to paragraph (2), the amount of the credit determined under this section for any taxable year shall be reduced by—

(A) any credit previously allowed under paragraph (1) for a prior taxable year; and

(B) any credit allowed under paragraph (2) for a prior taxable year.

(c) Qualifying disaster mitigation expenditures.—(1) In general.—The term ‘‘qualified disaster mitigation expenditures made by the taxpayer during the taxable year’’ means the dollar amount under subparagraph (A) that is allocable to—

(i) the property described in clause (i) or (ii) of subsection (c)(1)(A) that is subject to insurance under subsection (a) that is allocable to the property described in—

(A) clause (i) of section 25E(e); or

(B) any increase under subparagraph (A) is not a multiple of $50, or any increase under subparagraph (B) is not a multiple of $50, such amount shall be rounded to the nearest multiple of $50.

(2) Regulations.—For purposes of this section, regulations prescribed by the Secretary shall be made to determine the amount of the credit allowed under this section under subparagraph (A). Such regulations shall be made to determine the amount of the credit that—

(A) is allocable to the property described in clause (i) or (ii) of subsection (c)(1)(A) that is subject to insurance under subsection (a) that is allocable to the property described in—

(i) clause (i) of section 25E(e); or

(ii) any increase under subparagraph (A) is not a multiple of $50, or any increase under subparagraph (B) is not a multiple of $50, such amount shall be rounded to the nearest multiple of $50.

(3) Special rules.—(A) In general.—The term ‘‘qualified disaster mitigation expenditures made by the taxpayer during the taxable year’’ includes the dollar amounts under subparagraph (A) that are allocable to—

(i) the property described in clause (i) or (ii) of subsection (c)(1)(A) that is subject to insurance under subsection (a) that is allocable to the property described in—

(A) clause (i) of section 25E(e); or

(B) any increase under subparagraph (A) is not a multiple of $50, or any increase under subparagraph (B) is not a multiple of $50, such amount shall be rounded to the nearest multiple of $50.

(4) Special rules.—For purposes of this section, the term ‘‘qualified disaster mitigation expenditures made by the taxpayer during the taxable year’’ includes—

(A) the property described in clause (i) or (ii) of subsection (c)(1)(A) that is subject to insurance under subsection (a) that is allocable to the property described in—

(i) clause (i) of section 25E(e); or

(ii) any increase under subparagraph (A) is not a multiple of $50, or any increase under subparagraph (B) is not a multiple of $50, such amount shall be rounded to the nearest multiple of $50.

(b) Maximum credit.—(1) In general.—The amount of the credit determined under section 45U(a) that is allocable to the property described in clause (i) or (ii) of subsection (c)(1)(A) shall be taken into account in determining the qualified disaster mitigation expenditures made by the taxpayer during the taxable year.

(2) Table.—The amounts of the credit determined under section 45U(a) that shall be taken into account in determining the qualified disaster mitigation expenditures made by the taxpayer during the taxable year shall be—

(A) $5,000,000; and

(B) any increase under subparagraph (A) is not a multiple of $50, or any increase under subparagraph (B) is not a multiple of $50, such amount shall be rounded to the nearest multiple of $50.

(c) Effective date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.
(2) to use the efforts carried out by the Secretary under subsection (a) to provide a growing workforce for transportation providers in the United States that is adept in the current and future workforce programs described in paragraph (1).

SA 2395. Ms. CORTEZ MASTO (for herself, Mr. PADILLA, Ms. FENSTEIN, and Ms. ROSEN) 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, Ms. 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 title VIII of division D, add the following:

SEC. 408. REAUTHORIZATION OF THE LAKE TAHOE RECONSTRUCTION ACT.

(a) COOPERATIVE AUTHORITIES.—Section 4(f) of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2353; 130 Stat. 1783) is amended by striking “(4) precluding the date of enactment of the Water Resources Development Act of 2016” and inserting “period beginning on the date of enactment of this Act and ending on the date described in section 10(a).”

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 10(a) of the Lake Tahoe Restoration Act (49 U.S.C. 301 note; Public Law 114–155; 130 Stat. 1789) is amended by striking “for a period of time” and inserting “for the period of time provided in section 10(a).”

SA 2396. Ms. CORTEZ MASTO (for herself, Mr. CORNYN, and Ms. HASSAN) 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 title VIII of division D, add the following:

SEC. 11530. RAISE GRANT PROGRAM.

(f) NATIONAL GOALS.

(4) improvements in the safety of transportation facilities and systems;

(2) improves the safety of transportation facilities and systems;

(2) improves the condition of existing infrastructure and increases passenger choice and accessibility;

(3) improves the condition of existing infrastructure and increases passenger choice and accessibility;

(3) improves the condition of existing infrastructure and increases passenger choice and accessibility;

(2) improves the condition of existing infrastructure and increases passenger choice and accessibility;

(3) improves the condition of existing infrastructure and increases passenger choice and accessibility;

SA 2398. Ms. CORTEZ MASTO (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY) 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:

On page 75, strike line 21 and insert the following:

“(2) Projects to enhance travel and tourism and mitigate impacts on communities, including infrastructure improvements, intermodal transportation systems, signage, and strategies to support increased seasonal travel, accommodate future growth along major corridors for long-haul travel, improve the safety and reliability of long-haul travel, and enhance connectivity between and among modes of transportation and major destinations.”

“(2) Projects to enhance travel and tourism and mitigate impacts on communities, including infrastructure improvements, intermodal transportation systems, signage, and strategies to support increased seasonal travel, accommodate future growth along major corridors for long-haul travel, improve the safety and reliability of long-haul travel, and enhance connectivity between and among modes of transportation and major destinations.”

“(2) Projects to enhance travel and tourism and mitigate impacts on communities, including infrastructure improvements, intermodal transportation systems, signage, and strategies to support increased seasonal travel, accommodate future growth along major corridors for long-haul travel, improve the safety and reliability of long-haul travel, and enhance connectivity between and among modes of transportation and major destinations.”

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“(2) Projects to enhance travel and tourism and mitigate impacts on communities, including infrastructure improvements, intermodal transportation systems, signage, and strategies to support increased seasonal travel, accommodate future growth along major corridors for long-haul travel, improve the safety and reliability of long-haul travel, and enhance connectivity between and among modes of transportation and major destinations.”
improves access to and between transportation facilities and systems. 

Page 764, strike lines 2 and 3 and insert the following:

emissions.

“(17) A capital project to increase access to a travel or tourist destination;”;

(ii) the following:

(A) increased travel and tourism; 

(B) increased mobility between modes; 

(C) the ability to meet existing or anticipated demand; and 

(B) any other benefits.”;

and (4) in subsection (h), by adding at the end the

SA 2399. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 2377 proposed by Mr. SCHUMER (for Ms. SINEMA for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHABEEB, Ms. KEEFER, 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 title VIII of division D, add the following:

SEC. 408. WESTERN WILDFIRE SUPPORT.

(a) Definitions. In this section:

(1) CONGRESSIONAL COMMITTEES.—The term “congressional committees” means—

(A) the Committee on Energy and Natural Resources; the Committee on Appropriations of the Senate; and 

(B) the Committee on Natural Resources and the Committee on Appropriations of the House of Representatives.

(2) FEDERAL LAND.—The term “Federal land” means—

(A) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702));

(B) units of the National Park System;

(C) units of the National Wildlife Refuge System; 

(D) land held in trust by the United States for the benefit of Indian Tribes or members of an Indian Tribe; and 

(E) the plan, the National Forest System.

(3) NATIONAL FOREST SYSTEM.—

(A) IN GENERAL.—The term “National Forest System” has the meaning given in the term “natural” in section 11(a) of the Forest and Rangeland Renewables Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(B) EXCLUSION.—The term “National Forest System” includes—

(i) the national grasslands and land utilization projects administered under title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or 

(ii) the National Forest System land east of the 100th meridian.

(4) SECRETARIES.—The term “Secretaries” means—

(A) the Secretary of the Interior; and 

(B) the Secretary of Agriculture.

(c) EXCLUSION. The term “Secretary concerned” means—

(A) the Secretary of the Interior, in the case of Federal land under the jurisdiction of the Secretary of the Interior; and 

(B) the Secretary of Agriculture, in the case of Federal land under the jurisdiction of the Secretary of Agriculture.

(b) PREPARATION.—

(1) FIREFIGHTING ACCOUNTS.—

(A) ESTABLISHMENT OF ACCOUNTS.—There are established in the Treasury of the United States:

(i) The Firefighting Operations account for the Department of Agriculture.

(ii) The Federal land-based fire protection account for fiscal year 2023 and each fiscal year thereafter for not more than $3,000,000,000 for ground-based firefighting operations.

(B) BUDGET ACTIVITIES WITHIN ACCOUNTS.—The following activities shall be specified for funding within each Firefighting Operations account established by subparagraph (A):

(i) Ground-based firefighting operations.

(ii) Aircraft use in firefighting operations.

(C) AUTHORIZATION OF APPROPRIATIONS.—

(i) DEPARTMENT OF AGRICULTURE.—There is authorized to be appropriated for fiscal years 2022 and 2023 not more than $3,000,000,000 for ground-based firefighting operations.

(ii) DEPARTMENT OF THE INTERIOR.—There is authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter to the account established by subparagraph (A) not more than $3,000,000,000 for ground-based firefighting operations.

(D) AIRCRAFT USE IN FIREFIGHTING OPERATIONS.—

(i) AIRCRAFT USE FOR FEDERAL LANDS.—The Secretary of Agriculture shall use appropriated funds to carry out management activities established by subparagraph (A)(i) for aircraft use in fire suppression as a result of a fire caused by military training or other actions carried out by the Armed Forces or employees of the Department of Defense.

(ii) AIRCRAFT USE FOR FEDERAL LANDS.—The Secretary of the Interior shall use appropriated funds to carry out management activities established by subparagraph (A)(i) for aircraft use in fire suppression as a result of a fire caused by military training or other actions carried out by the Armed Forces or employees of the Department of Defense.

(iii) REQUIREMENTS.—Each report under subparagraph (A)(i) shall include a description of, with respect to the period covered by the report—

(I) Federal ground-based equipment costs; 

(II) Federal aircraft use costs; 

(III) Federal personnel costs; 

(IV) on-incident and off-incident support costs; and 

(V) the funding allocated from the Wildland Fire Management account of the Secretary concerned to pay for administrative costs.

(iv) SPECIAL FUNDING.—Each Secretaries shall ensure that no funds appropriated for fiscal year 2022 are used for the Firefighting Operations account and the Firefighting Operations account for fiscal year 2023.

(v) WILDFIRE MANAGEMENT GRANTS.—The Secretary concerned shall report in accordance with applicable national fire plan reporting procedures.

(F) ACCOUNTING REPORTS.—

(1) SUBMISSION.—Each Secretaries concerned shall submit to the congressional committees monthly accounting reports regarding the amounts that have been obligated and expended during the period ending during the preceding month of the applicable fiscal year.

(2) CONTENTS.—Each report under clause (1) shall include a description of, with respect to the period covered by the report—

(I) Federal ground-based equipment costs; 

(II) Federal aircraft use costs; 

(III) Federal personnel costs; 

(IV) on-incident and off-incident support costs; and 

(V) the funding allocated from the Wildland Fire Management account of the Secretary concerned to pay for administrative costs.

(2) REIMBURSEMENT FOR WILDFIRES CAUSED BY MILITARY TRAINING.—

(A) REIMBURSEMENT REQUIRED.—The Secretary of Defense shall, on application by a State or Federal agency for the reasonable costs of the State or Federal agency for services provided in connection with fire suppression as a result of a fire caused by military training or other actions carried out by the Armed Forces or employees of the Department of Defense.

(B) LIMITATION.—Services reimbursable under subparagraph (A) shall be limited to services proximately related to the fire for which reimbursement is sought.

(3) STRATEGIC WILDLAND FIRE MANAGEMENT PLANNING.—

(A) IN GENERAL.—Not later than September 30, 2024, the Secretary concerned shall, in accordance with this paragraph, establish a series of spatial fire management plans.

(B) USE OF EXISTING PLANS.—To comply with this paragraph, the Secretary concerned may use a fire management plan in existence on the date of enactment of this Act.

(C) UPDATES.—To be valid, a fire management plan established under this paragraph shall not be in use for longer than the 10-year period beginning on the date on which the plan is established.

(D) FUNDING.—Reimbursements under subparagraph (A) shall be made from amounts authorized to be appropriated to the Department of Defense for operation and maintenance.

(E) CONTENTS.—For each spatial fire management plan established under this paragraph, the Secretary concerned shall—

(i) base the plans on a landscape-scale risk assessment that includes—

(I) risks to firefighters; 

(II) risks to communities; 

(III) risks to highly valuable resources; and 

(IV) other relevant considerations determined by the Secretary concerned.

(ii) include direction, represented in spatial form, on land management plans and resource management plans;

(iii) in coordination with States, delineate potential wildland fire operational delineations that—

(I) identify potential control locations; and 

(II) specify the practices that wildland fire agencies will not be sent because of the presence of unacceptable risk, including areas determined by the Secretary concerned as—

(aa) exceeding a certain slope; 

(bb) containing too high of a volume of hazardous fuels, under certain weather conditions; or 

(cc) containing other known hazards; and 

(iv) include a determination of average severe fire weather for the plan area;
(v) include prefire planning provisions;
(vi) include a plan for postfire activities that—
(I) would better enable a Burned Area Emergency Team to respond to a large fire incident to address emergency stabilization and erosion quickly; and
(ii) specifies in which the Burned Area Emergency Team would seek to prevent the proliferation of invasive species in working on the large fire incident; and
(vii) include, at a minimum, any other requirement determined to be necessary by the Secretary concerned.
(F) Consistency with management plans.—The spatial fire management plans established under subparagraph (a) shall be consistent with the fire management objectives and land management objectives in the applicable land management plan or resource management plan.
(G) Revisions to land management plans and resource management plans.—A revision to a land management plan or resource management plan shall consider fire ecology and fire management in a manner that facilitates the issuance of direction for an incident response.
(H) Engagement during land management planning.—A supervisory employee of the Department of the Interior or the Department of Agriculture, as discussed in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6611), shall participate in the creation or revision of an applicable land management plan or resource management plan to incorporate an assessment, protocol, or plan developed under this section into the planning process.
(I) Accounts to assist communities in planning and preparing for wildfires.—
(A) Establishment of accounts.—There are established in the Treasury of the United States the following accounts:
(i) The Community-Supported Land-Use Planning Assistance account for the Department of Agriculture.
(ii) The Community-Supported Land-Use Planning Assistance account for the Department of the Interior.
(B) Budget activities within accounts.—The funds shall be budgeted through an allocation of funding through Community-Supported Land-Use Planning Assistance account established by subparagraph (A):
(i) A program operated by the National Fire Protection Association.
(ii) Community wildfire protection programs.
(iii) The Fire-Adapted Communities Learning Network.
(iv) Vegetation management by communities.
(C) Authorization of appropriations.—There are authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter for the accounts established by subparagraph (A) such sums as are necessary to carry out this paragraph, not to exceed $200,000,000.
(D) Presidential budget request.—For fiscal year 2022 and each fiscal year thereafter, with respect to amounts appropriated for the accounts established by subparagraph (A), the Secretary concerned shall submit through the budget request of the President to Congress a request for the amount necessary to carry out the activities described in subparagraph (B).
(E) Notice to Congress.—The Secretary concerned shall use amounts in the accounts established by subparagraph (A) as follows:
(i) With respect to amounts appropriated for the Fire-Adapted Communities Learning Network account established in subparagraph (B)(i), the Secretary concerned may—
(aa) cosponsor the Firewise Communities/USA Recognition Program to additional at-risk communities.
(bb) With respect to amounts appropriated for the Fire-Adapted Communities Learning Network account established in subparagraph (B)(i), the Secretary concerned may—
(I) support the expansion of the Firewise Communities/USA Recognition Program to additional at-risk communities.
(ii) With respect to amounts appropriated for the Fire-Adapted Communities Learning Network account established in subparagraph (B)(i), the Secretary concerned may—
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(I) support the expansion of the Firewise Communities/USA Recognition Program to additional at-risk communities.
(ii) With respect to amounts appropriated for the Fire-Adapted Communities Learning Network account established in subparagraph (B)(i), the Secretary concerned may—
(I) support the expansion of the Firewise Communities/USA Recognition Program to additional at-risk communities.
(bb) an active wildland fire;
(II) designate a vehicle and personnel to be used with each slip-on unit;
(III) make any necessary modification to a designated vehicle to ensure compatibility with the use of the slip-on unit;
(IV) train designated personnel to use the slip-on unit;
(V) ensure each designated personnel possess elementary wildland fire management skills, including post-fire-front structure-protection practices; and
(VI) maintain each slip-on unit in good, usable condition for a period of not fewer than 20 years;
(i) operating a large, active wildland fire—
(I) staff each designated vehicle equipped with a slip-on unit with—
(II) a person designated under clause (i)(II); and
(III) a trained firefighter, regardless of whether the trained firefighter is paid, volunteer, or off-duty but paid;
(ii) to alert the engines of structures that have ignited; and
(iii) to alert the engines of structures that have ignited; and
(iv) with any other requirements determined necessary by the Secretaries, including any minimum requirements for a slip-on unit and any additional required equipment.
(B) assistance to states for operation of air tankers.—The Secretary concerned may provide funding to States to enable States to operate not more than 50 single-engine air tankers if—
(A) the single-engine air tanker is government-owned and contractor-operated or government-owned and government-operated;
(B) a State receiving funding for a single-engine air tanker under this paragraph shares the cost with the Secretary of the acquisition and operation of the aircraft; and
(C) the single-engine air tanker—
(i) shall be used for initial attack; and
(ii) shall not be used for large fire aviation support.
(2) research and development of unmanned aircraft system fire applications.
(A) definitions.—In this paragraph:
(i) DRONE.—The term "drone" means an unmanned aircraft system owned by a private individual or entity.
(ii) DRONE INCURSION.—The term "drone incursion" means the operation of a drone within any airspace for which the Administrator of the Federal Aviation Administration has issued a temporary flight restriction because of a wildfire.
(iii) secretary.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.
(B) STUDY required.—The Secretary, in consultation with the Secretary of Agriculture, shall conduct a study on the effects of drone incursions on wildfire suppression with respect to land managed by the Department of the Interior or the Department of Agriculture.
(C) study CONTENT.—In conducting the study required under subparagraph (B), the Secretary shall—
(i) determine, for each of the 5 most recent calendar years—
(I) the number of occurrences in which a drone incursion interfered with wildfire suppression; and
(II) the effect of each occurrence described in clause (I); and
(II) the number of occurrences in which a drone incursion interfered with wildfire suppression; and
(iii) how each occurrence described in clause (I) had on—
(aa) the time required to achieve complete suppression;
(bb) the effectiveness of aerial firefighting responses;
(cc) the amounts expended by the Federal Government; and
(dd) the evaluation of the feasibility and effectiveness of various strategies to prevent drone incursions, including—
(I) the use of reasonable force to disable, damage, or destroy a drone;
(II) the seizure of a drone, including seizure with a net device; and
(III) the dissemination of educational materials relating to the effects of drone incursions on wildfire suppression.
(D) report.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing—
(i) the findings of the study required under subparagraph (A); and
(ii) any recommendations of the Secretary relating to drone incursions.
(3) study on wildfire detection equipment and integration of artificial intelligence technologies.—
(A) definitions.—The Secretary shall conduct a study on—
(i) the effectiveness and limitations on the deployment and application of each wildfire detection equipment technology with respect to detection, confirmation, geolocation, predictability of wildfire spread, suppression resource management, post-fire forensics, and surface data provided by wildfire detection equipment technology; and
(ii) how each technology described in clause (i), with proper and timely deployment and use, can provide for the most effective and efficient means of dealing with the threat and the reality of wildland fires;
(iii) the integration of artificial intelligence with real-time imagery and weather data provided by wildfire detection equipment technology; and
(iv) how the integration of artificial intelligence described in clause (iii) can enhance the effectiveness of wildfire detection equipment technology, individually and collectively.
(B) submission of public availability.—Not later than 10 years after the date of enactment of this Act, the Secretary shall submit to the congressional committees and make publicly available the results of the study conducted under subparagraph (A).
(4) post-fire recovery support.—
(A) use of services of other agencies.—Section 201(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131(a)) is amended—
(i) in paragraph (7), by striking the period at the end and inserting "; and";
(ii) by inserting at the end the following:
(U) post-disaster assistance;
(U) post-disaster assistance;
(B) funding for online guides for assistance.—Section 201 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131) is amended by adding at the end the following:
(C) funding for online guides for assistance.—
(1) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may enter into a cooperative agreement to provide funding to a State agency established under subsection (c) to establish and operate a website to provide information relating to post-fire recovery funding and resources to a community or an individual impacted by a wildland fire.
(2) MANAGEMENT.—A website created under this subsection shall—
(A) be managed by the State agency; and
(B) be suitable for the residents of the State of the State agency.
(3) CONTENT.—The Administrator may enter into a cooperative agreement to establish a website under this subsection only to provide 1 or more of the following:
(A) a list of Federal, State, and local sources of post-fire recovery funding or assistance that may be available to a community after a wildfire;
(B) a list of Federal, State, and local sources of post-fire recovery funding or assistance that may be available to an individual impacted by a wildfire;
(C) a technical guide that lists and explains the costs and benefits of alternatives available to a community to mitigate the impacts of wildfire and prepare for potential flooding.
(4) cooperation.—A State agency that enters into a cooperative agreement under this subsection shall cooperate with the Secretary of the Interior, the Secretary of Agriculture, and the Administrator of the Federal Emergency Management Agency in developing a website under this subsection.
(5) updates.—A State agency that receives funding to establish a website under this subsection shall update the website not less than once every 6 years.
(2) long-term burned area recovery account.—
(A) establishment of account.—There is established in the Treasury of the United States the Long-Term Burned Area Recovery account for the Department of Agriculture.
(B) authorization of appropriations.—There is authorized to be appropriated for fiscal year 2022 and each fiscal year thereafter for the account established by subparagraph (A) such sums as are necessary to make grants (including grants made under paragraph (1) of subsection (c) of section 7006 of the Farm Bill Act (7 U.S.C. 2001 et seq.)) under paragraph (1) of subsection (c) of section 7006 of the Farm Bill Act (7 U.S.C. 2001 et seq.) for the activities described in subparagraph (D)
(C) presidential budget requests.—For fiscal year 2023 and each fiscal year thereafter, the Secretary of Agriculture shall submit to Congress a budget request for such account to carry out the activities described in subparagraph (D).
(i) that begin not earlier than 1 year after the date on which the wildfire was contained;
(ii) that are—
(I) in the 10-year period to be completed not later than 3 years after the date on which the wildfire was contained; and
(II) located at sites impacted by wildfire on non-Federal or Federal land;
(iii) that restore the functions of an ecosystem or protect life or property; and
(iv) not less than 10 percent of the total costs of which are paid for with non-Federal funds.

(E) PRIORITY OF FUNDING.—The Secretary of Agriculture shall prioritize, on a nationwide basis, projects for which funding requests are submitted under this paragraph, based on—
(I) downstream effects on water resources; and
(ii) public safety.

(3) PRIZE FOR WILDFIRE-RELATED INVASIVE SPECIES REDUCTION.—Section 7001(d) of the Wydler Technology Innovation Act of 1980 (15 U.S.C. 742b note; Public Law 116–9) is amended—
(A) by striking “paragraph (8)(A)” each place it appears and inserting “paragraph (9)(A)”;
(B) by striking “paragraph (8)(B)” each place it appears and inserting “paragraph (9)(B)”;
(C) by redesignating paragraph (8) as paragraph (9); and
(D) by inserting after paragraph (7) the following:

“(8) THEODORE ROOSEVELT GENIUS PRIZE FOR MANAGEMENT OF WILDFIRE-RELATED INVASIVE SPECIES.—

“(A) DEFINITIONS.—In this paragraph:

“(I) BOARD.—The term ‘Board’ means the Management of Wildfire-Related Invasive Species Technology Advisory Board established by subparagraph (C)(viii).

“(II) PRIZE COMPETITION.—The term ‘prize competition’ means the Theodore Roosevelt Genius Prize for the management of wildfire-related invasive species established under subparagraph (B).

“(B) AUTHORITY.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) a prize competition, to be known as the Theodore Roosevelt Genius Prize for the management of wildfire-related invasive species—

“(i) to encourage technological innovation with the potential to advance the mission of the National Invasive Species Council with respect to the management of wildfire-related invasive species; and

“(ii) to award 1 or more prizes annually for a technological advancement that manages wildfire-related invasive species.

“(C) ADVISORY BOARD.—There is established an advisory board, to be known as the ‘Management of Wildfire-Related Invasive Species Technology Advisory Board’:

“(i) COMPOSITION.—The Board shall be composed of not fewer than 9 members appointed by the Secretary, who shall provide expertise in invasive species:

“(II) biology;

“(III) technology development;

“(IV) engineering;

“(V) Federal organizations, Federal and State, local, or private;

“(VI) business development and management;

“(VII) wildfire; and

“(VIII) a related discipline, as the Secretary determines to be necessary to achieve the purposes of this paragraph.

“(III) DUTIES.—Subject to clause (iv), with respect to the prize competition, the Board shall:

“(I) select a topic;

“(II) issue a problem statement;

“(III) advise the Secretary regarding any opportunity for technological innovation to manage wildfire-related invasive species; and

“(IV) advise winners of the prize competition regarding opportunities to pilot and implement winning technologies in relevant fields, including in partnership with conservation organizations, Federal or State agencies, federally recognized Indian Tribes, private entities, and research institutions with expertise in corresponding to the management of wildfire-related invasive species.

“(IV) CONSULTATION.—In selecting a topic and issuing a problem statement for the prize competition, the Board shall consult widely with Federal and non-Federal stakeholders, including:

“(D) 1 or more Federal agencies with jurisdiction over the management of invasive species;

“(E) 1 or more Federal agencies with jurisdiction over the management of wildfires;

“(F) 1 or more State agencies with jurisdiction over the management of invasive species; and

“(G) 1 or more State, regional, or local wildlife organizations, the mission of which relates to the management of invasive species; and

“(H) 1 or more wildlife conservation groups, technology companies, research institutions, institutions of higher education, industry associations, or individual stakeholders with an interest in the management of wildfire-related invasive species.

“(V) REQUIREMENTS.—The Board shall comply with all requirements under paragraph (9)(A).

“(D) ADMINISTRATION BY THE NATIONAL INVASIVE SPECIES COUNCIL.—The Secretary, acting through the Director of the National Invasive Species Council, shall administer the prize competition.

“(E) JUDGES.—

“(i) APPOINTMENT.—The Secretary shall appoint not fewer than 3 judges who shall, except as provided in clause (ii), select the 1 or more annual winners of the prize competition.

“(ii) DETERMINATION BY SECRETARY.—The judges appointed under clause (i) shall not select any annual winner of the prize competition if the Secretary makes a determination that, in their view, the technological advancements entered into the prize competition merits an award.

“(F) REPORT TO CONGRESS.—Not later than 60 days after the date on which a cash prize is awarded under this paragraph, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the prize competition that includes—

“(i) a statement by the Board that describes the activities carried out by the Board relating to the duties described in subparagraph (C)(iii);

“(ii) a description of the 1 or more annual winners of the prize competition; and

“(iii) a statement by 1 or more of the judges appointed under subparagraph (E) that explains the basis on which the 1 or more winners of the prize competition was selected.

“(G) TERMINATION OF AUTHORITY.—The Board and all authority provided under this paragraph shall terminate on December 31, 2026; and

“(H) in paragraph (9) (as so redesignated)—

“(i) in subparagraph (A), in the matter preceding clause (i), by striking ‘or (7)(C)(iv)’ and inserting ‘(7)(C)(i), or (8)(C)(i)’; and

“(ii) in subparagraph (B)—

“(I) in the matter preceding clause (i), by striking ‘or (7)(D)(i)’ and inserting ‘(7)(D)(i), or (8)(D)(i)’; and

“(II) in clause (i)(VII), by striking ‘and (7)(E)’ and inserting ‘(7)(E), and (8)(E)’.

SA 2400. Ms. CANTWELL (for herself and Mr. WICKER) 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Mr. MUKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill S. 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:

On page 699, line 25, strike “section 22306” and insert “section 22306(n)”.

On page 721, line 14, strike “category” and insert “categories”.

On page 797, lines 20 and 21, strike “section 2210” and insert “section 2210(n)”.

SA 2401. Ms. CANTWELL (for herself and Mr. WICKER) 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Mr. MUKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill S. 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:

On page 835, strike lines 1 through 16 and insert the following:

“(iv) in subparagraph (D), by striking ‘, State, local, or private’;”;

“(v) in subparagraph (E)—

“(I) in the matter preceding the fiscal year preceding the fiscal year to which the plan applies;’; and

“(ii) by striking ‘the previous year’s highway safety plan’ and inserting ‘the most recently submitted highway safety plan’;”;

“(vi) in subparagraph (F), by striking ‘addition’ and inserting ‘increment’.”.

On page 1025, line 13, strike “‘40’” and insert “‘40’ and insert ‘25’.”

SA 2402. Mrs. GILLIBRAND (for herself and Mr. WYDEN) 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Mr. MUKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill S. 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. 9. GAO STUDY ON THE IMPACT OF DRUNK DRIVING CHILD ENDANGERMENT LAWS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the
Comptroller General of the United States shall submit to Congress a report on the impact and effectiveness of drunk driving child endangerment laws, and ways in which child endangerment laws can be strengthened to protect children who may be passengers in vehicles driven by drunk drivers.

(b) CONTENTS.—The report required under this section shall—

(1) review—
(A) State laws to determine best practices, comparing State laws in which driving drunk with a child is classified as a felony versus a misdemeanor; and
(B) effective ways in which States mandate or encourage reporting and documentation of child endangerment laws;

(2) make recommendations as to how State laws can be improved to protect children from riding as passengers in vehicles driven by drunk drivers, including increased penalties, reporting requirements, increased prevention and family support services, and coordination with child protective services.

SA 2403. Mr. MERKLEY (for himself and Mr. DAINES) submitted an amendment intended to be proposed by him 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 title VIII of division D, add the following:

SEC. 408. FOREST SERVICE HIRE AUTHORITY.

Section 12518 of the Agriculture Improvement Act of 2018 (16 U.S.C. 1725b) is amended—

(1) in subsection (b)—
(A) in paragraph (3), by striking the period at the end and inserting a semicolon;
(B) by redesignating paragraphs (4) through (7) as paragraphs (A) through (D), respectively, and indenting appropriately;
(C) in the matter preceding subparagraph (A) (as so redesignated)—
(i) by striking “Land” and inserting “‘Land’;” and
(ii) by striking “applies to a former resource assistant and inserting the following:—‘‘applies to—
(1) a former resource assistant;” and
(D) by adding at the end the following:
(2) the term ‘‘appropriate congressional committees’’ means—
(A) the Committee on Banking, Housing, and Urban Affairs of the Senate;
(B) the Committee on Homeland Security and Governmental Affairs of the Senate;
(C) the Select Committee on Intelligence of the Senate;
(D) the Committee on Financial Services of the House of Representatives; and
(E) the Permanent Select Committee on Intelligence of the House of Representatives;

(3) the term ‘‘digital asset’’ has the meaning given the term in section 6045(g)(3)(D) of the Internal Revenue Code of 1986, as added by section 8060(b)(1)(B) of title VI of division H of this Act;

(4) the term ‘‘digital asset analytics tool’’ means a software tool that conducts data analytics of a digital asset using information appended to a distributed ledger; and

(5) the term ‘‘Executive agency’’ has the meaning given the term in section 105 of title 5, United States Code.

(b) REQUIRED ACTIVITIES.—Not later than 180 days after the date of enactment of this Act, the appropriate agency heads, in coordination with the head of each Executive agency responsible for United States critical infrastructure sectors as determined by the Secretary of Homeland Security, shall jointly—

(1) develop interagency agreement on the common capabilities of digital asset analytics tools to detect, track, and analyze risks relating to illicit activity;
(2) develop interagency agreement on the limitations of digital asset analytics tools and suggested approaches for improvement;
(3) engage with financial institutions involved in digital assets and activities relating to best practices for use of digital asset analytical tools, emerging risks, and coordination with law enforcement;
(4) develop a comprehensive interagency strategy for effectively reducing illicit activity relating to digital assets, while protecting the responsible adoption and use of digital assets and distributed ledger technology; and
(5) develop recommendations for statutory or regulatory amendments that are necessary to carry out paragraph (4), as well as additional Executive agency positions or resources required to carry out paragraph (4).

(2) REUSE.—Not later than 210 days after the date of enactment of this Act, the appropriate agency heads shall jointly submit to the appropriate congressional committees a report, which may contain a classified annex, on the activities described in subsection (b).

SA 2408. Ms. CORTEZ MASTO (for herself and Ms. SMITH) submitted an amendment intended to be proposed to amendment SA 2177 proposed by Mr. SCHUMER (for Ms. S INEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURkowski, Mr. WARNER, and Mr. ROMNEY)) to the bill S.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:

SEC. 2. EXEMPT FACILITY BONDS FOR ZERO-EMISSION VEHICLE INFRASTRUCTURE.

(a) In General.—Section 142 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (a)—

(A) in paragraph (14), by striking “or” at the end,

(B) in paragraph (15), by striking the period at the end and inserting “; or”, and

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

“(16) zero-emission vehicle infrastructure;”;

and

(2) by adding at the end the following new subsection:

“(n) ZERO-EMISSION VEHICLE INFRASTRUCTURE.—

“(1) IN GENERAL.—For purposes of subsection (a)(16), the term ‘zero-emission vehicle infrastructure’ means any property (including a building and its structural components) if such property is—

“(i) a vehicle that, under any possible operational modes and conditions, produces zero exhaust emissions of—

“(I) any criteria pollutant for which there are national ambient air quality standards under section 109 of the Clean Air Act (42 U.S.C. 7409) or precursor pollutant, or

“(II) any greenhouse gas.

“(B) GREENHOUSE GAS.—For purposes of this paragraph, the term ‘greenhouse gas’ means any of the following:

“(i) Carbon dioxide.

“(ii) Methane.

“(iii) Nitrous oxide.

“(iv) Hydrofluorocarbons.

“(v) Perfluorocarbons.

“(vi) Sulfur hexafluoride.

“(B) PROJECTS.—The term ‘zero-emission vehicle infrastructure located within other facilities or projects’—

“(A) a facility or project described in subsection (a), or

“(B) an area adjacent to a facility or project described in subsection (a) that primarily serves vehicles traveling to or from such facility or project, shall be treated as described in the paragraph in which such facility or project is described.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after December 31, 2021.

SA 2409. Mr. CORNYN (for himself, Mr. PADILLA, Ms. BALDWIN, Mrs. MURRAY, Mr. KELLY, Ms. LUMMIS, Mr. WICKER, Ms. HASSAN, Ms. CORTEZ MASTO, Mr. Lujan, and Ms. CANTWELL) 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. CASIDY, 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 H, insert the following:

SEC. 6. AUTHORITY TO USE CORONAVIRUS RESPONSE FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) In General.—Title VI of the Social Security Act (42 U.S.C. 601 et seq.) is amended—

(1) in section 601(d)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and adjusting the margins accordingly;

(B) by striking “A State, Tribal government, and unit of local government”;

(C) by striking at the end the following new paragraph:

“(1) IN GENERAL.—A State, Tribal government, and unit of local government”;

and

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

“(2) AUTHORITY TO USE FUNDS FOR CERTAIN INFRASTRUCTURE PROJECTS.—

“(A) IN GENERAL.—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, Tribal government, or unit of local government making the payment shall not be required to provide a non-Federal share.

“(B) LIMITATION; APPLICATION OF REQUIREMENTS.—

(1) 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 (iii) through (xvii) of subparagraph (B) that is carried out with funds provided under a payment made under this section, the State, Tribal government, or unit of local government making the payment shall not be required to provide a non-Federal share.

(2) APPLICATION OF REQUIREMENTS TO CBDO 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, the State, Tribal government, or unit of local government making the payment shall not be required to provide a non-Federal share.

(3) AVAILABILITY.—Funds provided under a payment made under this section to a State, Tribal government, or unit of local government shall not be subject to the requirement that there shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no
(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 (xii), (xiii), or (xiv) 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 carried 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 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 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 is carried out with funds provided under a payment made under this section that are used for a project described in clause (xx) of subparagraph (B).

(iii) FUNDING.—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, in the metropolitan city, nonentitlement unit of local government, or county shall not be required to provide a non-Federal share.

(E) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall be available for obligation for a use described in the following:

(i) a project that is a non-Federal share project under section 5306 of title 49, United States Code.

(ii) a project that is a non-Federal share project under section 5307 of title 49, United States Code.

(iii) a project that is a non-Federal share project under section 5339 of title 49, United States Code.

(iv) a project that is a non-Federal share project under section 5337 of title 49, United States Code.

(v) a project that is a non-Federal share project under section 5309 of title 49, United States Code.

(vi) a project that is a non-Federal share project under section 5311 of title 49, United States Code.

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

(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 carried 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 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.

(G) EFFECTIVE DATE.—The amendments made by this section shall take effect as if inserted:

(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).
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. CASIDY, 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 Agriculture to the Spikes in Prices 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 Agreement Act of 1946 (7 U.S.C. 1626).

(b) **PROHIBITION.**—Consistent with the Commodity 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) is affected by a regulation described in subparagraph (A) that—

(i) is issued by a State or 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 distributor, 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 enjoin the affected 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; or, if the court grants the application of the affected 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) **STATEMENT 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 if—

(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;

(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. CASIDY, 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 323 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)—

(ii) 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 “a service and support company,” after “theatre operator,”;

(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 provide the services and activities described in paragraph (1);”;

(II) in clause (v), by inserting “the service and support company, after “theatre operator,”;

(A) in subparagraph (B), by inserting “the service and support company,” after “theatre operator,;”;

(B) in paragraph (2), by adding “for which not less than 70 percent of the earned revenue generated through showings of their productions to potential buyers; and

(C) by adding at the end the following:

(II) SERVICE AND SUPPORT COMPANY.—The term “service and support company”—

(A) means an individual or entity—

(1) that is organized, promoted, produced, managed, or hosted by a United States entity that is majority owned or controlled by a United States person; or

(2) that is described in subparagraph (A) that—

(i) is organized, promoted, produced, managed, or hosted by an individual or entity described in subparagraph (A) that—

(1) is majority owned or controlled by a United States person; or

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

(B) includes 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

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

(III) PRIORITY FOR AWARDS TO SERVICE AND SUPPORT COMPANIES.—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 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 the 14-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 January 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 the Small Business Act (15 U.S.C. 636(a)) for the purpose of providing financial assistance to service and support companies that—

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

(2) for which not less than 70 percent of the earned revenue generated through production of any agricultural products sold or offered for sale in interstate commerce if—

(A) Federal law; and

(B) is affected by a regulation described in subparagraph (A) that—

(i) is issued by 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 enjoin the affected 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; or, if the court grants the application of the affected State or unit of local government proves by clear and convincing evidence that—
section 602(a) only if the unobligated balance of amounts appropriated under such section 602(a)(1) is less than $1,000,000,000,000.

(2) APPROPRIATION.—There is appropriated to the Administrator of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2021, an amount equal to the amount described in subsection (a) of this paragraph (1) remain available until December 31, 2021, under the heading “Small Business Administration—Shuttered Venue Operators”, to make grants and other financial assistance under 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), as added by subsection (a), is eligible for a grant under such section. For purposes of the Small Business Administration shall reconsider and process the application of the service and support company. (c) PROCESSING PREVIOUSLY DENIED APPLICATIONS.—If a service and support company, as defined in paragraph (1) of section 324(a) of the Economic Aid to Hard Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), as added by subsection (a), was denied a grant under such section before the date of enactment of this Act due to lack of eligibility but, as a result of the amendments made by such section, is eligible for a grant under such section 324 of the Small Business Administration shall reconsider and process the application of the service and support company.

(d) LIMITATION.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue regulations to carry out this Act and the amendments made by this Act without regard to the notice requirements under section 553(b) of title 5, United States Code.

(e) SENSE OF CONGRESS.—It is the sense of Congress that the Administrator of the Small Business Administration should—(1) ensure that entities whose principal business is to provide services and support to the live events industry remain eligible for the program established under 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); and (2) distribute funds appropriated for that program not later than 120 days after the date of enactment of this Act.

SA 2413. Mr. DAINES 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. CASEY, 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:

On page 1816, strike lines 1 through 12 and insert the following:

(2) $265,000,000 shall be made available to provide to States and Indian Tribes for implementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 230 of the Agricultural Act of 2014 (16 U.S.C. 2131a) or agreements entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 315a–1) as follows:

(A) $40,000,000 shall be made available to the Secretary of the Interior; and

(B) $225,000,000 shall be made available to the Secretary of Agriculture.

SA 2415. Mr. DAINES 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. CASEY, 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:

On page 1816, strike lines 1 through 12 and insert the following:

(2) $265,000,000 shall be made available to provide to States and Indian Tribes for implementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 230 of the Agricultural Act of 2014 (16 U.S.C. 2131a) or agreements entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 315a–1), of which—

(A) $40,000,000 shall be made available to the Secretary of the Interior; and

(B) $225,000,000 shall be made available to the Secretary of Agriculture.

SEC. 501. EMERGENCY WATER INFRASTRUCTURE IMPROVEMENTS.

(a) ADDITIONAL ENVIRONMENTAL INFRASTRUCTURE AUTHORITY.—Section 219(f)(1)(C) of the Water Resources Development Act of 1977 (Public Law 93–346; 88 Stat. 351) (131 Stat. 1228) is amended by striking “$25,000,000” and inserting “$45,000,000”.

(b) SAFE DRINKING WATER INFRASTRUCTURE—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE STATE.—The term “eligible State” means a State—

(i) for which the President has declared not fewer than 5 major disasters under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(ii) in which public water systems suffered major damage, as determined by the Administrator of the Federal Emergency Management Agency, from damage caused by a major disaster declared by the President under section 402 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5171).

(B) ELIGIBLE SYSTEM.—The term “eligible system” means—

(i) a public water system that has been subject to an emergency administrative order pursuant to section 1412 of the Safe Drinking Water Act (42 U.S.C. 300f) during the calendar year 2020; and

(ii) a public water system that was substantially damaged by a major disaster declared by the President under section 402 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5171) during the calendar year 2020.

(c) ELIGIBLE WATER SYSTEM.—The term “public water system” has the meaning given in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(d) STATE REVOLVING LOAN FUND ASSISTANCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, an eligible system shall—

(i) considered a disadvantaged community for purposes of subsection (d) of section 1432 of the Safe Drinking Water Act (42 U.S.C. 300f); and

(ii) in subparagraph (A) of paragraph (2), to provide the additional subsidization described in paragraph (1) of that subsection, including the forgiveness of principal as described in that paragraph.

(2) AUTHORIZATION.—An eligible State may use funds made available under a capitalization grant provided under paragraph (3) to provide the additional subsidization described in subparagraph (A)(ii) to an eligible system within the eligible State to address contaminants in drinking water, which may include the repair and replacement of water distribution system components.

(3) ELIGIBLE WATER SYSTEMS.—

(A) APPROPRIATION.—There is appropriated to the Administrator, out of any funds of the Treasury not otherwise appropriated, $50,000,000 to provide additional capitalization grants to eligible systems pursuant to section 1432 of the Safe Drinking Water Act (42 U.S.C. 300f) for the purposes described in paragraph (2)(B), to remain available until expended.

(B) INTENDED USE PLANS.—Not later than 30 days after the date on which an eligible system was determined to be eligible under paragraph (2)(A), the Administrator shall—

(i) submit to the Senate Committee on Appropriations and the House Committee on Appropriations a report describing the intended use of eligible systems under paragraph (2)(B).
State submits to the Administrator a revised intended use plan under section 142(b) of the Safe Drinking Water Act (42 U.S.C. 300j-12(b)) that includes information with respect to projects described in paragraph (A), the Administrator shall be funded using amounts made available in a capitalization grant pursuant to subparagraph (A), the Administrator may make a capitalization grant to the eligible State to the extent necessary to fund the projects described in the revised intended use plan.

(2) REQUIREMENT.—Of the funds provided to an eligible State in a capitalization grant made pursuant to subparagraph (A), the eligible State may use not more than 15 percent to make a capitalization grant to an eligible entity for the purposes of purchasing and installing new water meters and modernizing billing systems.

(3) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(b) ECONOMIC ADJUSTMENT assistance Grants for DrinKING WATER INFRAstrucTURE.—Of the amounts made available under the heading “ECONOMIC DEVELOPMENT ADMINISTRATION” under the “ECONOMIC DEVELOPMENT ADMINISTRATION” heading under title II of division B of the CARES Act (Public Law 116–260), and for grants for economic development assistance under the heading “ECONOMIC DEVELOPMENT ADMINISTRATION” under title I of division B of the Consolidated Appropriations Act, 2021 (Public Law 116–93), that are unobligated on the date of enactment of this Act, the Secretary of Commerce shall establish a program to authorize funds for Federal-aid highway projects described in the revised intended use plan.

(c) REQUIREMENT.—Of the funds provided to an eligible State in a capitalization grant made pursuant to subparagraph (A), the eligible State may use not more than 15 percent to make a capitalization grant to the eligible State to the extent necessary to fund the projects described in the revised intended use plan.

(d) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(e) ECONOMIC ADJUSTMENT Assistance Grants for DRinKING WATER INFRAstrucTURE.—Of the amounts made available under the heading “ECONOMIC DEVELOPMENT ADMINISTRATION” under the “ECONOMIC DEVELOPMENT ADMINISTRATION” heading under title II of division B of the CARES Act (Public Law 116–260), and for grants for economic development assistance under the heading “ECONOMIC DEVELOPMENT ADMINISTRATION” under title I of division B of the Consolidated Appropriations Act, 2021 (Public Law 116–93), that are unobligated on the date of enactment of this Act, the Secretary of Commerce shall establish a program to authorize funds for Federal-aid highway projects described in the revised intended use plan.

(f) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(g) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(h) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(i) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(j) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(k) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

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(s) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

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(aa) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

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(pp) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

(qq) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

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(uu) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.

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(zz) NONDUPlication OF WORK.—An activity carried out by using funds made available under this subsection shall not duplicate or impede the work of any other Federal or State department or agency.
memorandum of understanding is complete; and
(7) not be granted to an Indian Tribe on State lands without the consent of the relevant State.

(1) LIMITATION.—Nothing in this section permits a State or Indian Tribe to assume—

(1) any responsibilities or authority of the Secretary concerned under any Federal law; and

(2) Federal Government responsibilities for government-to-government consultation with Indian Tribes.

(2) Termi—

(a) IN GENERAL.—Not later than 30 days after the date of entrance into the memorandum of understanding under paragraph (1), the head of each Federal agency that is a party to the memorandum of understanding (other than the Secretary concerned) may, if the head of the Federal agency determines it to be appropriate, designate one or more employees, as determined by the head, of that Federal agency with expertise in regulatory issues relating to that Federal agency, including, as applicable, particular expertise in—

(i) planning under the Forest and Range

land Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) and planning

under the Federal Land Management

Act of 1976 (43 U.S.C. 1701 et seq.); and

(ii) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or


(b) Duties.—Each employee designated under subparagraph (A) shall—

(1) be responsible for any issue relating to any broadband project within the jurisdiction of the Federal agency from which the employee is assigned;

(2) participate as part of the team of personnel working on other proposed broadband projects, including planning and environmental analyses; and

(3) serve as the designated point of contact with any applicable State or Indian Tribe that assumes any responsibility under section 41303(b) relating to any issue described in clause (1).

SEC. 41304. FEDERAL BROADBAND PERMIT CO-

ORDINATION.—

(a) ESTABLISHMENT.—The Secretary concerned shall establish a joint memorandum of understanding among all States and Indian Tribes in the program established under this section at any time by providing to the Secretary concerned a notice of intent to terminate by no later than the date that is 90 days before the date of termination.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Nothing in this title or a memorandum of understanding entered into under section 41303 terminates, waives, modifies, or otherwise reduces the responsibility of the United States to Indian Tribes or individual Indians.

(b) REQUIREMENT.—In carrying out this title, the Secretary concerned shall act in good faith in upholding the trust responsibility of the United States to Indian Tribes or individual Indians.

SA 2418. Mr. TUBERVILLE 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. MUR-

KOWSKI, 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 or-

dered to lie on the table; as follows:

On page 2637, line 15, strike $4,926,000,000 and insert $4,926,000,000.

On page 2637, line 25, strike $1,500,000,000 and insert $1,500,000,000.

On page 2637, line 35, strike $9,754,400,000 and insert $9,754,400,000.

On page 2638, line 4, strike $5,454,400,000 and insert $5,454,400,000.

On page 2638, line 13, strike $9,754,400,000 and insert $9,754,400,000.

On page 2638, line 24, strike $47,272,000,000 and insert $48,772,000,000.

On page 2639, line 18, strike $9,454,400,000 and insert $9,754,400,000.

On page 2639, line 20, strike $9,454,400,000 and insert $9,754,400,000.

On page 2639, line 22, strike $9,454,400,000 and insert $9,754,400,000.

On page 2640, line 3, strike $9,754,400,000 and insert $10,735,000,000.

On page 2640, line 5 and all that follows through page 2675, line 21.

SA 2419. Mr. TUBERVILLE 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. MUR-

KOWSKI, 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 or-

dered to lie on the table; as follows:

On page 2645, line 7, strike $2,000,000,000 and insert "$3,000,000,000".

On page 2645, line 13, strike $1,926,000,000 and insert "$4,926,000,000".

On page 2639, line 25, strike "$12,500,000,000" and insert "$14,000,000,000".

On page 2620, line 4, strike "$7,500,000,000" and insert "$9,000,000,000".

On page 2620, line 7, strike "$1,000,000,000" and insert "$1,000,000,000".

On page 2620, line 9, strike "$1,000,000,000" and insert "$1,100,000,000".

On page 2620, line 15, strike "$1,000,000,000" and insert "$1,100,000,000".

On page 2620, line 19, strike "$1,500,000,000" and insert "$1,700,000,000".

On page 2620, line 21, strike "$1,500,000,000" and insert "$1,700,000,000".

On page 2620, line 25, strike "$1,500,000,000" and insert "$1,700,000,000".

On page 2620, line 29, strike "$1,500,000,000" and insert "$1,700,000,000".

On page 2637, line 15, strike "$47,272,000,000" and insert "$48,772,000,000".

On page 2637, line 18, strike "$9,454,400,000" and insert "$9,754,400,000".

On page 2637, line 20, strike "$9,454,400,000" and insert "$9,754,400,000".

On page 2637, line 22, strike "$9,454,400,000" and insert "$9,754,400,000".

On page 2637, line 24, strike "$9,454,400,000" and insert "$9,754,400,000".

On page 2637, line 3, strike "$9,235,000,000" and insert "$10,735,000,000".
On page 2620, line 21, strike "$1,500,000,000,000" and insert "$2,600,000,000,000".

On page 2620, line 23, strike "$1,500,000,000,000" and insert "$2,600,000,000,000".

On page 2621, line 2, strike "$1,500,000,000,000" and insert "$2,600,000,000,000".

On page 2621, line 6, strike "$16,000,000,000,000" and insert "$31,000,000,000,000".

On page 2676, line 9, strike "$3,200,000,000,000" and insert "$1,600,000,000,000".

On page 2676, line 11, strike "$3,200,000,000,000" and insert "$1,600,000,000,000".

On page 2676, line 12, strike "$3,200,000,000,000" and insert "$1,600,000,000,000".

On page 2676, line 14, strike "$3,200,000,000,000" and insert "$1,600,000,000,000".

On page 2676, line 15, strike "$3,200,000,000,000" and insert "$1,600,000,000,000".

SA 2421. Mr. TUBERVILLE 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:

On page 2022, line 15, strike "$42,450,000,000" and insert "$47,450,000,000".

On page 2023, strike lines 1 through 8 and insert the following:

(A) except as provided in subparagraphs (B) and (C) of this paragraph, $200,000,000 shall be allocated to each State;

(B) $100,000,000 shall be allocated to each of the District of Columbia and the Commonwealth of Puerto Rico; and

(C) $100,000,000 shall be allocated to, and divided equally among, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

On page 2470, line 10, strike "$42,450,000,000" and insert "$47,450,000,000".

On page 2481, line 5, strike "$36,000,000,000,000" and insert "$31,000,000,000,000".

On page 2621, line 7, strike "$2,000,000,000,000" and insert "$30,150,000,000,000".

On page 2621, line 9, strike "$2,000,000,000,000" and insert "$5,200,000,000,000".

On page 2621, line 11, strike "$2,000,000,000,000" and insert "$5,200,000,000,000".

On page 2621, line 12, strike "$2,000,000,000,000" and insert "$5,200,000,000,000".

On page 2681, line 14, strike "$2,000,000,000,000" and insert "$4,000,000,000,000".

On page 2681, line 13, strike "$1,926,000,000,000" and insert "$3,926,000,000,000".

On page 2682, line 20, strike "$10,250,000,000,000" and insert "$8,250,000,000,000".

On page 2683, line 21, strike "$2,050,000,000,000" and insert "$1,650,000,000,000".

On page 2683, line 23, strike "$2,050,000,000,000" and insert "$1,650,000,000,000".

On page 2683, line 25, strike "$2,050,000,000,000" and insert "$1,650,000,000,000".

On page 2684, line 1, strike "$2,050,000,000,000" and insert "$1,650,000,000,000".

On page 2684, line 3, strike "$2,050,000,000,000" and insert "$1,650,000,000,000".

SA 2423. Mr. RISCH (for himself, Mrs. FEINSTEIN, and Mr. KELLY) 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:

On page 1848, line 7, strike "2,000" and insert "5,000".

SA 2424. Mr. SCOTT of Florida 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:

On page 2010, line 6, insert "pursuant to section 516(b)(1)" after "assessment".

On page 2009, line 11, insert "pursuant to section 516(b)(1)" after "assessment".

On page 2010, line 14, insert "to the Administrator after "appropriated".

On page 2010, strike line 16 and insert the following: available until expended.

"(c) FUNDING. Each fiscal year, a State may reserve up to 0.5 percent of the sums allotted to the State under this title for the fiscal year to carry out activities under section 516(b)(1)(B)."

On page 2014, between lines 10 and 11, insert the following:

SEC. 2. FUNDING ALLOCATIONS.

Notwithstanding any other provision of law—

(1) in the case of any amounts made available under any division of this Act, including amendments made by any division of this Act, that are apportioned to States by formula, the amounts shall be apportioned to States on a per capita basis using the most up to date estimates from the Bureau of the Census; and

(2) in the case of any amounts made available under any division of this Act, including amendments made by any division of this Act, that are made available to States and other entities through discretionary grants and other financial assistance, in providing those amounts, the applicable head of the Federal agency shall apportion those amounts on the State per capita basis referred to in paragraph (1).

SA 2425. Mr. SCOTT of Florida 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. 5. REPORTS TO CONGRESS.

Section 516(b)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1375(b)(1)) is amended by striking "(B) a detailed estimate, biennially revised, of the cost of construction of all needed publicly owned treatment works in all of the States and of the cost of construction of all needed publicly owned treatment works in each of the States;" and inserting "(B) a detailed estimate, biennially revised, of the cost of construction of all planned publicly owned treatment works in all of the States and all needed publicly owned treatment works in each of the States, which shall include (i) the cost of construction to rehabilitate or upgrade all existing publicly owned treatment works (excluding any pipe or other device or system for the conveyance of wastewater), every 20 years, including the costs to measure and report necessary to address the reliability and sustainability of publicly owned treatment works to maintain or natural disasters and (ii) the cost of construction to replace 10 percent of existing publicly owned pipes and other devices and systems for the conveyance of wastewater treatment works over the 20-year period following the date of the estimate,".
SA 2427. Mr. RUBIO 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. CASIDY, 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:

SEC. 3. MAKING DAYLIGHT SAVING TIME PERMANENT.

(a) REPEAL OF TEMPORARY PERIOD FOR DAYLIGHT SAVING TIME.—Section 3 of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)) is hereby repealed.

(b) ADVANCEMENT OF STANDARD TIME.—

(1) IN GENERAL.—The second sentence of subsection (a) of the first section of the Act of March 19, 1918 (commonly known as the "Calder Act") (15 U.S.C. 261), is amended—

(A) by striking "4 hours" and inserting "3 hours";

(B) by striking "5 hours" and inserting "4 hours";

(C) by striking "6 hours" and inserting "5 hours";

(D) by striking "7 hours" and inserting "6 hours";

(E) by striking "8 hours" and inserting "7 hours";

(F) by striking "9 hours" and inserting "8 hours";

(G) by striking "10 hours"; and inserting "9 hours";

(H) by striking "11 hours"; and inserting "10 hours";

(I) by striking "10 hours"; and inserting "11 hours".

(2) STATE EXEMPTION.—The first section of the Act of March 19, 1918 (commonly known as the "Calder Act") (15 U.S.C. 261) is further amended by—

(A) redesignating subsection (b) as subsection (c); and

(B) inserting after subsection (a) the following:

"(b) STANDARD TIME FOR CERTAIN STATES AND A STATE THAT HAS EXEMPTED ITSELF FROM THE PROVISIONS OF SUBSECTION (A) OF THE UNIFORM TIME ACT OF 1966 (15 U.S.C. 260a(a)), IN EFFECT ON THE DAY BEFORE THE DATE OF THE ENACTMENT OF THE INFRASTRUCTURE INVESTMENT AND JOBS ACT, PURSUANT TO SUCH SECTION OR AN AREA OF A STATE THAT HAS EXEMPTED SUCH AREA FROM SUCH PROVISIONS PRIOR TO SUCH SECTION SHALL BE, AS SUCH STATE CONSIDERS APPROPRIATE—"

"(1) the standard time for such State or area, as the case may be, pursuant to subsection (c) of this section; or

"(2) the standard time for such State or area, as the case may be, pursuant to subsection (a) of this section as it was in effect on the day before the date of the enactment of the Infrastructure Investment and Jobs Act,".

(3) CONFORMING AMENDMENT.—The first section of the Act of March 19, 1918 (commonly known as the "Calder Act") (15 U.S.C. 261) is further amended, in the second sentence, by striking "Except as provided in subsection (a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a))", the "'" and inserting "Except as provided in subsection (b)."

SA 2428. Mr. COTTON 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. CASIDY, 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 G, insert the following:

DIVISION G. REGULATIONS RELATING TO THE TAKING OF DOUBLE-CRESTED CORMORANTS.

SEC. 4. REGULATIONS RELATING TO THE TAKING OF DOUBLE-CRESTED CORMORANTS.

(a) FORCER AND EFFECT.—

(1) IN GENERAL.—Subject to subsection (b), sections 21.47 and 21.48 of title 50, Code of Federal Regulations (as in effect on January 1, 2017, shall have the force and effect of law.

(2) PUBLIC NOTICE.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (referred to in this section as the 'Secretary'), shall notify the public of the authority provided by paragraph (1) in a manner determined to be appropriate by the Secretary.

(b) SUNDIAL AMENDMENTS.—Except as provided in section 3(a) of the Act of March 19, 1918 (commonly known as the "Calder Act") (15 U.S.C. 260a(a)), as in effect on the day before the date of the enactment of this Act to control depredation of double-crested cormorant populations.

(c) RULE OF CONSTRUCTION.—Nothing in this section limits the authority of the Secretary to promulgate regulations relating to the taking of double-crested cormorants under any other law.

SA 2429. Mr. SCOTT of Florida 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. CASIDY, 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:

In division I, strike sections 90001, 90004, and 90006.

SA 2430. Mr. BOOKER 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. CASIDY, 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:

On page 1873, between lines 19 and 20, insert the following:

SEC. 410. MILESTONE-BASED FUSION DEVELOPMENT PROGRAM.

There are authorized to be appropriated to the Secretary to carry out activities under section 307(i) of the Department of Energy Research and Innovation Act (42 U.S.C. 18645(i))—

(1) $110,000,000 for fiscal year 2022;

(2) $200,000,000 for fiscal year 2023;

(3) $255,000,000 for fiscal year 2024;

(4) $200,000,000 for fiscal year 2025; and

(5) $135,000,000 for fiscal year 2026.

On page 2528, line 14, strike "$425,456,000" and insert "$354,456,000".

On page 2534, line 17, insert "Provided further, That of the amount provided under this heading in this Act and in addition to any otherwise made available for this purpose, $1,000,000,000 shall be to carry out the Milestone-Based Fusion Development Program under section 307(i) of the Department of Energy Research and Innovation Act (42 U.S.C. 18645(i))"; after "2026":

SA 2431. Mrs. FEINSTEIN (for herself, Mr. BURR, and Mr. PADILLA) 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. CASIDY, 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:

On page 2427, between lines 10 and 11, insert the following:

SEC. 80055. EXCLUSION OF AMOUNTS RECEIVED FROM STATE-BASED CATASTROPHE LOSS MITIGATION PROGRAMS.

(a) IN GENERAL.—Section 139 of the Internal Revenue Code of 1986 is amended by redesignating subsection (b) as subsection (i) and by inserting after subsection (g) the following new subsection:

"(b) STATE-BASED CATASTROPHE LOSS MITIGATION PROGRAMS.—

"(1) IN GENERAL.—Gross income shall not include any amount received by an individual as a qualified catastrophe mitigation payment under a program established by—

"(A) A State;

"(B) A political subdivision or instrumentality thereof;

"(C) A joint powers authority, or

"(D) An entity created by State law to ensure the availability of an adequate market of last resort for essential property insurance, over which a State or the State department of insurance has regulatory oversight, for the purpose of making such payments.

"(2) QUALIFIED CATASTROPHE MITIGATION PAYMENT.—For purposes of this section, the term "qualified catastrophe mitigation payment" means any amount received by the owner of any property to make improvements to such property for the sole purpose of reducing the damage that would be done to such property by a windstorm, earthquake, or wildfire.

"(3) NO INCREASE IN BASIS.—Rules similar to the rules of subsection (g)(3) shall apply in the case of this subsection.

(b) CONFORMING AMENDMENTS.—

(1) Section 139(d) is amended by striking "and qualified" and inserting ", qualified catastrophe mitigation payments, and qualified".

(2) Section 139(i) (as redesignated by subsection (a)) is amended by striking "or qualified catastrophe mitigation payment, or qualified".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SA 2432. Mrs. GILLIBRAND (for herself, Mr. MARKY, Ms. McCURDY, Mr. BLUMENTHAL, Mr. DURBIN, Mr. MERKLEY, Mr. PADILLA, Mr. CASEY, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to
amendment SA 2317 proposed by Mr. SCHUMER (for Mrs. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize 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 title II of division E, delete section 304(e)(11) of the Federal Water Pollution Control Act (33 U.S.C. 1344(e)(11)).

SEC. 502. CLEAN WATER ACT EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR PRIORITY INDUSTRY CATEGORIES FOR PFAS.

(a) DEFINITIONS.—In this section:

(1) EFFLUENT LIMITATION.—The term ‘effluent limitation’ means the meaning given that term in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1352).

(2) MEASURABLE.—The term ‘measurable’ means, with respect to a chemical substance or class of chemical substances, capable of being measured using test procedures established in part 463 of the Federal Water Pollution Control Act (33 U.S.C. 1341(b)).

(3) PERFLUOROALKYL SUBSTANCE.—The term ‘perfluoroalkyl substance’ means a chemical containing at least one perfluorinated carbon atom.

(4) POLYFLUOROALKYL SUBSTANCE.—The term ‘polyfluoroalkyl substance’ means a chemical containing at least one fully fluorinated carbon atom and at least one fluorinated carbon atom that is not a fully fluorinated carbon atom.

(5) PRIORITY INDUSTRY CATEGORY.—The term ‘priority industry category’ means the following priority categories:

(A) Organic chemicals, plastics, and synthetic fibers, as identified in part 414 of title 40, Code of Federal Regulations (or successor regulations).

(B) Pulp, paper, and paperboard, as identified in part 430 of title 40, Code of Federal Regulations (or successor regulations).

(C) Textile mills, as identified in part 410 of title 40, Code of Federal Regulations (or successor regulations).

(D) Electroplating, as identified in part 413 of title 40, Code of Federal Regulations (or successor regulations).

(E) Metal finishing, as identified in part 433 of title 40, Code of Federal Regulations (or successor regulations).

(F) Paint formulating, as identified in part 446 of title 40, Code of Federal Regulations (or successor regulations).

(G) Paint formulating, as identified in part 463 of title 40, Code of Federal Regulations (or successor regulations).

(H) Electrical and electronic components, as identified in part 469 of title 40, Code of Federal Regulations (or successor regulations).

(I) Plastics molding and forming, as identified in part 463 of title 40, Code of Federal Regulations (or successor regulations).

(J) TREATMENT WORKS.—The term ‘treatment works’ has the meaning given that term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

(b) DEADLINES.—

(1) WATER QUALITY CRITERIA.—Not later than 3 years after the date of enactment of this section, the Administrator shall publish in the Federal Register human health water quality criteria for section 308(a)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1313(a)(1)) for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of such substances.

(2) EFFICIENT LIMITATIONS GUIDELINES AND STANDARDS FOR PRIORITY INDUSTRY CATEGORIES FOR PFAS.—As soon as practicable, but not later than 4 years after the date of enactment of this section, the Administrator shall establish an efficiency program for each class of fully fluorinated carbon atom.

SEC. 503. IMPLEMENTATION ASSISTANCE FOR PUBLICLY OWNED TREATMENT WORKS.

(c) NOTIFICATION.—The Administrator shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of each publication made under this section.

(d) IMPLEMENTATION ASSISTANCE FOR PUBLICLY OWNED TREATMENT WORKS.—

(1) IN GENERAL.—The Administrator shall award grants to owners and operators of publicly owned treatment works to be used to implement effluent limitations guidelines and standards developed by the Administrator for a perfluoroalkyl substance, polyfluoroalkyl substance, or class of such substances.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator for implementation assistance for publically owned treatment works $200,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

(e) NO INCREASED BONDING AUTHORITY.—Amounts awarded to an owner or operator of a publicly owned treatment works under this section may not be used as a source of payment, reimbursement, or payment in lieu, in whole or in part, any obligation the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986.

SA 2433. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2317 proposed by Mr. SCHUMER (for Mrs. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, 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. 2. TRANSFER AND REDEMPTION OF ABANDONED SAVINGS BONDS.

Section 3105 of title 31, United States Code, is amended by adding at the end the following:

‘‘(1) Notwithstanding any other Federal law, the ownership of an applicable savings bond surrendered pursuant to a valid judgment of escheatment vesting a State with title to the bond. Nothing in this section, or in any regulation promulgated by the Secretary under this section, may be construed to preempt State law providing for, or governing the escheatment of, applicable savings bonds.

‘‘(2) Subject to subparagraph (A) of paragraph (1), the Secretary shall recognize an order of a court of competent jurisdiction that vests title to an applicable savings bond with a State, regardless of whether the State has possession of the bond, as providing to the Secretary with a certified copy of such order.

‘‘(3)(A) If a State has title or is seeking to obtain title to an applicable savings bond, the Secretary shall provide to the State, upon request, the serial number of such bond, and any reasonably available records or information—

‘‘(i) relating to the purchase or ownership of such bond, including any transactions involving such bond; or

‘‘(ii) which may provide other identifying information relating to such bond.

‘‘(B) Any records or information provided to a State pursuant to subparagraph (A) shall be considered sufficient to enable the Secretary to redeem the applicable savings bond for full value, regardless whether the bond is lost, stolen, defaced, destroyed, or otherwise not in the State’s possession.

‘‘(4)(A) Subject to subparagraph (C), a State shall redeem and receive payment for an applicable savings bond for which the State has title pursuant to the same procedures established pursuant to regulations which are available for payment or redemption of a savings bond by any owner of such bond.

(B) The Secretary may not prescribe any regulation which prevents or prohibits a State from obtaining title to an applicable savings bond or redeeming such bond pursuant to the procedures described in subparagraph (A).

(C) (1) In the case of an applicable savings bond which is lost, stolen, destroyed, mutilated, defaced, or otherwise not in the possession of the State, if the State has requested records and information under paragraph (3)(A), any applicable period of limitation for payment or redemption of such bond shall not begin to run against the State until the date on which the Secretary has provided the State with the records and information described in such paragraph.

‘‘(2) If the United States Government makes payment to a State for an applicable savings bond pursuant to paragraph (1),—

‘‘(A) that State shall attempt to locate the original owner of each such bond registered with an address in that State pursuant to the same standards and requirements as exist under that State’s abandoned property rules and regulations;

‘‘(B) except as provided in subparagraph (C), the United States Government shall not retain any further obligation or liability relating to such bond, including any obligation or liability with respect to the registered owner of such bond (as described in paragraph (6));

‘‘(C) should a State that receives payment for an applicable savings bond pursuant to paragraph (1) fail to certifiably identify an owner of such bond as described in paragraph (6)(B)) after presentment of a valid claim of ownership pursuant to that State’s abandoned property rules and regulations, such owner may then seek redemption of their bond through the Secretary or any paying agent authorized by the United States Government to make payments to redeem such bonds, and it shall be paid; and

‘‘(D) where the United States Government has made payment of an applicable savings bond under paragraph (1), the respective State shall indemnify the United States for any loss or damage, under that State’s abandoned property rules and regulations, such owner may then seek redemption of their bond through the Secretary or any paying agent authorized by the United States Government to make payments to redeem such bonds, and it shall be paid; and

‘‘(E) for purposes of this subsection, the term ‘applicable savings bond’ means any United States savings bond that—

‘‘(A) matured on or before December 31, 2005; or

‘‘(B) is registered to an owner with a last known address within a State claiming title under a valid escheatment order entered after December 31, 2012, and before January 1, 2017, and—

‘‘(C) has not been redeemed by such owner.’’.
SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3884, 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:

On page 507, lines 4 and 5, strike “and the Federal System Funding Alternative Advisory Board established under section 13002”.

On page 507, lines 11 and 12, strike “and the national pilot program under section 13002”.

On page 508, lines 1 and 2, strike “to the national pilot program under section 13002 or”.

Strike section 13002.

SA 2435. Mr. GRASSLEY (for himself and Mr. LEAHY) submitted an amendment to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY) to the bill H.R. 3884, 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:

TITILE XII—ANTI-FRAUD AMENDMENTS

SEC. 72101. SHORT TITLE.

This title may be cited as the “Anti-Fraud Amendments”.

Subtitle A—False Claims Procedures

SEC. 72101. FALSE CLAIMS PROCEDURE.

(a) PROVING MATERIALITY.—Section 3729 of title 31, United States Code, is amended by adding at the end the following:

(b) Costs.—Section 3731 of title 31, United States Code, is amended by adding at the end the following:

(c) INCREASING DOLLAR AMOUNT OF CLAIMS.—Section 3803(c) of title 31, United States Code, is amended—

(d) RECOVERY OF COSTS.—Section 3806(c)(1) of title 31, United States Code, is amended to read as follows:

SEC. 72102. POST-EMPLOYMENT WHISTLEBLOWER RETALIATION.

Section 5730(h)(1) of title 31, United States Code, is amended by inserting “current or former” after “Any”.

SEC. 72104. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the effectiveness of the False Claims Act (31 U.S.C. 3729 et seq.) during the time period beginning on the date of enactment of the False Claims Amendments Act of 1986 (Public Law 99–562; 100 Stat. 3153) and ending on the date of enactment of this Act, which shall include—

SEC. 72105. APPLICABILITY.

The amendments made by sections 72101, 72102, and 72103 of this Act shall apply to any case under the False Claims Act (31 U.S.C. 3729 et seq.) that is—

SEC. 72111. ADMINISTRATIVE FALSE CLAIMS.

(a) CHANGE IN SHORT TITLE.—

(b) REVERSE FALSE CLAIMS.—Chapter 38 of title 31, United States Code, is amended—

(c) I NCREASED PENALTY AMOUNTS.—Section 3730(h)(1) of title 31, United States Code, is amended—

SEC. 72109. DELEGATION AUTHORITY.

Delegation authority under section 3803(a)(1) of title 31, United States Code, is amended to read as follows:

SEC. 72110. RIGHTS OF THE PARTIES TO QUI TAM ACTIONS.

Section 3730(h)(1) of title 31, United States Code, is amended by inserting after the period at the end the following: “, at which the Government shall have the burden of demonstrating reasons for dismissal, and the qui tam plaintiff shall have the opportunity to show that the reasons are fraudulent, arbitrary and capricious, or contrary to law”. 
SA 2436. Ms. ERNST 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. CAS- SIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. CARTER, 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 title VII of division B, add the following:

SEC. 27005. REPORT ON CERTAIN USES OF FEDERAL FUNDS.

(a) Definitions.—In this section:

(1) Department provided funds.—The term "Department provided funds" means:

(A) amounts provided by the Department as financial assistance or pursuant to a financial assistance agreement; and

(B) amounts provided by the Department to any employee of the Department, including wages, benefits, and any other compensation.

(ii) Financial assistance.—The term "financial assistance" includes grants, subgrants, contracts, cooperative agreements, and any other form of financial assistance.

(iii) Reportable nonworking time.—The term "reportable nonworking time" means any time—

(A) during which an employee is not working; and

(B) for which the employee receives from the Department or an individual or entity employing the employee standby pay or any other form of payment or compensation from Department provided funds.

(b) Reports.—

(i) Annual report to the secretariat.—Not later than 60 days after the last day of each fiscal year, each individual or entity that receives Department provided funds under this Act or any other law during that fiscal year shall submit to the Secretary a report describing all reportable nonworking time of the employees of the individual or entity during that fiscal year, including, with respect to each project associated with that reportable nonworking time—

(A) the name and location of the project;

(B) the number of employees compensated for reportable nonworking time;

(C) the reason why each such employee was not working;

(D) the quantity of reportable nonworking time for which each such employee was compensated; and

(E) the amount of Department provided funds expended to compensate each such employee for reportable nonworking time.

(ii) Annual report to Congress.—Not later than 90 days after the last day of each fiscal year, the Secretary shall submit to Congress a report describing—

(A) the information submitted to the Secretary under paragraph (1); and

(B) all reportable nonworking time of the employees of the Department during that fiscal year, including information pertaining to—

(i) each of the matters described in subparagraphs (B) through (E) of paragraph (1); and

(ii) if the reportable nonworking time is associated with a project, the name and location of the project.

(c) Guidance.—Not later than 120 days after the date of enactment of this Act, the Secretary, in consultation with the Director of the Office of Management and Budget, shall issue guidance to assist individuals and entities in determining whether an employee—

(i) is not working for purposes of subsection (a)(3)(A); and

(ii) has received payment or compensation from Department provided funds for purposes of subsection (a)(3)(B).

SA 2437. Mr. COTTON 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. CAS- SIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. CARTER, 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:

Beginning on page 2092, strike line 18 and all that follows through page 2093, line 10, and insert the following:

SEC. 27005. REPORT ON CERTAIN USES OF FEDERAL FUNDS.

(a) Definitions.—In this section:

(1) Department provided funds.—The term "Department provided funds" means:

(A) amounts provided by the Department as financial assistance or pursuant to a financial assistance agreement; and

(B) amounts provided by the Department to any employee of the Department, including wages, benefits, and any other compensation.

(ii) Financial assistance.—The term "financial assistance" includes grants, subgrants, contracts, cooperative agreements, and any other form of financial assistance.

(iii) Reportable nonworking time.—The term "reportable nonworking time" means any time—

(A) during which an employee is not working; and

(B) for which the employee receives from the Department or an individual or entity employing the employee standby pay or any other form of payment or compensation from Department provided funds.

(b) Reports.—

(i) Annual report to the secretariat.—Not later than 60 days after the last day of each fiscal year, each individual or entity that receives Department provided funds under this Act or any other law during that fiscal year shall submit to the Secretary a report describing all reportable nonworking time of the employees of the individual or entity during that fiscal year, including, with respect to each project associated with that reportable nonworking time—

(A) the name and location of the project;

(B) the number of employees compensated for reportable nonworking time;

(C) the reason why each such employee was not working;

(D) the quantity of reportable nonworking time for which each such employee was compensated; and

(E) the amount of Department provided funds expended to compensate each such employee for reportable nonworking time.

(ii) Annual report to Congress.—Not later than 90 days after the last day of each fiscal year, the Secretary shall submit to Congress a report describing—

(A) the information submitted to the Secretary under paragraph (1); and

(B) all reportable nonworking time of the employees of the Department during that fiscal year, including information pertaining to—

(i) each of the matters described in subparagraphs (B) through (E) of paragraph (1); and

(ii) if the reportable nonworking time is associated with a project, the name and location of the project.

(c) Guidance.—Not later than 120 days after the date of enactment of this Act, the Secretary, in consultation with the Director of the Office of Management and Budget, shall issue guidance to assist individuals and entities in determining whether an employee—

(i) is not working for purposes of subsection (a)(3)(A); and

(ii) has received payment or compensation from Department provided funds for purposes of subsection (a)(3)(B).

...
(vii) individuals who are members of a racial or ethnic minority group; and
(viii) individuals who primarily reside in a rural area; and
(B) does not include aliens who are not lawfully present in the United States.

SA 2438. Mrs. BLACKBURN 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:

On page 1475, between lines 22 and 23, insert the following:

(D) conducting activities to demonstrate and scale up existing technologies and methods for recycling critical minerals at commercial scale, including materials used in computer hard drives;

On page 1475, line 23, strike ("D") and insert ("E").

On page 1476, line 3, strike ("E") and insert ("F").

On page 1476, line 7, strike ("F") and insert ("G").

On page 1476, line 11, strike ("G") and insert ("H").

On page 1476, line 14, strike ("H") and insert ("I").

SA 2439. Mr. LEE 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:

In section 40211(a) of division D, strike paragraphs (3) through (6) and insert the following:

(3) identifies areas in which the Department can effectively utilize the technical expertise of the Department to support the workforce activities of other Federal agencies; and
(4) develops plans to support and retrain displaced and unemployed energy sector workers;

In section 40211(b) of division D, strike paragraph (2) and insert the following:

(2) REQUIREMENT.—The Board shall include not more than 2 representatives of a labor organization with significant energy experience, each of whom shall be nominated by a national labor federation.

In section 40211(c)(1), strike subparagraph (C) and insert the following:

(C) Identify ways in which the Department and National Laboratories can—
(i) increase outreach to institutions of higher education;
(ii) increase outreach to displaced and unemployed energy sector workers; and
(iii) make resources available to provide training to displaced and unemployed energy sector workers to reenter the energy workforce;

In section 40211, strike subsection (e) and insert the following:

(e) OUTREACH TO VETERANS AND DISPLACED AND UNEMPLOYED ENERGY WORKERS.—In developing the strategy under subsection (a), the Board shall—
(1) give special consideration to increasing outreach to institutions of higher education, veterans, and displaced and unemployed energy workers;
(2) make resources available to—
(A) institutions that serve veterans, with the objective of increasing the number of veterans in the energy industry by ensuring that veterans have the credentials and training necessary to secure careers in the energy industry; and
(B) institutions that serve displaced and unemployed energy workers to increase the number of individuals trained for jobs in the energy industry;
(3) encourage the energy industry to improve the opportunities for students of high education institutions, veterans, and displaced and unemployed energy workers to participate in internships, preapprenticeships, apprenticeships, and cooperative work-study programs in the energy industry; and
(4) work with the National Laboratories to increase the participation of students, veterans, and displaced and unemployed energy workers in internships, fellowships, training programs, and employment at the National Laboratories.

SA 2440. Mr. LEE 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:

Strike title II of division H.

SA 2441. Mr. LEE 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:

Strike title II of division H.

SA 2442. 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 in title III of division B, insert the following:

SEC. 23. EXEMPTIONS FOR COVERED FARM VEHICLES.

Section 23294 of MAP–2 (49 U.S.C. 31336 note; Public Law 112–141) is amended—
(1) in subsection (a), by adding at the end the following:
(2) in subsection (b)—
(A) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (1) and (ii), respectively, and inserting—
(B) by striking ("Para-

SA 2443. Mr. CARDIN (for himself, Ms. MURkowski, Mr. SULLIVAN, and Ms. HIRONO) 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. SMALL BUSINESS CONTRACTING.

(a) DEFINITIONS.—In this section—
(1) the terms ‘‘Administration’’ and ‘‘Administrator’’ mean the Small Business Administra-

SA 2440. Mr. LEE 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:

In section 90005.

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

SEC. 90. SMALL BUSINESS CONTRACTING.

(a) DEFINITIONS.—In this section—
(1) the terms ‘‘Administration’’ and ‘‘Administrator’’ mean the Small Business Administra-

SA 2442. 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:

In section 90005.
those terms in section 3 of the Small Business Act (15 U.S.C. 632); and

(4) the term ‘procurement center representative’ means—

(A) in subparagraph (A) will submit center representative as described in section 15(i)(1) of the Small Business Act (15 U.S.C. 644(h)); or

(B) if a procurement center representative described in subparagraph (A) is not assigned to the procuring activity, the Office of Government Contracting of the Administration serving the Office of Government Contracting—

(B) EXPANDING SURFET BOND PROGRAM.—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694(a)(1)) is amended—

(i) in subparagraph (A), by striking "$6,500,000" and inserting "$10,000,000"; and

(ii) by amending subparagraph (B) to read as follows:

"(B) The Administrator may acquire a surety under subparagraph (A) for a total work order or contract entered into by a Federal agency in an amount that does not exceed $20,000,000.".

(c) LARGE AND SMALL PRIME CONTRACT OPPORTUNITIES.—

(1) NOTICE TO PROCUREMENT CENTER REPRESENTATIVES.—Not later than 30 days before issuing a solicitation for a proposed covered procurement, the Federal agency shall provide the Federal agency determined to be a responsible contractor with respect to performance of the contract opportunity.

(ii) the contracting officer receives a statement described in paragraph (3) if—

(1) the concern is determined to be a responsible contractor with respect to performance of the contract opportunity.

(2) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36(c) of the Small Business Act (15 U.S.C. 637(m)) is amended—

(i) In the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

(6) AUTHORITY FOR SOLE SOURCE CONTRACTS FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN IN SUBSTANTIALLY UNREPRESENTED INDUSTRIES.—A contracting officer may award a sole source contract under this subsection to any small business concern owned and controlled by women that is in an industry in which small business concerns owned and controlled by women are substantially underrepresented (as determined by the Administrator under paragraph (3)) if—

(1) the proposed covered procurement exceeds the harm to small business concerns; and

(2) the proposed covered procurement cannot be offered as a realistic basis that will encourage the participation of small business concerns in a manner consistent with the actual requirements of the Federal agency.

(3) Why the proposed procurement cannot be offered as separate, discrete projects.

(4) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.

(2) ALTERNATIVES TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not less than 15 days before the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.

(2) ALTERNATIVES TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not less than 15 days after the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.

(3) REQUIREMENTS TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not less than 15 days after the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.

(2) ALTERNATIVES TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not less than 15 days after the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.

(3) REQUIREMENTS TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not less than 15 days after the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.

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(3) REQUIREMENTS TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not less than 15 days after the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.

(2) ALTERNATIVES TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not less than 15 days after the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.

(3) REQUIREMENTS TO INCREASE PRIME CONTRACTING OPPORTUNITIES FOR SMALL BUSINESS CONCERNS.—Not less than 15 days after the date on which a procurement center representative receives a statement described in paragraph (1)(B) with respect to a proposed covered procurement, and if the procurement center representative determines that the proposed covered procurement cannot be offered as separate, discrete projects.

(v) Why the Federal agency has determined that the small business procurement requirements is necessary and justified.
“(III) 13 percent of the total value of all prime contract and subcontract awards for fiscal year 2023; 
“(IV) 15 percent of the total value of all prime contract and subcontract awards for fiscal year 2025 and each fiscal year thereaf-
"er.”; and 
“(5) in clause (v), by striking “at not less than 
“the termination described in the second sen-
“tence of subsection (a) if, in the 
“requirements of subparagraph (A), including 
“that is an eligible Program Participant, the 
“tract awarded pursuant to this subsection 
“of the concern that initially received a con-
“struction activity that receives funds under section 117 or 173 of title 23, United States Code. 
“(3) QUALIFIED APPRENTICE.—The term “qualified apprentice” means an employee participating in a registered apprenticeship program. 
“(4) REGISTERED APPRENTICESHIP PROGRAM.— 
“The term “registered apprenticeship program” means an apprenticeship program that— 
“(A) is registered with the Office of Apprenticeship of the Employment Training Admin-
“stration of the Department of Labor or a State apprenticeship agency recognized by such Office of Apprenticeship pursuant to the Act of August 16, 1997 (commonly known as the “National Apprenticeship Act”); and 
“(B) satisfies the requirements of subpart A of part 29 and part 30 of title 29, Code of Fed-
“eral Regulations or any successor regu-
“lations. 
“(b) REQUIREMENT.—
“(1) CERTIFICATION REQUIREMENT.—To be eli-
“gible to receive a covered grant, each appli-
“cants shall include in a grant application a certification that he or she— 
“that any contractor or subcontractor uti-
“lized in carrying out activities with the cov-
“ered grant— 
“(A) meets or exceeds the apprenticeship employment goal; 
“(B) to the extent practicable, employs qualified apprentices from traditionally 
“underrepresented populations; 
“(C) notwithstanding any local-hire goals that apply, makes best efforts to meet 
“apprenticeship employment goal; and 
“(D) tracks ongoing progress toward the participation goals described in subpara-
“graphs (A) and (B). 
“(2) PROGRESS DATA.—The Secretary shall sub-
“mit to Congress a biennial report on the use of 
“qualified apprentices for projects carried out 
“with covered grants that includes— 
“(1) the total number of labor hours fulfilled by 
“qualified apprentices and historically 
“underrepresented populations; 
“(2) the total number of qualified appren-
“tices and historically underrepresented pop-
“ulations employed; 
“(3) the total number of covered grant re-
“cipients that met or exceeded the appren-
“ticeship employment goal and the goals for 
“the percentage of total workhours performed 
“by historically underrepresented populations 
“under subsection (b)(1)(C); 
“(4) best practices used by covered grant re-
“cipients that met or exceeded the appren-
“ticeship employment goal and the goals for 
“the percentage of total workhours performed 
“by historically underrepresented populations 
“under subsection (b)(1)(C); and 
“(5) a summary of agency oversight of the 
“fulfillment or certification terms under this 
“section by covered grant recipients. 
“(e) PUBLIC TRANSPARENCY.—
“(1) IN GENERAL.—At the end of each fiscal 
“year, the Secretary shall make available on 
“a public website information on the use of 
“qualified apprentices in the preceding fiscal 
“year for each covered grant program, includ-
“ing— 
“(A) the total number of covered grant appli-
“cants that certified that the covered grant 
“application would be able to meet or exceed the apprenticeship employment goal under subsection (b); 
“(B) the total number of covered grants pro-
“vided for applicants described in subparagraph (A); and 
“(C) for each covered grant provided, data on the progress of the grant recipient toward 
“meeting the requirement under subsection 
“(b)(1)(A) and achieving participation goals 
“under subsection (b)(1). 
“(2) PROGRESS DATA.—The Secretary shall 
“make the information described in para-
“graph (1)(C) available on a public website on a 
“monthly basis. 

SEC. 11602. RESPECTFUL WORKPLACES. 
“(a) IN GENERAL.—Notwithstanding any 
“other provision of law, a contractor or sub-
“contractor used in carrying out a project or 
“activity that receives funds under section 117 
or 173 of title 23, United States Code, shall— 
“(A) make best efforts to meet the requirement of subsection (b)(1)(A); 
“(B) make best efforts to meet the requirement of subsection (b)(1)(B); 
“(C) for each covered grant provided, data on the progress of the grant recipient toward 
“meeting the requirement under subsection 
“(b)(1)(A) and achieving participation goals 
“under subsection (b)(1). 

(b) EXCEPTIONS.—The Secretary may adjus-
“t the requirements under paragraph (1) for an applicant for a covered grant if the applicant provides documented evidence that— 
“(A) demonstrates a lack of availability of 
“qualified apprentices in a specific geographic 
“area; and 
“(B) makes a good faith effort to comply with 
“the requirements. 

(c) REGULATIONS.—The Secretary, in col-
“laboration with the Secretary of Labor, as 
“appropriate, shall— 
“(A) promulgate regulations or other guidance, forms, instructions, and 
“publications as may be necessary or appropriate to carry out the requirements and oversight of this section, including— 
“(1) penalties for noncompliance with the requirement of subsection (b)(1)(A); 
“(2) requirements for recipients of covered grants; and 
“(3) guidance on— 
“(A) setting participation goals under sub-
“section (b)(1)(B) that do not surpass the 
“proportion of individuals in each population in the relevant recruitment area that are 
“qualified for the apprenticeship or trade; and 
“(B) ensuring that any participation goals under subsection (b)(1)(C) do not supersede 
“any higher goals otherwise required by law, contract, or policy. 

REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this 
Act, the Secretary shall submit to the Com-

mittee on Transportation and Infrastructure 
and the Committee on Environment and Public 
Works of the Senate a report on the use of 
qualified apprentices for projects carried out 
with covered grants that includes— 
“(1) the total number of labor hours fulfilled by 
qualified apprentices and historically 
underrepresented populations; 
“(2) the total number of qualified appren-
tices and historically underrepresented pop-
ulations employed; 
“(3) the total number of covered grant re-
cipients that met or exceeded the appren-
ticeship employment goal and the goals for 
the percentage of total workhours performed 
by historically underrepresented populations 
under subsection (b)(1)(C); 
“(4) best practices used by covered grant re-
cipients that met or exceeded the appren-
ticeship employment goal and the goals for 
the percentage of total workhours performed 
by historically underrepresented populations 
under subsection (b)(1)(C); and 
“(5) a summary of agency oversight of the 
fulfillment or certification terms under this 
section by covered grant recipients. 

PUBLIC TRANSPARENCY.— 
“(1) IN GENERAL.—At the end of each fiscal 
year, the Secretary shall make available on 
a public website information on the use of 
qualified apprentices in the preceding fiscal 
year for each covered grant program, includ-
ing— 
“(A) the total number of covered grant appli-
cants that certified that the covered grant 
application would be able to meet or exceed the apprenticeship employment goal under subsection (b); 
“(B) the total number of covered grants pro-
vided for applicants described in subpara-
graph (A); and 
“(C) for each covered grant provided, data on the progress of the grant recipient toward 
meeting the requirement under subsection 
(b)(1)(A) and achieving participation goals 
under subsection (b)(1). 

SECOND SESSION, 117TH CONGRESS, 2021–2022
SEC. 11603. MANDATORY SUPPORTIVE SERVICES.
Section 140 of title 23, United States Code, is amended by adding at the end the following:

(3) in subsection (o)—
(A) by striking paragraph (2);
(B) by adding at the end the following:

SEC. 300. For projects that are carried out
with the amounts provided in the preceding proviso, the Secretary of the Army shall give priority to
projects intended to be proposed to the
Secretary of the Army, acting through the Chief of
Engineers, for allotting additional funds from the
amounts provided under this title in this
Act for additional shore protection projects:
"After ‘2024'."

SEC. 5781
CONGRESSIONAL RECORD — SENATE
August 3, 2021

SEC. 406. For projects that are carried out
with the amounts provided in the preceding proviso, the Secretary of the Army shall give priority to
projects intended to be proposed to the
Secretary of the Army, acting through the Chief of
Engineers, for allotting additional funds from the
amounts provided under this title in this
Act for additional shore protection projects:
"After ‘2024'."

SEC. 300. For projects that are carried out
with the amounts provided in the preceding proviso, the Secretary of the Army shall give priority to
projects intended to be proposed to the
Secretary of the Army, acting through the Chief of
Engineers, for allotting additional funds from the
amounts provided under this title in this
Act for additional shore protection projects:
"After ‘2024'."

SEC. 5781
CONGRESSIONAL RECORD — SENATE
August 3, 2021

SEC. 11603. MANDATORY SUPPORTIVE SERVICES.
Section 140 of title 23, United States Code, is amended by adding at the end the following:

(3) in subsection (o)—
(A) by striking paragraph (2);
(B) by adding at the end the following:

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with the amounts provided in the preceding proviso, the Secretary of the Army shall give priority to
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Secretary of the Army, acting through the Chief of
Engineers, for allotting additional funds from the
amounts provided under this title in this
Act for additional shore protection projects:
"After ‘2024'."

SEC. 300. For projects that are carried out
with the amounts provided in the preceding proviso, the Secretary of the Army shall give priority to
projects intended to be proposed to the
Secretary of the Army, acting through the Chief of
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Act for additional shore protection projects:
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August 3, 2021

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SEC. 300. For projects that are carried out
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amounts provided under this title in this
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Secretary of the Army, acting through the Chief of
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with the amounts provided in the preceding proviso, the Secretary of the Army shall give priority to
projects intended to be proposed to the
Secretary of the Army, acting through the Chief of
Engineers, for allotting additional funds from the
amounts provided under this title in this
Act for additional shore protection projects:
"After ‘2024'."
SA 2448. Mr. DAINES 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. CAS- SIDY, 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 pur- poses; which was ordered to lie on the table, as follows:

On page 2133, line 6, insert “satellites,” after “fiber.”.

SA 2449. Mr. DAINES 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. CAS- SIDY, 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 high- ways, highway safety programs, and transit programs, and for other pur- poses; which was ordered to lie on the table, as follows:

Beginning on page 1799, strike line 13 and all that follows through page 1800, line 10, and insert the following:

(15) $300,000,000 shall be made available for post-fire restoration activities that are im- plemented not later than 3 years after the date that a wildland fire is contained, of which—

(A) $125,000,000 shall be made available to the Secretary of the Interior; and

(B) $175,000,000 shall be made available to the Secretary of Agriculture;

On page 1800, line 11, strike “(17)” and in- sert “(16)”.

On page 1800, line 17, strike “(18)” and in- sert “(17)”.

On page 1816, strike lines 1 through 12 and insert the following:

(2) $300,000,000 shall be made available to provide to States and Indian Tribes for im- plementing restoration projects on Federal land pursuant to good neighbor agreements entered into under section 8206 of the Agri- cultural Act of 2014 (16 U.S.C. 2113a) or agree- ments entered into under section 2(b) of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a(b)), of which—

(A) $60,000,000 shall be made available to the Secretary of the Interior; and

(B) $240,000,000 shall be made available to the Secretary of Agriculture;

On page 2568, line 12, strike “$905,000,000” and insert “$925,000,000.”

On page 2568, line 15, strike “$337,000,000” and insert “$341,000,000.”

On page 2568, line 17, strike “$1,042,000,000” and insert “$1,460,000,000.”

On page 2568, line 18, strike “$1,460,000,000” and insert “$1,460,000,000.”

On page 2568, line 20, strike “$1,460,000,000” and insert “$1,460,000,000.”

On page 2568, line 22, strike “$1,460,000,000” and insert “$1,460,000,000.”

On page 2570, line 19, strike “$1,055,000,000” and insert “$1,900,000,000.”

On page 2570, line 23, strike “$327,000,000” and insert “$312,000,000.”

On page 2570, line 25, strike “$162,000,000” and insert “$162,000,000.”

On page 2568, line 21, strike “$587,000,000” and insert “$583,000,000.”

On page 2608, line 21, strike “$382,000,000” and insert “$378,000,000.”

On page 2618, line 15, strike “$596,200,000” and insert “$711,200,000.”

On page 2613, line 23, strike “$552,200,000” and insert “$550,000,000.”

On page 2613, line 24, strike “$36,000,000” and insert “$51,000,000.”

On page 2614, line 1, strike “$36,000,000” and insert “$51,000,000.”

On page 2614, line 3, strike “$36,000,000” and insert “$51,000,000.”

On page 2614, line 4, strike “$36,000,000” and insert “$51,000,000.”

SA 2450. Mr. BARRASSO (for him- self, Mr. ROBBINS, Mr. DAINES, Mr. THUNE, and Mr. CRAMER) 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. CAS- SIDY, 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 high- ways, highway safety programs, and transit programs, and for other pur- poses; which was ordered to lie on the table, as follows:

At the end of subtitle B of title I of divi- sion A, add the following:

**SEC. 112. EXCEPTIONS FOR LOW POPU- LATION DENSITY STATES.**

Section 150 of title 23, United States Code, is amended by adding at the end the fol- lowing:

**(d) Exemptions for Low Population Den- sity States.**—

(1) IN GENERAL.—The Secretary shall grant, on the election of and in consultation with a State, an exemption from 1 or more of the requirements described in paragraph (2)(A) if the State—

(A) is on the list of eligible States under paragraph (5) for the applicable performance period; and

(B) provides a written notice of the elec- tion that includes an explanation under paragraph (4).

(2) REQUIREMENTS DESCRIBED.—

(A) STATE REQUIREMENTS.—The require- ments from which a State is exempted under paragraph (1) may elect an exemption are—

(i) requirements established under sub- clauses (IV) and (V) of subsection (c)(3)(A)(ii); and

(ii) requirements established under sub- section (c)(5)(A).

(B) May be renewed by the State for an ex- emption.

(C) National Reporting.—

(1) The Secretary shall publish a list of States that may elect to re- ceive an exemption from a requirement de- scribed in paragraph (2)(A).

(2) Inclusions.—The Secretary shall in- clude on the list subparagraph (A)—

(i) any State that—

(II) has a population per square mile of area that is less than the population per square mile of area of the United States, based on the latest available Bureau of the Census data at the time the Secretary publishes the list;

(II) does not include an urbanized area with a population of over 200,000 within the State; and

(III) has no repeated delays or other per- sistent impediments to travel reliability on the portions of the National Highway Sys- tem in the State that the Secretary deter- mines to be excessive; and

(II) based on the latest available Bureau of the Census data at the time the Secretary publishes the list, any State that—

(II) has a population density of less than 15 persons per square mile of area; and

(II) does not include an urbanized area with a population of over 200,000.

(3) National Reporting.—

(A) Eligible States.—For each State in- cluded on the list of eligible States under paragraph (5), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the sta- tus of traffic congestion, travel reliability, truck travel reliability, and any other rel- evant performance metrics on the portions of the National Highway System in the State, including any delays or impediments that the Secretary determines to be excessive.

(B) May be renewed by the State for an additional 4-year term at the end of each performance period if, in accordance with paragraph (4).
“(B) EXEMPT STATES.—For each eligible State under paragraph (5) that elects to receive an exemption under paragraph (1), the Secretary shall—

“(i) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the performance measures for all exemptions applied to that State under this subsection; and

“(ii) make publicly available as part of the State performance dashboard on the Department of Transportation website information on the performance of the State with respect to any requirements from which the State is exempt.”.

SA 2451. Mr. MORAN (for himself, Mrs. MURRAY, and Mr. INHOFE) 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 S. 3864, 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. 111. ANNUITY SUPPLEMENT. Section 8421(a)(1) of title 5, United States Code, is amended—

(1) by striking “as an air traffic” and inserting “as an air traffic”;

(2) in paragraph (1), as so designated, by striking the period at the end and inserting “air traffic”; and

(3) by adding at the end the following:

“(2) air traffic controller pursuant to a contract made with the Secretary of Transportation under section 47124 of title 49.”.

SA 2452. Mr. JOHNSON (for himself, Ms. BROWN, and Mr. ERNST) 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 section 11124 of division B, insert the following:

SEC. 111. STOP MOTORCYCLE CHECKPOINT FUNDING. Section 4007 of the FAST Act (23 U.S.C. 153 note; Public Law 114-94) is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “or”; and

(3) by adding at the end the following:

“(3) otherwise to profile or stop any motorcyclist or motorcycle passenger using as a factor the clothing or mode of transportation of the operator or passengers.”.

SA 2453. Mrs. BLACKBURN 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 S. 3864, 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:

On page 2699, between lines 19 and 20, insert the following:

SEC. 801. (a) FAA OUTREACH TO COMMUNITY AND ELICITED OFFICIALS WHEN PROPOSING NEW OR MODIFIED FLIGHT PROCEDURES.—In order to avoid having to subsequently modify products and services developed as a part of the NextGen Performance Based Navigation (PBN) Implementation Process—FAA Order J07100.41A, the Administrator of the Federal Aviation Administration shall comply with the requirements of this section.

(b) NOTIFICATION TO OFFICIALS.—The Administrator shall notify the public of any proposed new or modified flight procedure that may change affecting airspace at altitudes below 18,000 feet. This notification shall be made not later than 30 days after the date of the entry of the procedure into the FAA Performance Based Navigation IFP Gateway to the elected governing body of each of the cities and of each of the districts is within 5 miles of such a proposed new or modified flight procedure, to any Member of Congress whose district is within 5 miles of such a proposed new or modified flight procedure, and to any Aviation Roundtable whose jurisdictional area is within 5 miles of such a proposed new or modified flight procedure.

(c) NOTIFICATION CONTENTS.—Notification shall be made with sufficient specificity for an official to determine if such new or modified flight procedure being processed is likely to affect constituents of such official and shall include—

(1) name of flight procedure;

(2) name of the proponent of the flight procedure;

(3) whether the flight procedure is a new or modified procedure and, if modified, the changes being proposed;

(4) name of existing procedure if the procedure substantially replaces an existing procedure;

(5) approximate flight path including latitude and longitude of the proposed procedure overlaid on a satellite map such as Google Earth or similar;

(6) approximate altitudes of proposed flight path; and

(7) contact person to provide additional information.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) AVIATION ROUNDTABLE.—The term “Aviation Roundtable” means an organization designed to address community concerns over a sustained period of time regarding aircraft operations often associated with a nearby airport.

(2) FAA ORDER J07100.41A.—The term “FAA Order J07100.41A” means FAA Order J07100.41A and any successor versions of such Order.

(3) FLIGHT PROCEDURE.—The term “Flight procedure” means a preplanned Instrument Flight Rules (IFR) procedure published for use in instrument flight rules that provides obstruction clearance from the terminal area to the en route structure (departure) or from the en route structure to the terminal area.

(4) IFP.—The term “IFP” means instrument flight procedure.
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:

In section 4010(a)(2) of division D, strike subparagraphs (F) and (G) and insert the following:

(F) a fuel supplier;

(G) a community choice aggregator; and

(H) any other relevant entity, as determined by the Secretary.

SA 2458. Mr. LUJÁN (for himself and Mr. HAWLEY) 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill S. 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:

On page 2520, line 5, insert "Provided further, That $31,500,000 of the amounts made available under this heading shall be used for highway improvements on the routes to and from the Waste Isolation Pilot Plant, including making payments to the State of New Mexico for such improvements pursuant to section 15 of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 105-579; 106 Stat. 4791): after "fiscal year":"

SA 2459. Mr. LUJÁN (for himself and Mr. HAWLEY) 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. CASIDY, 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 page 11, insert the following:

SEC. 412. NATIONAL LABORATORY BIO-TECHNOLOGY PROGRAM.

(a) DEFINITION.—In this section:

(1) EERE.—The term "EERE" means the Office of Energy Efficiency and Renewable Energy of the Department.

(2) NNSA.— "NNSA" means the National Nuclear Security Administration.

(3) OFFICE OF INTELLIGENCE AND COUNTER-INTELLIGENCE.—The term "Office of Intelligence and Counterintelligence" means the Office of Intelligence and Counterintelligence of the Department.

(4) OFFICE OF SCIENCE.—The term "Office of Science" means the Office of Science of the Department.

(b) PROGRAM.—The term "Program" means the National Laboratory Biotechnology Program established under subsection (c).

(1) IN GENERAL.—The Secretary shall establish a National Laboratory Biotechnology Program within the Department, including the Office of Science, the Office of Intelligence and Counterintelligence, the EERE, and the NNSA, to provide research, development, test and evaluation, and response capabilities to respond to—

(A) biological disasters and emergencies;

(B) long-term biological threats and hazards impacting national security;

(C) emerging and re-emerging diseases; and

(D) any remaining threats posed by CWD.

(2) WORKING GROUP.—To carry out the Program, the Secretary shall establish a working group, which shall comprise appropriate leadership from the Office of Science, the NNSA, and the National Laboratories.

(3) FUNCTIONS.—The working group shall—

(A) oversee the development of major research activities of the Program;

(B) identify Department programs and elements that will participate in the research and development activities of the Program;

(C) establish a formal process to engage the capabilities of the National Laboratories, including identifying a National Laboratory to be a coordinator for each research project carried out under the Program;

(D) collaborate with the directors of research directorates of the Department, directors of National Laboratories, and other senior Department officials, as appropriate, to gain greater access to top researchers and new and potentially transformative ideas;

(E) periodically review and update as necessary to Program policies and guidelines for the development and operation of major research activities, including by taking into consideration updates that fit into the broader Federal response framework;

(F) disperse funds to entities participating in activities under the Program; and

(G) conduct periodic reviews to adjust funding allocations in response to changing biological hazards, disasters, bio-technology threats, biodefense needs, and emerging and re-emerging diseases;

(G) enable access to broad scientific and technical expertise and resources that will lead to the deployment of innovative products, including through—

(i) research and development, including proof of concept, technical development, and compliance testing activities; and

(ii) early-stage product development, including through—

(I) computational modeling and simulation;

(II) molecular structural determination;

(III) genomic science;

(IV) epidemiological and logistics support;

(V) knowledge discovery infrastructure and scalable protected data;

(VI) advanced manufacturing to address supply chain bottlenecks; and

(VII) new capabilities for testing of clinical and nonclinical samples; and

(VIII) understanding environmental fate and transport of viruses; and

(IX) discovery of potential therapeutics through computation and molecular structure determination.

(H) support unclassified and classified research that harnesses the capabilities of the National Laboratories to address advanced biological threats of national security significance through assessments and research and development programs that—

(I) support the near- and long-term biodefense needs of the United States;

(ii) support the national security community in reducing uncertainty and risk;

(III) enable greater access to top researchers and new and potentially transformative ideas for biodefense of human, animal, plant, environment, and infrastructure assets (including physical, cyber, and economic infrastructure); and

(IV) enable access to broad scientific and technical expertise and resources that will
lead to the development and deployment of innovative biodefense assessments and solutions, including through—

(I) the accessing, monitoring, and evaluation of research-intensive facilities with advanced or unique equipment, services, materials, and other resources to perform research and testing;

(II) the establishment of a short-term exchange program under the Program for National Laboratory staff and management to build connections and awareness across the National Laboratory system; and

(iii) support technology transfer and related activities; and

(iv) promote access and development across the Federal Government and to United States industry, including startup companies, early applications of the technologies, innovations, and expertise beneficial to the public that are derived from Program activities.

(4) STRENGTHENING INSTITUTIONAL RESEARCH AND PRIVATE PARTNERSHIPS.—

(A) IN GENERAL.—The working group shall, to the maximum extent practicable, promote cooperative research and development activities under the Program, including collaboration between appropriate industry and academic institutions to promote innovation and knowledge creation.

(B) ACCESS TO INFORMATION.—The working group shall develop, maintain, and publicize information on scientific user facilities and research capabilities supported by laboratories of the Department for combating biotechnology threats, which shall be accessible for use by individuals from academic institutions and industry.

(C) ACADEMIC PARTICIPATION.—The working group shall, to the maximum extent practicable—

(i) conduct outreach about internship opportunities relating to activities under the Program primarily to institutions of higher education and minority-serving institutions of higher education;

(ii) encourage the development of research collaborations between research-intensive universities and the institutions described in clause (i); and

(iii) provide traineeships at the institutions described in clause (i) to graduate students who pursue a masters or doctoral degree in an academic field relevant to research advanced under the Program.

(5) EVALUATION AND PLAN.—

(A) IN GENERAL.—Not less frequently than biennially, the Secretary shall—

(i) evaluate the activities carried out under the Program; and

(ii) develop a strategic research plan under the Program shall be made readily available and submitted to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(B) CLASSIFIED INFORMATION.—If the strategic research plan developed under subparagraph (A)(ii) contains classified information, the plan—

(i) shall be made publicly available and submitted to the committees of Congress described in subparagraph (A)(ii) in an unclassified format; and

(ii) may, as part of the submission to those committees of Congress only, include a classified annex containing any classified or unclassified information, as necessary.

(6) INTERAGENCY COLLABORATION.—The working group may collaborate with the Secretary of Health and Human Services, the Secretary of Homeland Security, the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, the Department of Education, the National Science Foundation, and the National Institutes of Health to implement this section under the Plan.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

(A) $30,000,000 for fiscal year 2022;

(B) $40,000,000 for fiscal year 2023;

(C) $45,000,000 for fiscal year 2024; and

(D) $50,000,000 for each of fiscal years 2025 and 2026.

SA 2460. Mr. LUJÁN (for himself, Mr. PADILLA, Mr. BOOKER, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. BLUMENTHAL, and Mr. HENRICH) 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:

Strike section 60506 and insert the following:

SEC. 60506. DIGITAL REDLINING.

(a) STATEMENT OF POLICY.—It is the policy of the United States that, insofar as technically feasible—

(1) subscribers should benefit from equal access to broadband internet access service within the service area of a provider of such service; and

(2) the term “equal access”, for purposes of this section, means the equal opportunity to subscribe to an offered service that provides comparable speeds, capacities, latency, and other quality of service metrics in a given area, for comparable terms and conditions; and

(3) the Commission should take steps to ensure that all people of the United States benefit from equal access to broadband internet access service.

(b) ADMINISTRATIVE RULES.—Not later than 2 years after the date of enactment of this Act, the Commission shall adopt final rules to promote equal access to broadband internet access service, including—

(1) identifying what constitutes digital redlining;

(2) identifying necessary steps for the Commissions to take to eliminate digital redlining; and

(3) preventing discrimination of access based on income level, race, ethnicity, color, religion, or national origin.

(c) FEDERAL POLICIES.—The Commission and the Attorney General shall ensure that Federal policies promote equal access to robust broadband internet access service by eliminating deployment discrimination based on—

(1) the income level of an area;

(2) the predominant race or ethnicity composition of an area; and

(3) other factors the Commission determines to be relevant based on the findings in the record developed from the rulemaking under subsection (b).

(d) MODEL STATE AND LOCAL POLICIES.—The Commission shall develop model policies and best practices that can be adopted by States and localities to ensure that broadband internet access service providers do not engage in digital redlining.

(e) COMPLAINTS.—

(1) IN GENERAL.—The Commission shall revise its public complaint process to accept complaints from consumers or other members of the public that relate to digital redlining.

(2) REPORTS.—The Commission shall publish an annual report regarding complaints that the Commission has received under paragraph (1) that identifies—

(A) each provider of broadband internet access service that has been the subject of a complaint; and

(B) the status of each complaint; and

(C) any action taken by the Commission in response to a complaint.

SA 2461. Mr. MARSHALL (for himself and Mr. COTTON) 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 subtitle B of title I of division D add the following:

SEC. 40128. FRAUD AND RELATED ACTIVITY IN CONNECTION WITH CRITICAL INFRASTRUCTURE.

Section 1030(c) of title 18, United States Code, is amended—

(1) in paragraph (4)(G)(ii), by striking the period at the end and inserting “;” and

(2) by inserting after paragraph (4) the following:

“(5) a fine under this title and imprisonment for not less than 30 years or for life, in the case of an offense that involves critical infrastructure (as defined in subsection (e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)))).”

SA 2462. Mr. MARKEY (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. MERKLEY) 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, add the following:

**DIVISION — IMPLEMENTATION
SEC. 0001. IMPLEMENTATION.**

Each Federal agency implementing a provision of this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act) shall implement the provision or amendment—

(1) in a manner consistent with the best available scientific assessments of global climate change; and

(2) to achieve appropriate greenhouse gas emission reductions.

SA 2463. Mr. MARKEY (for himself, Ms. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. HAN COHEN, and Mr. MUKERJEE) 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, 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, at the following:

**DIVISION — REQUIRED REPORT
SEC. 0001. REPORT.**

Not later than 18 months after the date of enactment of this Act, the Chair of the Council on Environmental Quality, in consultation with the Federal agencies carrying out the provisions of this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act and the head of any other relevant Federal agency (as determined by the President), shall submit to Congress a report that describes—

(1) the actual and estimated climate and economic benefits of full implementation of this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act); and

(2) how implementation of, and funding provided under, this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act) will help the United States reach the climate goals of the United States; and

(3) any gaps in the Federal regulatory framework and funding programs in existence on the date of enactment of this Act that need to be modified to put the United States on a pathway to achieve net-zero emissions of greenhouse gases by no later than 2050.

SA 2464. Mr. PETERS (for himself, Mr. ROUNDS, Mr. PORTMAN, and Mr. WARNER) 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 subsection B of title I of division A, add the following:

**SEC. 1105. NATIONAL GOALS AND PERFORMANCE MEASURES.**

(a) In general. — Section 150 of title 23, United States Code, is amended—

(1) in subsection (a), by striking "(1) the term "improving target" applies the authority under section 126 with respect to funds apportioned under section 104(b)(7)." and inserting "(1) the term "improving target" shall implement the term "improving target" for the measures described in subsection (7)."

(2) how implementation of, and funding provided under, this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act) will help the United States reach the climate goals of the United States; and

(3) any gaps in the Federal regulatory framework and funding programs in existence on the date of enactment of this Act that need to be modified to put the United States on a pathway to achieve net-zero emissions of greenhouse gases by no later than 2050.

SA 2465. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for himself, 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 subsection B of title I of division A, add the following:

**SEC. 1105. NATIONAL GOALS AND PERFORMANCE MEASURES.**

(a) In general. — Section 150 of title 23, United States Code, is amended—

(1) in subsection (a), by striking "(1) the term "improving target" applies the authority under section 126 with respect to funds apportioned under section 104(b)(7)." and inserting "(1) the term "improving target" shall implement the term "improving target" for the measures described in subsection (7)."

(2) investigating the feasibility of implementing, and funding provided under, this Act or an amendment made by this Act (including any provision of any division of this Act or an amendment made by any division of this Act) and the use of performance measures for those aims; and

(3) any gaps in the Federal regulatory framework and funding programs in existence on the date of enactment of this Act that need to be modified to put the United States on a pathway to achieve net-zero emissions of greenhouse gases by no later than 2050.

SA 2466. Mr. CRUZ 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:

Strike section 80603.

SA 2467. Mr. CRUZ 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 I, add the following:

**CONGRESSIONAL RECORD — SENATE
August 3, 2021**
section (a)(4)(B)(vi).''.

CERTAIN TRANSACTIONS.—The Committee the following:

(1) by striking "", and"" and inserting a semicolon;
(2) in clause (ii), by striking the period at the end and inserting "", and""; and
(3) by adding at the end the following:

""(VI) with respect to covered transactions described in subsection (a)(4)(B)(vi), to the members of the Senate from the State in which the military training route, special use airspace, controlled firing area, or military operations area is located, and the member from the State in which the military installation, route, airspace, or area is located."."

(d) LIMITATION ON APPROVAL OF ENERGY PROJECTS RELATED TO REVIEWS CONDUCTED BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

(1) REVIEW BY SECRETARY OF DEFENSE.—Section 4 of title 10, United States Code, is amended—

(A) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively; and

(B) by inserting after subsection (e) the following new subsection (f):—

""(f) SPECIAL RULE RELATING TO REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—If, during the period during which the Department of Defense is reviewing an application for an energy project described in subparagraph (A), any transaction described in section 4718 of title 49, the purchase, lease, or concession of real property on which the project is planned to be located is under review or investigation by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), the Secretary of Defense—

""(1) may not complete review of the project until the Committee concludes action under such section 721 with respect to the purchase, lease, or concession; and

""(2) shall notify the Secretary of Transportation of the delay.""

SEC. 40436. STUDY ON IMPACT OF FORCED LABOR IN CHINA ON THE ELECTRIC VEHICLE SUPPLY CHAIN.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary, in coordination with the Committee on Foreign Investment of the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565), the Secretary of Defense—

""(1) shall submit a report describing, the impact of forced labor in China does not have a significant impact on the electric vehicle supply chain; and

""(2) shall report describing, the impact of forced labor in China does not have a significant impact on the electric vehicle supply chain.""

SEC. 2468. Mr. CRUZ 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. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MUKROWSKI, 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:

On page 2675, line 21, strike the period and insert the following:—"" Provided further, That, notwithstanding any other provision of this Act, of the amounts made available under this heading and under the heading ‘National Network Grants to the National Railroad Passenger Corporation’ in this Act, $150,000,000 shall be made available to the Secretary for rail projects to expedite the deployment of heavy armored divisions and associated equipment from United States military installations to naval ports by rail.""
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 section 11312, add the following:

(c) CATHERGICAL EXCLUSION DETERMINATION PROCESS.—
(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall revise the process for determining whether a project qualifies for a categorical exclusion under section 771.117 of title 23, Code of Federal Regulations (or successor regulations).

(2) REQUIREMENTS.—The revised process under paragraph (1) shall minimize the period of review and quantity of paperwork required to make a determination described in that paragraph.

SA 2475. Mr. LANKFORD 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:

On page 2916, line 19, strike "Provided further, That the Secretary of the Army shall prioritize projects with overriding life-safety benefits:" after "purpose:".

SA 2474. Mr. ROUNDS (for Mr. INHOFE) 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:

On page 2489, line 9, insert "Provided further, That in selecting projects under the following proviso, the Secretary shall prioritize projects with overriding safety benefits:" after "purpose:".

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have 12 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 9:30 a.m., to conduct a hearing on nominations.

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 Tuesday, August 03, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 10 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 Tuesday, August 03, 2021, at 12 p.m., to conduct a hearing nominations.

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 Tuesday, August 03, 2021, at 10 a.m., to conduct a hearing.
The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 10 a.m., to conduct a hearing.

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 2:30 p.m., to conduct a hearing.

The Subcommittee on Financial Institution and Consumer Protection is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 2:30 p.m., to conduct a hearing.

The Subcommittee on Consumer Protection, Product Safety, Insurance, and Data Security is authorized to meet during the session of the Senate on Tuesday, August 03, 2021, at 2:30 p.m., to conduct a hearing.

Mr. WICKER. Mr. President, I ask unanimous consent that Joseph Calascione, an FCC detailee in my office, be granted floor privileges for the remainder of the Congress.

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

The Chair, pursuant to Public Law 115–123, on behalf of the Majority Leader of the Senate, appoints the following individual as a member of the Commission on Social Impact Partnerships: Carol B. Kellermann of New York.

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

Thereupon, the Senate, at 8:23 p.m., adjourned until Wednesday, August 4, 2021, at 10:30 a.m.

Executive nomination confirmed by the Senate August 3, 2021:

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE
Stacey A. Dixon, of the District of Columbia, to be Principal Deputy Director of National Intelligence.
EXTENSIONS OF REMARKS

HONORING SILVER KEY

HON. DOUG LAMBORN
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 2021

Mr. LAMBORN. Madam Speaker, I rise today to recognize the fiftieth anniversary of Silver Key, a non-profit organization in Colorado Springs, Colorado, whose mission is to support a healthy quality of life for seniors, allowing them to age safely with dignity and independence.

Silver Key was founded in 1970 by Betsey Myers-Burroughs, Clifford King, and a group of concerned citizens who wished to improve the well-being of older individuals in the Pike's Peak region. From extremely humble origins grew a Nursing Home Volunteer Program to help alleviate isolation and loneliness for elderly residents. Silver Key soon broadened its mission to assist seniors who desired to age in place, independently, in their homes.

Thanks to visionary leadership, impassioned volunteers, dedicated staff, diverse funding sources, and the philanthropic culture of this community, Silver Key has helped more than half a million seniors remain safe, independent, healthy, and thriving over the last half-century. They have grown to include services such as Silver Key Connections Cafe’, home-delivered meals including Meals on Wheels, Reserve & Ride transportation services, volunteer events, and service opportunities, and vital Silver Key Health & Wellness Services providing a wide array of senior assistance services including behavioral health, companionship, case management, and government food program distribution.

Madam Speaker, I ask that my colleagues in the House of Representatives join me in honoring this important organization’s history and mission. I congratulate and thank Silver Key and all of those who make independence and health a reality for senior citizens in Colorado’s Fifth Congressional District.

RECOGNIZING THE SIGNIFICANCE OF EQUAL PAY AND THE DISPARITY IN WAGES PAID TO MEN AND TO BLACK WOMEN

HON. ALMA S. ADAMS
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 2021

Ms. ADAMS. Madam Speaker, I introduced a resolution to recognize today, August 3, 2021, as Black Women’s Equal Pay Day. Two hundred and fourteen years—twenty-two years—since the first labor law went into the law books, and one for gender, are unique and deserve singular attention. The toil and struggle of Black women stretches over centuries, and the acknowledgement of this has been too little, too late.

That is why I am introducing this Resolution to recognize August 3, 2021 as Black Women’s Equal Pay Day. Because the value of those thirty-seven cents is so much more than thirty-seven cents.

It is equality, dignity, and independence.

America was founded upon imperfect equality, inequality, as we all recognize. But as America’s history has shown us thus far, its arc of history bends towards equality.

I fervently urge my colleagues to examine the pressing issue of pay disparity that Black women face. When Black women are not paid equal wages, the negative impacts of lower pay are profound; lower pay impacts the lifelong ability of a Black woman to pay for her education, her health, and food for her family.

Let this Resolution be the penny that brings forth great ripples of change.

RECOGNIZING FOREST CITY GUN CLUB JUNIORS OF SAVANNAH, GEORGIA

HON. EARL L. “BUDDY” CARTER
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 2021

Mr. CARTER of Georgia. Madam Speaker, I rise today to recognize the Forest City Gun Club Juniors of Savannah, Georgia, for winning the 2021 Scholastic Clay Target Program National Championship.

The Scholastic Clay Target Program is an annual competition among amateur shooters across the country. This year, thousands of athletes traveled to Ohio to compete in this event.

In the championship match, a number of Forest City Gun Club Junior athletes rose to the challenge on the nation’s largest stage.

This is the second year in a row Forest City Gun Club Juniors have won the Scholastic Clay Target Program National Championship.

I commend this team for their hard work and dedication in achieving success.

I am extremely proud to have these great athletes and program here in the First Congressional District of Georgia.

To the coaches, parents, and team at the Forest City Gun Club: Congratulations on another year of success, and keep up the good work.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AGRICULTURE, RURAL DEVELOPMENT, ENERGY AND WATER DEVELOPMENT, FINANCIAL SERVICES AND GENERAL GOVERNMENT, INTERIOR, ENVIRONMENTAL PROTECTION, MILITARY CONSTRUCTION, VETERANS AFFAIRS, TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2022

SPEECH OF

HON. ROBERT C. “BOBBY” SCOTT
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 27, 2021

Mr. SCOTT of Virginia. Madam Speaker, I rise today in support of H.R. 4502, the Labor, Health and Human Services, Education; Agriculture, Rural Development, Energy and Water Development; Financial Services and General Government; Interior, Environment, and Related Agencies; Military Construction, Veterans Affairs; Transportation, and Housing and Urban Development Appropriations Act, 2022.

I sponsored the 400 Years of African American History Commission Act with Senator Tim Scott. This bill includes $3.3 million for the Commission to continue their critical work. Since the Commission was first funded in Fiscal Year 2020, it facilitated participation in the 400-year anniversary commemoration of the arrival of Africans in the U.S. colonies at Fort Monroe in Hampton, Virginia; initiated the 400 Distinguished Award to honor African American social justice leaders; supported programming to engage students in historic preservation; and sponsored a documentary film on Black economic empowerment. More recently, the Commission has also launched a series of virtual public education meetings to continue its mission during the COVID-19 pandemic.

The legislation also includes a major federal investment in Hampton Roads by including $83.7 million for the deepening and widening of the Norfolk Harbor’s channels. This project, while authorized, has not yet received its share of federal funds; however, the Port of Virginia has already begun construction on this critical project and these funds will ensure that the project maintains its timeline. The deepening and widening at the Port will allow for larger container and bulk ships visiting the Port of Virginia to arrive and depart fully loaded, providing for safer and more timely passage. The project is expected to deliver nearly $4 billion of benefits to the national economy.

As a co-chair of the Chesapeake Bay Water Quality Taskforce, I am also pleased that this package includes much needed support for the restoration of the Chesapeake Bay. This bill provides $90.5 million for the Environmental Protection Agency’s Chesapeake Bay Program as well as $15 million for the Chesapeake WILD (Watershed Investments in Landscape Defense) Program. I sponsored legislation, with Reps. SARBANES and WITTMAN, to
create Chesapeake WILD grants to leverage the expertise of the U.S. Fish and Wildlife Service throughout the Bay’s 64,000 square mile watershed. These grants will fund on-the-ground work to enhance water quality, mitigate flooding, provide opportunities for recreation, and protect habitat. This funding and these projects will play a critical role in efforts to restore the Chesapeake Bay by the 2025 deadline.

I am also pleased that my amendments supporting essential funding for our National Labs were adopted. These changes highlighted the need for funding for Nuclear Physics and Medical Physics Operations within the Department of Energy’s Office of Science. Scientists and researchers at Jefferson Lab, located in the heart of my district in Newport News, train the next generation of scientists, advance life-saving cancer radiation therapies, and have been awarded more than 150 patents. The funding included in the President’s Budget for the Electron-Ion Collider and the design of a High Performance Data Facility at Jefferson Lab would advance our understanding of nuclear physics and increase the National Lab’s computing power, supporting experiments that contribute to our understanding of matter and enhance our safety, quality of life, and even medical care.

Also included in the legislation is funding for eight Community Projects in Hampton Roads. These projects include the expansion of rural broadband in Isle of Wight; an inventory of lead drinking water pipes in Portsmouth; the buildout and expansion of an LGBT community center on the Peninsula; an expansion of mobile health services in Franklin and Isle of Wight; the sidewalk extension for safe pedestrian connectivity in the South Norfolk community of Chesapeake; replacing athletic field lighting at public schools and a community center in Newport News; the development of a Maritime Trades magnet program for K–12 students; and the relocation of a frequently flooded YMCA in Norfolk. Federal investments like these are critical to the development and resilience of communities in Hampton Roads.

This bill helps us move forward by spurring innovation, creating jobs, enhancing opportunities for trade and economic development, restoring ecosystems, and making necessary local investments. I urge my colleagues to support this bill.

HONORING THE 100TH ANNIVERSARY OF THE FIRST AERIAL APPLICATION MADE BY AN AIRPLANE

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 3, 2021

Mr. GRAVES of Missouri. Madam Speaker, I rise today to recognize a very special anniversary, an anniversary that exemplifies American ingenuity in aviation and agriculture—two industries very dear and important to me as well as vital to our planet. This anniversary is that of the first agricultural aircraft taking flight. This type of aircraft makes it possible to feed not just America, but the entire globe.

Exactly 100 years ago today, on August 3, 1921, Lt. John Macready piloted a modified Curtiss JN–6 “Super Jenny” over a plot of cotton to create Chesapeake WILD grants to leverage the expertise of the U.S. Fish and Wildlife Service throughout the Bay’s 64,000 square mile watershed. These grants will fund on-the-ground work to enhance water quality, mitigate flooding, provide opportunities for recreation, and protect habitat. This funding and these projects will play a critical role in efforts to restore the Chesapeake Bay by the 2025 deadline.

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This bill helps us move forward by spurring innovation, creating jobs, enhancing opportunities for trade and economic development, restoring ecosystems, and making necessary local investments. I urge my colleagues to support this bill.

HONORING THE GRAND OPENING OF THE COLLEGE OF THE FLORIDA KEYS UPPER KEYS CENTER

HON. CARLOS A. GIMENEZ
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 3, 2021

Mr. GIMENEZ. Madam Speaker, I rise today to recognize the grand opening of the College of the Florida Keys Upper Keys Center. The College of the Florida Keys, CFK, is part of the Florida College System and has been an integral part of higher education in Florida for nearly 50 years.

Over the years, CFK has helped them advance and enrich their goals and foster meaningful relationships that have helped them advance and enrich their academic careers. I know that CFK will continue to do this for decades to come.

PERSONAL EXPLANATION

HON. JULIA LETLOW
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 3, 2021

Ms. LETLOW. Madam Speaker, I voted incorrectly on roll call vote 231, I intended to vote YEA.

EMERGENCY CHILD & ADULT NUTRITION ASSISTANCE ACT OF 2021

HON. ALMA S. ADAMS
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 3, 2021

Ms. ADAMS. Madam Speaker, today I introduced the Emergency Child & Adult Nutrition Assistance Act of 2021. This legislation will extend COVID–19 relief for both the Child and Adult Care Food Program and the school food authorities through the end of the 2021 school year to help cover their operational costs. This bill will also extend the availability of funds through September 2022. Additionally, each state that carries out a reimbursement program, will be required to submit a report on the use of such funds no later than March 2023.

As we continue to recover from the pandemic, many school districts and school food authorities are still facing major challenges to the fiscal sustainability of their school meal programs due to decreases in meals served and supplemental sales, and many adult and child care centers and after school programs continue to need support to feed children and adults in need during the public health crisis. The increased cost of food and supplies and the loss of revenue have dealt critical blows to funding for these essential programs. The supplemental funding provided by the Emergency Child & Adult Nutrition Assistance Act will ensure that school meal programs and child and adult care programs have sufficient support to continue feeding the most vulnerable in our communities as we grapple with the continued impacts of this pandemic.
Chamber Action

Routine Proceedings, pages S5683–S5789

Measures Introduced: Thirteen bills and three resolutions were introduced, as follows: S. 2582–2594, S. Res. 334–335, and S. Con. Res. 12. Page S5716

Measures Passed:

United States Capitol Police Congressional Gold Medals: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 3325, to award four congressional gold medals to the United States Capitol Police and those who protected the U.S. Capitol on January 6, 2021, and the bill was then passed. Pages S5685–S67

Solidarity with Cuban Citizens: Senate agreed to S. Res. 310, expressing solidarity with Cuban citizens demonstrating peacefully for fundamental freedoms, condemning the Cuban regime’s acts of repression, and calling for the immediate release of arbitrarily detained Cuban citizens, after agreeing to the committee amendment in the nature of a substitute. Pages S5699–5701

National Lobster Day: Senate agreed to S. Res. 335, designating September 25, 2021, as “National Lobster Day”. Pages S5706–07

Measures Considered:

Invest in America Act—Agreement: Senate continued consideration of H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto:

Pages S5683–85, S5687–90, S5690–99, S5701–06

Adopted:

By 95 yeas to 3 nays (Vote No. 294), Schumer (for Lummis) Amendment No. 2181 (to Amendment No. 2137), to require the Secretary of Transportation to carry out a highway cost allocation study. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmative votes, be agreed to.) Pages S5683–85, S5687–90

Carper (for Cruz/Warnock) Amendment No. 2300 (to Amendment No. 2137), to designate additional high priority corridors on the National Highway System.

By a unanimous vote of 97 yeas (Vote No. 297), Carper (for Van Hollen) Amendment No. 2354 (to Amendment No. 2137), to include a payment and performance security requirement for certain infrastructure financing. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmative votes, be agreed to.) Pages S5694–99

Rejected:

By 20 yeas to 78 nays (Vote No. 295), Lee Amendment No. 2255 (to Amendment No. 2137), in the nature of a substitute. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) Pages S5687–90

By 48 yeas to 50 nays (Vote No. 296), Carper (for Duckworth) Amendment No. 2140 (to Amendment No. 2137), to require recipients of all stations accessibility grants to adopt plans to pursue public transportation accessibility projects that provide accessibility for individuals with disabilities. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) Pages S5690–99

Pending:

Schumer (for Sinema) Amendment No. 2137, in the nature of a substitute. Page S5684

Carper/Capito Amendment No. 2131 (to Amendment No. 2137), to strike a definition. Page S5684

Carper (for Johnson) Amendment No. 2245 (to Amendment No. 2137), to prohibit the cancellation of contracts for physical barriers and other border security measures for which funds already have been obligated and for which penalties will be incurred in the case of such cancellation and prohibiting the use of funds for payment of such penalties. Pages S5704–06

A unanimous-consent-time agreement was reached providing that at 12:15 p.m., on Wednesday, August 4, 2021, Senate vote on or in relation to Carper (for Johnson) Amendment No. 2245 (to Amendment No. 2137) (listed above), with no amendments in order to the amendments prior to a vote on or in relation to the amendment, with 60-affirmative votes
required for adoption of the amendment, and two minutes for debate equally divided prior to the vote.

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, August 4, 2021.

Appointments:

Commission on Social Impact Partnerships: The Chair, pursuant to Public Law 115–123, on behalf of the Majority Leader of the Senate, appointed the following individual as a member of the Commission on Social Impact Partnerships: Carol B. Kellermann of New York.

Lee Nomination—Cloture: Senate began consideration of the nomination of Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit.

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, August 5, 2021.

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Nomination Confirmed: Senate confirmed the following nomination:

Stacey A. Dixon, of the District of Columbia, to be Principal Deputy Director of National Intelligence.

Messages from the House:

Executive Communications:

Petitions and Memorials:

Executive Reports of Committees:

Notice of a Tie Vote Under S. Res. 27: Page S5707

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Authorities for Committees to Meet:

Privileges of the Floor:

Record Votes: Four record votes were taken today. (Total—297)

Adjournment: Senate convened at 10:30 a.m. and adjourned at 8:23 p.m., until 10:30 a.m. on Wednesday, August 4, 2021. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S5789.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Lieutenant General Laura J. Richardson, USA, to be general and Commander, United States Southern Command, Department of Defense, after the nominee testified and answered questions in her own behalf.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 31 nominations in the Army, Navy, Air Force, and Marine Corps.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of Damon Y. Smith, of Maryland, to be General Counsel of the Department of Housing and Urban Development.

OVERSIGHT OF REGULATORS

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine regulators and our financial system, after receiving testimony from Todd M. Harper, Chairman, National Credit Union Administration; Jelena McWilliams, Chairman, Federal Deposit Insurance Corporation; and Michael J. Hsu, Acting Comptroller of the Currency, Department of the Treasury.

CONSUMER PROTECTION

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Consumer Protection concluded a hearing to examine protecting consumers from financial fraud and scams in the pandemic recovery economy, after receiving testimony from Liz Coyle, Georgia Watch, Atlanta; and John Breyault, National Consumers League, and Rachel Greszler, The Heritage Foundation, both of Washington, D.C.

TOXIC MARKETING CLAIMS

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Data Security concluded a hearing to examine toxic marketing claims and their dangers, after receiving testimony from North Carolina Attorney General Joshua H. Stein, Raleigh; Robert K. Jackler, Stanford University School of Medicine, Stanford, California; Ariel Fox Johnson, Common Sense Media,
San Francisco, California; and Maureen K. Ohlhausen, Baker Botts L.L.P., former Acting Chair, Federal Trade Commission, Washington, D.C.

NOMINATIONS
Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Geraldine Richmond, of Oregon, to be Under Secretary for Science, who was introduced by Senator Wyden, and Asmeret Asefaw Berhe, of California, to be Director of the Office of Science, both of the Department of Energy, and Cynthia Weiner Stachelberg, of New York, to be an Assistant Secretary of the Interior, after the nominees testified and answered questions in their own behalf.

AUTHORIZATIONS OF USE OF FORCE
Committee on Foreign Relations: Committee concluded a hearing to examine authorizations of use of force, focusing on administration perspectives, after receiving testimony from Wendy Sherman, Deputy Secretary, and Richard C. Visek, Acting Legal Adviser, both of the Department of State; and Caroline Krass, General Counsel, Department of Defense.

DOMESTIC TERRORISM AND VIOLENT EXTREMISM
Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine domestic terrorism and violent extremism, focusing on the threat of racially, ethnically, religiously, and politically motivated attacks, after receiving testimony from Wade Henderson, The Leadership Conference on Civil and Human Rights, John C. Yang, Asian Americans Advancing Justice, and Seth G. Jones, Center for Strategic and International Studies, all of Washington, D.C.; Eric Fingerhut, Jewish Federations of North America, New York, New York; and Paul Goldenberg, Rutgers University Miller Center on Community Resilience and Protection, Hamilton Township, New Jersey.

BUSINESS MEETING
Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 1486, to eliminate discrimination and promote women’s health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition, with an amendment in the nature of a substitute;

S. 1543, to amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy, with an amendment in the nature of a substitute;

S. 2425, to amend the Public Health Service Act to ensure the provision of high-quality service through the Suicide Prevention Lifeline, with an amendment in the nature of a substitute;

S. 2401, to reauthorize the Assistive Technology Act of 1998, with an amendment in the nature of a substitute; and

The nomination of Javier Ramirez, of Illinois, to be Federal Mediation and Conciliation Director.

STUDENT LOAN BANKRUPTCY REFORM
Committee on the Judiciary: Committee concluded a hearing to examine student loan bankruptcy reform, after receiving testimony from Illinois Attorney General Kwame Raoul, Chicago; Elizabeth Gonzalez, Public Law Center, Santa Ana, California; Beth Akers, American Enterprise Institute, Washington, D.C.; Christopher P. Chapman, AccessLex Institute, West Chester, Pennsylvania; and Diane Barta, Richmond Hill, Georgia.

CONGRESSIONAL OVERSIGHT AND EXECUTIVE PRIVILEGE
Committee on the Judiciary: Subcommittee on Federal Courts, Oversight, Agency Action, and Federal Rights concluded a hearing to examine principles and practice of congressional oversight and executive privilege, after receiving testimony from Kate Shaw, Yeshiva University Benjamin N. Cardozo School of Law, New York, New York; Jonathan David Shaub, University of Kentucky J. David Rosenberg College of Law, Lexington; and Mark J. Rozell, George Mason University Schar School of Policy and Government, and Jennifer L. Mascott, George Mason University Antonin Scalia Law School, both of Arlington, Virginia.

INTELLIGENCE
Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.
House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 4904–4935; 1 private bill, H.R. 4936; and 1 resolution, H. Con. Res. 46, were introduced.

Additional Cosponsors: Pages H4310–12

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Wexton to act as Speaker pro tempore for today.

Senate Referrals: S. 1046 was held at the desk. S. 1301 was held at the desk. S. 2045 was held at the desk.

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H4309.

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:05 a.m.

Committee Meetings

No joint committee meetings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, AUGUST 4, 2021

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to markup an original bill making appropriations for Energy and Water Development and Related Agencies for the fiscal year ending September 30, 2022, an original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2022, and an original bill making appropriations for Military Construction, Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2022, 9:30 a.m., SD–106.

Committee on Commerce, Science, and Transportation: business meeting to consider S. 451, to require the Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology, to help facilitate the adoption of composite technology in infrastructure in the United States, S. 1790, to ensure that the Federal Communications Commission does not approve radio frequency devices that pose a national security risk, S. 1880, to direct the Federal Trade Commission to submit to Congress a report on unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes, S. 2068, 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, S. 2299, to modify the age requirement for the Student Incentive Payment Program of the State maritime academies, S. 2333, to amend chapter 2205 of title 36, United States Code, to ensure equal treatment of athletes, and the nominations of Jennifer L. Homendy, of Virginia, to be Chairman of the National Transportation Safety Board, Karen Jean Hedlund, of Colorado, to be a Member of the Surface Transportation Board, and Robert Escobari, of Massachusetts, to be an Assistant Administrator, all of the United States Agency for International Development, routine lists in the Foreign Service, and Lee Satterfield, of South Carolina, to be an Assistant Secretary (Diplomatic Security), Monica P. Medina, of Maryland, to be Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Rena Bitter, of the District of Columbia, to be an Assistant Secretary (Consular Affairs), Marc Evans Knapper, of California, to be Ambassador to the Socialist Republic of Vietnam, Brian A. Nichols, of Rhode Island, to be an Assistant Secretary (Western Hemisphere Affairs), Karen Erika Donfried, of the District of Columbia, to be an Assistant Secretary (European Affairs and Eurasian Affairs), Mary Catherine Phee, of Illinois, to be an Assistant Secretary (African Affairs), and to be a Member of the Board of Directors of the African Development Foundation, Anne A. Witkowsky, of Maryland, to be an Assistant Secretary (Conflict and Stabilization Operations), and to be Coordinator for Reconstruction and Stabilization, Kenneth Lee Salazar, of Colorado, to be Ambassador to the United Mexican States, Jessica Lewis, of Ohio, to be an Assistant Secretary (Political-Military Affairs), Donald Lu, of California, to be Assistant Secretary for South Asian Affairs, Rufus Gifford, of Massachusetts, to be Chief of Protocol, and to have the rank of Ambassador during his tenure of service, and Lee Satterfield, of South Carolina, to be an Assistant Secretary (Educational and Cultural Affairs), all of the Department of State, Isobel Coleman, of New York, and Paloma Adams-Allen, of the District of Columbia, both to be a Deputy Administrator, and Marcela Escobarí, of Massachusetts, to be an Assistant Administrator, all of the United States Agency for International Development, routine lists in the Foreign Service, and other pending calendar business, 10:15 a.m., SH–216.
Full Committee, business meeting to consider pending calendar business, 2 p.m., SD–G50.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 2559, to establish the National Deepfake and Digital Provenance Task Force, S. 2551, to require the Director of the Office of Management and Budget to establish or otherwise provide an artificial intelligence training program for the acquisition workforce, S. 2520, to amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, S. 2541, to authorize the reclassification of the tactical enforcement officers (commonly known as the “Shadow Wolves”) in the Homeland Security Investigations tactical patrol unit operating on the lands of the Tohono O’odham Nation as special agents, S. 1514, to expedite detainee transport to border patrol processing facilities, S. 2305, to enhance cybersecurity education, S. 2439, to amend the Homeland Security Act of 2002 to provide for the responsibility of the Cybersecurity and Infrastructure Security Agency to maintain capabilities to identify threats to industrial control systems, S. 2540, to make technical corrections to title XXII of the Homeland Security Act of 2002, S. 2525, to amend the Homeland Security Act of 2002 to require research and development to identify and evaluate the extent to which critical domain risks within the United States supply chain pose a substantial threat to homeland security, and the nominations of Robert Luis Santos, of Texas, to be Director of the Census, Department of Commerce, and Ed Gonzalez, of Texas, to be an Assistant Secretary of Homeland Security, 10:30 a.m., SD–342.

Committee on Indian Affairs: business meeting to consider S. 989, to establish a Native American language resource center in furtherance of the policy set forth in the Native American Languages Act, and S. 1402, to amend the Native American Languages Act to ensure the survival and continuing vitality of Native American languages, 3 p.m., SD–628.

Select Committee on Intelligence: to hold hearings to examine threats to U.S. national security, focusing on Beijing’s long arm, 2:45 p.m., SH–216.

House

No hearings are scheduled.
Next Meeting of the SENATE
10:30 a.m., Wednesday, August 4

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 3684, the legislative vehicle for the Infrastructure Investment and Jobs Act.

At approximately 12:15 p.m., Senate will vote on or in relation to Carper (for Johnson) Amendment No. 2245 (to Amendment No. 2137), to prohibit the cancellation of contracts for physical barriers and other border security measures for which funds already have been obligated and for which penalties will be incurred in the case of such cancellation and prohibiting the use of funds for payment of such penalties, with 60-affirmative votes required for adoption of the amendment.

Additional roll call votes are expected during Wednesday’s session.

Next Meeting of the HOUSE OF REPRESENTATIVES
12 noon, Friday, August 6

House Chamber

Program for Friday: House will meet in Pro Forma session at 12 noon.

Extensions of Remarks, as inserted in this issue

HOUSE

Adams, Alma S., N.C., E869, E870
Carter, Earl L. "Buddy", Ga., E869
Gimenez, Carlos A., Fla., E870
Graves, Sam, Mo., E870
Lamborn, Doug, Colo., E869
Letlow, Julia, La., E870
Rodgers, Cathy McMorris, Wash., E870
Scott, Robert C. "Bobby", Va., E869