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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, August 6, 2021, at 12 p.m.

Senate

THURSDAY, AUGUST 5, 2021

The Senate met at 10:30 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

PRAYER

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

Let us pray.

Eternal Spirit, our counselor and guide, give our lawmakers the faith to believe in the ultimate triumph of truth and righteousness.

Lord, teach them to do things Your way, embracing Your precepts, and walking in Your path. Provide them the wisdom to not become careless about their spiritual and moral growth, as You provide them courage and grace to do Your will. Inspire them to expect to live satisfying lives as You enable them to replace their fears with faith, their confusion with clarity, and their discouragement with optimism.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 5, 2021.

To the Senate:

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

PATRICK J. LEAHY,
President pro tempore.

Ms. ROSEN thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, before my remarks, I ask unanimous consent that the cloture vote on the Lee nomination occur at a time to be determined today by the majority leader following consultation with the Republican leader.

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

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Madam President, all week, as we all know, Senators have worked together to move forward on the bipartisan infrastructure bill. Since the text of the bipartisan proposal was finalized on Sunday, both sides have had extensive opportunities to offer amendments. Senators have certainly taken advantage.

So far, the Senate has considered 22 amendments on this bipartisan piece of legislation. We considered 14 amendments yesterday alone. Of the 22 total amendments, more than half have been offered by our Republican colleagues. Clearly, the Democratic majority has given Members who were not part of the bipartisan group a chance to make their mark on this important bill.

Taking a step back, this Senate has operated much differently under Democratic leadership this year than it did under Republican leadership over the past 6. We have had bipartisan bills on the floor, open for amendment, and all 100 Senators are participating in the legislative process. The anti-Asian hate crimes bill and the USICA bill were both major bills that worked in a bipartisan way with amendments, as is this bill.

We have taken more amendment votes this year than nearly any year in recent memory. In fact, we have had more rollcall votes on amendments this year, only halfway through, than during the past 2 years, where the Republicans were in charge, combined. In other words, in one-half of the year in 2021, where Democrats got in charge, we have had more amendments than in all of 2019 and 2020. So any talk that we

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

are not working the Senate, whenever we can, in a fair, bipartisan way is just wrong—just wrong.

Consider this: At this point in the calendar year in 2017, the first year of a Republican President and a Republican Senate majority—a one-to-one comparison to our current political configuration—the Senate held rollcall votes on 10 amendments—10—at this point in the first year of the Trump Presidency. On this bipartisan infrastructure bill alone, the Senate has held rollcall votes on 17 amendments. In 7 months, the 2017 Republican majority allowed rollcall votes on only 10 amendments, and we have done almost double that number in the past 7 days alone.

This is how I promised the Chamber would function under a Democratic majority. I promised it while we were fighting to get that majority, and we are fulfilling that promise now that we have it. Legislators should actually have a chance to legislate. No one can deny that we kept our word here in the Democratic majority.

Today, we will consider even more amendments, and then, hopefully, we can bring this bill to a close very shortly. Our goal is to pass both a bipartisan infrastructure bill and a budget resolution during this work period, and we will stay here to get both done.

CLIMATE CHANGE

Mr. SCHUMER. On another matter, climate. President Biden announced this morning that he will sign an Executive order to significantly escalate our country's fight against climate change.

Specifically, President Biden's Executive order will set an ambitious goal to make half of all new cars sold in America zero emissions by the end of the decade. He will announce further steps to address several of the worst climate-warming rules that were put in place under the Trump administration.

I applaud President Biden for taking necessary steps to put our country on a path to substantially reduce our carbon pollution. Climate change is the defining challenge of our times. We have no choice but to reduce our country's greenhouse gas emissions very quickly to reach the targets that will spare our country and our planet the worst effects of climate change, and we cannot do it without dealing with carbon pollution from cars we drive. Transportation is the biggest source of carbon pollution, accounting for roughly one-third of America's carbon output.

President Biden's Executive order is an important step in the right direction, and I am happy and proud to say it dovetails with an effort I have long advocated here in the Congress, even before the Biden Presidency. It is called Clean Cars for America. In fact, President Biden generously adopted our Clean Cars for America plan and placed it in his Build Back Better.

My Clean Cars for America proposal—and I have worked closely with Senator STABENOW, Senator PETERS, and others on this proposal—would help our country make the transition that President Biden is talking about today by making electric cars more affordable, expanding our charging infrastructure, and creating incentives to manufacture batteries and electric vehicles here in America. It is good for climate. It good for jobs. And it is good for America to become the center of electric car manufacturing in the world, as we have been with the traditional type of automobile.

The proposal—I am proud to say we worked hard to make this happen. Clean Cars for America is now, as I said, largely adopted in the Build Back Better plan and is supported not only by the environmental community, but by the major labor unions and several of the major car manufacturers as well. It is the first time on a major piece of climate legislation we have gotten such broad support.

The transition to electric vehicles, of course, is already underway, but it is not happening fast enough to reach the targets that President Biden announced today. Clean Cars for America is the way to supercharge the transition to electric vehicles, and large parts of it will be—some of it was put in the bipartisan infrastructure bill, but large parts of it we hope to add in the reconciliation process.

Put another way: If President Biden's Executive order represents the destination we need to reach on the horizon, our Clean Cars for America is the road to get there.

President Biden's announcement, combined with our Clean Cars proposal, represents the bold level of action we need to tackling carbon pollution from cars.

When Democrats assumed the majority, I instructed my committee chairs to find climate-reducing policies to incorporate into the legislation we work on. Earlier this year, the Senate passed the first major climate legislation in years when we reversed the Trump administration's methane emissions rule. And as we continue working on a bipartisan infrastructure bill and a budget resolution, I have committed that we will make historic investments in reversing climate change. I am proud to say our Clean Cars for America is going to be a very big part of that.

Democrats promised action on climate, and we are going to make it a vital part of the legislation we work on in the weeks to come. It is a big challenge, but one we must meet. It is so important for the future of our planet, for our children, and our grandchildren even more than for us.

EVICTION MORATORIUM

Mr. SCHUMER. One final matter, evictions. Earlier this week, the Biden administration announced that the CDC will adopt an eviction moratorium to provide critical protections for another 60 days as our country continues its path towards full recovery.

I applaud everyone who made it happen, from the President to the CDC, to Speaker PELOSI, to Senator BROWN, as well as several of my Democratic colleagues in the House, including a brave band of New Yorkers, including Congress Member OCASIO-CORTEZ and Congressman JONES. Above all, Representative CORI BUSH gets huge credit—one person who changed things for tens of thousands, maybe hundreds of thousands of people, and everyone who stood with her as well.

As I explained yesterday, while this moratorium is an important safeguard to protect millions of American families in danger of evictions, it is not the only piece of the puzzle. Once the moratorium comes to an end—whenever that is—there is still a fundamental challenge of making up for a year of lost rent and lost mortgage payments.

Congress considered this problem very early this year. I pushed for, and we passed, along with Senator BROWN and so many others, substantial rental and mortgage assistance in the American Rescue Plan.

Unfortunately, State governments have been really uneven about distributing that crucial assistance. A few States—the State of Illinois, the State of Texas—have done a pretty good job, but many have not. Unfortunately, one of those that has done a very poor job distributing this money is my home State of New York.

Simply put: State governments, especially New York, must do a better job of distributing the $47 billion Congress appropriated for emergency rental assistance. The money is there, but far too little has gone out the door.

In New York specifically, Congress sent more than $2 billion to help renters in New York; and, inexplicably, some reports indicate less than 0.5 percent of New York's allocation had been received by tenants and landlords as of a week ago.

Today, I am sending a letter with colleagues in the New York delegation to the New York State Office of Temporary and Disability Assistance, calling on that office to hurry up to fix the inexcusable delays in rental assistance and immediately begin disbursing these funds.

We need to understand why New Yorkers are having such trouble navigating the process to get the money they need. There have been reports of frustrating crashes and glitches on the online application process, confusing instructions, and very little support to help the applicants, even though the money has been there for several months.

The clock is ticking to fix this mess. The State moratorium expires in less than a month, and the CDC's moratorium will give only one more month of protection after that. New York State needs to act quickly, and we expect a response by August 9 as to how we can

get a handle on these delays and, most importantly, get the money to New Yorkers faster so they can pay the rent.

By the way, many landlords, particularly small landlords, depend on this as well. If you worked hard—let's say you are a bus driver and you own a three-family house. When the tenants in your house don't pay you, you don't have any cushion and you have to pay the mortgage. So this bill will help with that as well, this proposal.

Right now, there are 6½ million Americans who are behind in their rent. According to the New York Times, over 400,000 renters in New York City alone owe a collective debt of $2 billion.

Congress did its job by making sure that we have money in place to help these Americans avoid evictions. Now the States need to step it up to make sure that this money gets into the hands of renters as soon as possible.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. KELLY). The Republican leader is recognized.

AWARDING FOUR CONGRESSIONAL GOLD MEDALS TO THE UNITED STATES CAPITOL POLICE AND THOSE WHO PROTECTED THE U.S. CAPITOL ON JANUARY 6, 2021

Mr. MCCONNELL. Mr. President, earlier this week, the Senate proudly and unanimously passed a resolution awarding a Congressional Gold Medal to the U.S. Capitol Police along with other law enforcement personnel who helped defend this institution on January 6.

Today, President Biden will sign this resolution into law, and the brave men and women who served that day will receive the highest honor that Congress can bestow.

With the home of our representative democracy literally under attack, the officers of the Capitol Police, their colleagues from the DC Metropolitan Police, and others made huge, huge sacrifices to keep all of us safe.

On January 6, Congress got a first-hand reminder of a reality that many American citizens face every day; that the brave men and women of law enforcement really are the thin blue line standing between peace and chaos.

I am so proud we are adding our own colleagues in blue to the list of extraordinary Americans that Congress has honored with its gold medal.

So thank you and congratulations.

THE ECONOMY

Mr. MCCONNELL. Now, Mr. President, on a completely different matter, we are more than a year from the technical end of the COVID–19 recession.

There are more than 9 million job openings in the country, the most in American history by far. Three safe and effective vaccines are easily available all across our country, free of charge, for any adult who wants one. Medical contraindications are rare, and CDC data tell us that, once somebody is fully vaccinated, their risk of dying from COVID–19 absolutely plummets right down to the normal range of risk that we implicitly face on a daily basis. Vaccines may not magically eliminate the virus overnight, but the evidence tells us that vaccines can eliminate the degree to which the virus represents a unique crisis.

We may not be entirely out of the woods—the Delta uptick makes that clear—but it is time to stop governing as if we were trapped in a permanent economic meltdown. It factually is simply not the case, but the Democratic Party's far-left flank is resisting this simple fact. They were counting on this terrible but temporary pandemic to be their Trojan horse for permanent socialism. So they don't want to admit that the vaccines are transitioning COVID from a crisis into a challenge—case in point, the surreal episode that has unfolded this past week over evictions.

For a year and a half now, the government has basically told landlords they have little or no recourse if tenants stop paying the rent. This isn't just about massive corporations that some think could eat losses forever; family businesses who own one or two units have had to keep paying their bills, their taxes, and their mortgages the whole time.

Congress already sent billions of dollars to States for rental assistance. The problem is with State governments that have been pathetically slow to get the money out, but when some Socialist House Members fail to convince their own fellow Democrats to extend this nationwide socialism through legislation, they somehow prevailed on President Biden through PR stunts—PR stunts.

One day before the President's announcement, his senior adviser said the President had ''double-, triple-, quadruple-checked'' whether he had the legal authority to do this, and he concluded he did not. The President himself admitted that legal scholars find his position untenable, but he still caved and did it.

The far left wants to turn this terrible but temporary pandemic into a Trojan horse for permanent socialism, and the administration is letting them call the shots.

DEBT LIMIT

Mr. MCCONNELL. Mr. President, in just a few days our colleagues will start ramming through yet another—another—reckless taxing-and-spending spree: trillions more in inflationary spending when families just want good jobs and stable prices.

But there is something funny happening. Even as Democrats crow about how all this spending is so good and so needed, they are petrified to vote for the credit limit increase that would make it possible.

The Democrats are about to tell Republicans to go take a hike and start teeing up trillions more dollars in borrowing and spending, of course, without a single Republican vote. Ah, but at the same time, they are extolling the virtues of their latest socialist shopping list, they are afraid to up the limit on their credit card. They want Republicans to give them political cover for the partisan debt bomb that they will go right on to detonate with zero input from us. My colleagues are so mixed up on this, it is almost comical.

The sums that we borrowed and spent through 2020—through last year, through the last administration, through the actual economic emergency—were largely covered by the previous debt suspension that just expired, but Democrats want a new debt limit increase for the new borrowing and the new spending that they willfully piled up since they took power: about $2 trillion back in March, trillions more sometime soon.

So they want to unleash another reckless taxing-and-spending spree with zero Republican input—oh, oh—but when the bill comes, they say it is time to split the check. When the bill comes, it is time to split the check. Initiating another budget reconciliation process in a 50–50 Senate is as willfully partisan, as ''go it alone'' as it gets, especially in a Senate that keeps proving we can do bipartisan work.

So, look, if our colleagues want to ram through yet another reckless taxing-and-spending spree without our input, if they want all this spending and debt to be their signature legacy, they should leap at the chance to own every bit of it.

So let me make something perfectly clear: If they don't need or want our input, they won't get our help. They won't get our help with the debt limit increase that these reckless plans will require. I could not be more clear. They have the ability. They control the White House; they control the House; they control the Senate. They can raise the debt ceiling, and if it is raised, they will do it.

TRIBUTE TO NICK ROSSI

Mr. MCCONNELL. Mr. President, now, on another matter, this week, Senate Republicans are saying goodbye to some all-star staffers.

Nick Rossi, the chief of staff to our whip, Senator THUNE, has spent 15 years mastering the ins and outs of the Senate.

This former FBI agent has used his Harvard Law horsepower to steer offices, committees, and our entire conference in the right direction. Our whip

has had a whip-smart right-hand man. I won't be able to top his boss's wonderful tribute remarks from yesterday, so I won't even try, but I did just want to add my own brief thanks and congratulations.

I have gotten to see Nick's great work up close. Senator THUNE and I have a standing Monday meeting to plan the week. It is a very small meeting with very few staff. Nick has been in that room, and, every time, I have been glad he was. It is a rare thing in Washington to meet someone who is probably almost one of the smartest people in the room but who also never lets you know it, but Nick combines brilliance and humility in just that way.

So my staff and I join Senator THUNE and the whole Senate in bidding Nick a fond, if reluctant, farewell.

Thank you, sincerely, for your fine, fine service.

TRIBUTE TO ANDREW FERGUSON

Mr. MCCONNELL. Now, Mr. President, on one final matter, when you have served in the Senate as long as I have, you get to hire and work with a lot of talented people, and when you find rock stars, you try to hang onto them. As a result, when a key staff member moves on, it often means reflecting on an extended Senate career of many years, including shared memories of old war stories going back ages.

Andrew Ferguson is a different case.

It was only 2 years ago that I hired Andrew to be my chief counsel. He has only been in the Senate about 3 years. By the standards of this place, he is a spring chicken. But it has only taken Andrew this short time to leave a stunningly outsized imprint on my work, on our conference, on the judiciary, and on everyone who has gotten to work alongside of him as well.

So, a few days before Andrew concludes his Senate service, I am both happy for the opportunity to share how this happened and really, really sorry that I have to do it.

The chief counsel in my leadership office handles a portfolio that is almost comically large: judicial confirmations, law enforcement and crime, immigration and border security, some constitutional questions that intersect with the separation of powers, others that intersect with national security, sometimes arcane Senate history. It takes a lawyer's lawyer with expertise in our laws and Constitution and someone who can feel out the politics, the personalities, and the shades of gray that drive a political body.

One look at Andrew's resume told me that qualification No. 1 was, clearly, no problem—UVA Law; clerked on the DC Circuit; clerked for Justice Thomas; experience in the private sector—a lawyer anybody would be glad to hire.

Oh, but what about the second qualification?

Like I said, Andrew wasn't a long-serving Senate hand. He arrived at Judiciary in time to help Chairman GRASSLEY notch a win for the country and the sanity of the Senate with the confirmation of Justice Kavanaugh. He had only just been promoted to Chairman GRAHAM's top nominations counsel when I poached him.

Well, Andrew stepped into this complex role, and, boy, did he flourish.

He became a go-to leader for committees and offices across the Republican side, a key Senate liaison to both the executive and judicial branches. He added to his lawyerly chops and grew into a strategic adviser of the first-rate. Our Republican conference is a big tent with a range of visions, but Senators from across the conference have come not just to trust Andrew's judgment, but they seek it out.

Andrew's impact has been truly dramatic. I do not believe any other Senate staffer played a more crucial role in the last two Supreme Court confirmations combined. He was our side's field general in confirming Justice Barrett. Our majority spent 4 years rebuilding the kind of Federal judiciary that our constitutional order requires. Andrew played an indispensable part.

The last couple of years have brought all sorts of unusual national challenges. The 2 years that Andrew has spent with us feel more like 10. We faced scenarios that would have sounded like wild law school hypotheticals. Who would have guessed we would be fighting to protect Americans' religious freedom while the government battled an airborne virus? But our chief counsel invariably brought us up to speed on whatever the day would bring with a good head, a big heart, and great humor. And if the topic was new to him, a big stack of library books were on his desk.

It might sound like Andrew was just very dedicated to his job. That is not totally unusual. But that doesn't fully capture it. See, I have come to believe he is simply this intense about absolutely everything. Andrew takes work very seriously, but he also takes his faith seriously, and he takes family seriously. He treasures the upbringing that his parents, Roy and Susan, provided for him and his two brothers. He takes his interests seriously, his hobbies. There is an intense, infectious enthusiasm for all of it, a kind of good-natured aggression.

Now, as his colleagues will attest, all this intensity can yield, actually, entertaining results. If, for example, you took a stroll by Andrew's desk, you would often hear him shouting—shouting—excitedly at a colleague, but you would generally genuinely have no clue whether he is strongly disagreeing with the person or just agreeing with them with great gusto. He could be discussing the law, but it might also be Roman history or the Protestant Reformation or the merits of some TV comedy or his weekend plans involving the lawful exercise of his Second Amendment rights. Whatever the subject, you would get maximum enthusiasm, maximum force of nature, and everybody in earshot usually learns some new fact and shares a big laugh.

Different people enjoy this line of work for different reasons, but for Andrew, I think politics and policy matter so much because ideas and principles matter so much. That is why one of the most darkly funny and cynical people on our team has also been one of the most earnest and idealistic. Everything is worth thinking through. Everything is worth taking seriously because principles matter, the rule of law matters, and our country matters. That is why we come to work every day.

A lot of people first come to Washington with a warrior mentality, but the rhythms of this city sometimes lull folks into a somewhat calmer mixture. But, believe me, as I suspect the entire Senate can attest by now, we need not worry that Andrew Ferguson will be lulled into a calmer anything.

So, my friend, you may be leaving the trenches for now, but we both know there is no chance you will be able to stay away forever. You are going to miss the good fight, and I can say with personal certainty that the fight is going to miss you as well. Thank you for the law lectures. Thank you for the laughs. Thank you for an outstanding job for our country. Job well done.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

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

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3684, which the clerk will report.

The 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:

Schumer (for Sinema) amendment No. 2137, in the nature of a substitute.

Carper-Capito amendment No. 2131 (to amendment No. 2137), to strike a definition.

The PRESIDING OFFICER. The Senator from Illinois.

NOMINATION OF EUNICE C. LEE

Mr. DURBIN. Mr. President, this week the Senate will vote on Eunice Lee's nomination to serve on the Second Circuit Court of Appeals. If confirmed, Ms. Lee would be the only—the only Black woman—and the only former public defender to serve on the Second Circuit. With her nomination, the Biden administration and Senate Democrats are continuing our efforts

to build a Federal judiciary that looks like America.

I would like to take a moment or two to discuss Ms. Lee's qualifications and what she will bring to the bench—a perspective that is sorely needed.

Ms. Lee has dedicated her entire legal career to public defense work, most recently as an assistant Federal public defender with the Federal Defenders of New York.

Graduating from Ohio State University and Yale Law School, Ms. Lee began her legal career clerking with the Southern District of Ohio and then with the Sixth Circuit Court of Appeals.

She then joined New York's Office of the Appellate Defender, where she spent more than 20 years advocating for indigent criminal defendants at all levels of the New York State court system. During that time, Ms. Lee taught and mentored a new generation of lawyers when she served as an adjunct assistant professor of clinical law at New York University.

She then joined the Federal Defenders of New York, where she has briefed and argued criminal appeals in the Second Circuit, the court to which she is now nominated.

In short, Ms. Lee has dedicated her entire life to upholding the Sixth Amendment right to counsel, representing defendants who cannot afford to hire a lawyer.

Now, some of my Republican colleagues have claimed, without any evidence, that, as a former Federal public defender, Ms. Lee would be biased as a judge in favor of defendants. It is curious to me that these concerns of her bias didn't seem to crop up over the decades when former prosecutors were nominated to the Federal bench, and for good reason. It is as flimsy an argument as it is offensive to the lawyers who represent defendants—a representation mandated under the Constitution.

Let's be clear: Both prosecutors and public defenders play essential roles in our justice system, and their jobs give them extensive courtroom experience, which is something we demand of all judges.

Additionally, Ms. Lee has made it clear she understands the difference between being a lawyer and a judge. As a lawyer, she is an advocate; as a judge, an arbiter. At her hearing before the Judiciary Committee, Ms. Lee explained that she ''critically recognize[s] the importance of [being] a fair decision-maker.''

What is more, 70 former prosecutors—those are the women and men sitting at the other table in the courtroom—in the Southern and Eastern Districts of New York, the very prosecutors that she squared off with in the courtrooms, have stressed the importance of having her perspective as a public defender represented on the Second Circuit.

In a letter to the Judiciary Committee, these prosecutors wrote: ''[W]e enthusiastically support Ms. Lee not just because of her sterling credentials. We believe that after a career as a public defender serving indigent clients in criminal cases, Ms. Lee would bring a unique and under-represented perspective to the job of hearing and deciding federal appeals.''

Then they added that Ms. Lee was ''an incredibly talented lawyer and public servant, whose career representing the most vulnerable among us will bring a critical, unique perspective to the bench.''

Finally, I want to share a passage from a recent op-ed written by Clark Neily, a scholar at the Cato Institute, and Devi Rao, a counsel at the MacArthur Justice Center.

They wrote: ''Judges with a greater diversity of professional experience would improve judicial decision-making overall. A judiciary with members whose formative professional experiences span the legal profession will be best equipped to handle the diverse range of cases and issues presented to them.''

Legal experts across the ideological spectrum agree. Professional diversity on the Federal bench is beneficial to our system of justice.

With Eunice Lee's confirmation, this Senate can continue bringing balance to our Nation's courts and elevate a professional perspective severely underrepresented today. I will vote for Ms. Lee's nomination, and I urge my colleagues to do the same.

Let me just add in closing, I want to thank the Members of the Senate, both political parties, for proposing nominees to the Biden White House for consideration for lifetime appointments to the Federal judiciary. They have brought those nominations to the Senate Judiciary Committee, where I chair the proceedings, and it is remarkable. The women and men who have come to us, prepared to serve, make a lifetime commitment to serve our Federal judiciary.

The diversity in that group is amazing, remarkable, and the quality is without exception. Nearly all of them have been found at least ''well qualified'' unanimously by the American Bar Association—in many cases, and certainly in others, very positive reports as well.

I want to continue bringing these women and men to the floor of the Senate. I pleaded even this morning with the majority leader, Senator SCHUMER, who has the toughest job in the world of trying to move all the things we want to do onto this calendar and off again. I thank him for his cooperation.

I would like to say a few words on a separate topic.

EVICTION MORATORIUM

Mr. President, I listened carefully to the Senate Republican leader this morning, Senator MCCONNELL. I struggle to understand one aspect of his speech. He referred to the notion of helping those who are facing eviction as some form of socialism.

What we are doing, of course, is trying to make certain that all of these people have a roof over their heads, and some of them are going through extraordinarily difficult economic challenges and extraordinarily difficult public health challenges.

The money that we are sending their way is not just for them, obviously, but also to benefit the landlords, the people who own the property that they occupy.

Now, that is not unusual for this Congress in the midst of this pandemic to step up and help small businesses like landlords who are trying to pay their mortgages during this difficult time when they have tenants who are going through economic distress. I don't think that is socialism.

It wasn't socialism when we created the PPP program in 2020 on a bipartisan basis, with recordbreaking sums of money, to give to small businesses to help them through the treacherous times of this pandemic. It was just common sense. Our economy was taking a hit, and they were too.

We wanted the day to come when we could deal with this pandemic effectively and also that they could return to their businesses. Was that socialism, that we would have that kind of an effort? I don't think so.

As a matter of fact, when it came to passing that legislation, it was bipartisan and virtually unanimous—President Trump supporting it as well as Speaker PELOSI when it all came to pass. I mean, that is an indication of bridging the vast political differences in this country when an emergency demanded it. I don't think that is socialism.

When it comes to those tenants who are struggling to get by in these difficult times, helping them and the landlords whose property they occupy is not socialism; it is what America is all about. It is, of course, an involvement of the government, and we all voted for that, but it is in a specific context of helping people.

What the President has now proposed beyond this infrastructure bill that we are facing is that we look to other aspects of family life where we can help families cut the cost of the basics that they face, whether it is childcare or sending a child to college.

I don't think it is socialistic to say we want 2 additional years of education for the graduates of high school in America so they are prepared to compete in the 21st century. That is just common sense. Socialism? I don't believe it is even close to socialism. It is really preparing them for a competitive, entrepreneurial economy and for success in life. That, to me, is a noble goal, whatever party is behind it.

When it comes to the debt ceiling of this country, I just hope we can find a way to deal with this responsibly. It has always been a political football, depending on which party was in power, but to risk the possibility of a default on America's debt at this moment in

our economic history is a dangerous, dangerous undertaking. We need to do the right thing. We have to concede the obvious.

Certainly the previous President, Trump, didn't win any accolades for fiscal conservatism. And we have to come together to recognize, whoever the President may be, the important thing is that this Nation move forward—move forward to our cures for the illnesses that we face but also to an economy that is expanded.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

H.R. 3684

Mr. CARPER. Before the Democratic whip leaves the floor, I just want to thank him for raising the three words ''Ohio State University.'' As a proud Buckeye for——

Mr. DURBIN. The Ohio State——

Mr. CARPER. No, I never say ''The Ohio State.'' We want to be humble. But I used to be a Navy ROTC midshipman there for a number of years and have great memories of being a part of the student body there and part of the Navy ROTC unit.

Later, I had the opportunity, as my colleague knows, to join forces in the U.S. House of Representatives in 1982—one of the largest freshman classes ever. It seems like yesterday. He went on to come and serve in the Senate, and I went on to serve as Governor.

One of the things I never thought about as Governor is the job of the Governor to nominate people to serve on the courts. I never thought about that.

As it turns out, in Delaware, given the positions we have in corporate law and other parts of our economy and business, judicial appointments are over-sized. They are really extremely important.

And while I hadn't given it a lot of thought, I remember I had, I think, 45 joint appearances with my Republican opponent when I ran for Governor—45 in the year 1992, and not once did anybody ever ask of either of us: What would you look for in nominating judges?

It turned out to be hugely important. I studied economics and got an MBA, but I don't pretend to be an expert on legal matters. One of the things that I learned—and I felt it was important—was to have a judiciary that was diverse and that looked like Delaware. I think the same is true here for our country for district court judges, appeals courts, and the Supreme Court.

I wanted to nominate people who were bright and who were smart, and intellectually curious. I wanted to nominate people who were hard working, who brought a diversity of experiences to the bench. And mostly, I wanted to nominate people who were able to make good decisions—even tough decisions—and were fair and treated everybody in their court before them with fairness.

The reputation of the nominee whom you referred to, I think she checks all those boxes, and I want to thank you for raising her before us here today. Thank you.

We have our colleague from Louisiana here with us today. He has worked hard, along with 21 of our colleagues, to try to fashion a bipartisan consensus to build on the work of, among others, the Environment and Public Works Committee on infrastructure.

We worked hard in our committee—SHELLEY CAPITO, the lead Republican, and myself, and 18 others—to report and later to vote on legislation on water infrastructure here, drinking water and wastewater sanitation legislation. We voted on it a couple months ago after reporting it unanimously out of committee. And 89 to 2, the same bill came up here—89 to 2. And we have used that as one of the building blocks on which the bipartisan infrastructure package is fashioned.

We also have in the Environment and Public Works Committee the great support and leadership of our ranking member, Senator CAPITO, and the participation of every single U.S. Senator who gathered input to help us fashion legislation in the Committee on water, drinking water, wastewater, and roads, highways, bridges, and climate, in order to be able to put together a foundation, if you will, under which the Gang of—we affectionately call it the Gang of 22—have built this infrastructure piece along with the help of the administration and a lot of other folks who participated.

I go back and forth on the train. I literally went home last night to Delaware and was back here this morning. I am a bit weary, but I was encouraged. So many times over the years, people say to me, as I am waiting to catch a train in Wilmington or waiting to catch a train back home at the end of the day—people say to me: Why can't you guys just work together? Why can't you just work to get stuff done for this country?

I think they would be encouraged by what they would have seen and the work of not just the Environment and Public Works Committee but the work of the Commerce Committee, the work of the Banking Committee, and the work of the Energy and Natural Resources Committee—rather extraordinary, every one of them. Democrats, Republicans, a couple of Independents are all working together to fashion legislation that is going to help strengthen our economy and make our economy work better and help provide employment opportunities to literally millions of people at a time when we need that.

And, yesterday, I think we had the votes. Correct me if I am wrong. But more than a dozen votes we have had this week, and more than a score of votes on amendments to this package—this infrastructure package. One of the things I love about it is that a bunch of those amendments were bipartisan. It wasn't just Democratic amendments or Republican amendments. They were amendments we offered together.

And interestingly enough, we had any number of instances yesterday, including late last night, when we didn't have long, dragged out debate. We actually voice-voted a number of provisions that were being offered to us. The amendments were being offered. I am encouraged by that.

And I note that, tomorrow morning, a lot of us—I am not sure how many, but maybe a third of the U.S. Senate, will join together and get on a plane—I think an Air Force plane—and we will head for Gillette, WY, to say goodbye—say good-bye to a dear friend, and that is Mike Enzi.

I spoke about him on the floor in the last week. So I will be brief right here. Mike Enzi would love what we are doing. He would have loved to have been a part of this. He was the guy who first taught me about the 80–20 rule. The 80–20 rule—when I asked him how Mike Enzi, one of the most conservative Republicans we had here in the Senate, and Ted Kennedy, one of the most liberal Senators we had here in the United States, how could they work together on the Health, Education, Labor, and Pensions Committee and get so much done—and get so much done?

I will never forget what he said. He gave a speech on the floor here when I was presiding as a brandnew freshman Senator, years ago—20 years ago. He spoke of the 80–20 rule, and I asked him when he finished speaking: What is the 80–20 rule?

And he said: It is the secret to Ted Kennedy and I being successful in the Health, Education, Labor, and Pensions Committee—being so successful in taking on legislation and coming up with principled, bipartisan solutions.

And he said: Ted and I agree on 80 percent of the issues that come before our committee. We disagree on maybe 20 percent. And what we do on the Health, Education, Labor, and Pensions Committee is we focus on the 80 percent where we agree, and we set aside the 20 percent where we don't agree to another day. We come back to it, and we deal with that later on.

And it worked for them.

He would be delighted. My guess is he is tuned in today, somewhere up there. But he would be delighted to see that this week the 80–20 rule that Mike Enzi epitomized is alive and well on both sides of the aisle. I hope that the spirit that has infused our work, leading up to the work of our committees—the committees of jurisdiction—providing the foundation on which the gang of 20 and the administration went to work—my hope is that that spirit of bipartisanship and Mike Enzi's 80–20 rule will continue to infuse our work here this week into the latter part of this evening, and, hopefully, not too late into the evening. Maybe we can wrap things up here in short order.

With that, I am going to yield the floor, and I just want to say to everyone who is working hard to make this

a productive week, a productive mission: I just want to say a real thank you, not just to the members of the relevant committees I mentioned but to everybody, all the folks who serve here, and especially our staff.

I like to say that people ask me sometimes—and I say this to my friend Senator CASSIDY from Louisiana, who is a truly brilliant person and a great colleague to work with. I would like to say that about Senator THUNE, with whom I will be joining in a Bible study later again today as we join with the Chaplain every day. There are a lot smarter people in the U.S. Senate than me, but I am smart enough to hire really smart people. They work hard and I work hard, and most days we get a lot done.

For all the staff here in this body and in this building and the committee staff out across the Capitol and around the world, we especially thank you for your efforts.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

REMEMBERING MIKE ENZI

Mr. THUNE. Mr. President, I want to associate myself with the comments of my colleague from Delaware with respect to Senator Enzi. He is absolutely right. Senator Enzi, who will be laid to rest in Wyoming, was a wonderful public servant and someone who there weren't any pretensions about him. He was a ''what you see is what you get'' type of individual, somebody who worked hard every day, was solutions-oriented, results-oriented, and brought with him a humble spirit and demeanor that we all benefited from here, and something that I think all of us could aspire to here as well.

And I was reminded as my colleague from Delaware was speaking, of a verse in the Old Testament Book of Micah, where it says:

He has told you, old man, what is good. And what does the Lord require of you but to do justice, to love kindness, and to walk humbly with your God.

And I think that certainly describes Senator Mike Enzi. And we think about him and his family and keep them in our prayers as they prepare for that ceremony tomorrow.

BROADBAND

Mr. President, as a Senator from a rural State and a member and former chairman of the Senate Commerce Committee, expanding broadband access to rural areas has long been a priority of mine. Given our economy's increasing reliance on broadband in the digital age, it makes sense, as part of this infrastructure bill, that we are prioritizing expanding broadband access to unserved areas.

But I have to say I am concerned, because a lot of the money allocated for expanding access—more than $42 billion—would be funneled not through the Federal Communications Commission, where the majority of the Government's broadband experience resides, but through the Commerce Department's National Telecommunications and Information Administration, or NTIA, which has previously fumbled attempts to bring broadband access to more communities.

Back in 2009, a government stimulus bill allocated $4.7 billion to NTIA to expand broadband access in rural and underserved areas. It didn't go very well. The Agency struggled with implementation. There were serious issues with a number of the projects the Agency approved. In fact, 14 projects were either temporarily or permanently halted.

Other projects resulted in a significant amount of overbuilding, meaning that they resulted in the construction of additional broadband infrastructure in areas that already had access to reliable broadband. A Government Accountability Office report found that the National Telecommunications and Information Administration lacked the data it needed to determine whether areas were genuinely underserved.

More recently, just last month, the NTIA called for ''volunteers''—volunteers—to evaluate grant proposals. That is right. The NTIA has called for volunteers to help determine how to allocate the $1.5 billion Congress has provided to NTIA over the past year to improve broadband access.

Now, we should think long and hard before giving the Agency the authority to administer more than $42 billion in grants when it has to call on volunteers to help allocate a tiny fraction of that money.

NTIA simply has not demonstrated its ability to administer a grant program of this size and complexity. A much better alternative would be to put the Federal Communications Commission in charge of disbursing broadband funds.

In contrast to NTIA which has just 157 employees, the Federal Communications Commission employs more than 1,400 people. It has the staffing resources it needs in-house to administer this grant program. The FCC also, crucially, has the necessary expertise to identify truly unserved areas so that Federal dollars go to communities with the most significant lack of broadband access.

I have proposed an amendment to the infrastructure legislation before us that would strike the NTIA grant program and redirect that money to the bipartisan legislation I have introduced—the Rural Connectivity Advancement Program Act.

The Rural Connectivity Advancement Program Act would mandate that 10-percent of the net proceeds of any spectrum auctions mandated by the Federal Government go to building out broadband networks with the goal of strengthening connectivity in rural and Tribal areas. Redirecting the proposed $42 billion in grants to this program would allow the Federal Communications Commission to administer these funds, which would make it more likely that this funding would actually go to meet the broadband needs of unserved communities.

On a related note, I have also introduced an amendment to strike a provision of the infrastructure bill that would allow NTIA to make changes to the formula that Congress is providing to determine what areas of the country are eligible for grants.

Why is Congress bothering to put funding guardrails in this legislation if it is going to allow the NTIA to change them at will?

As I have said, NTIA lacks adequate expertise when it comes to identifying what areas of the country are truly unserved. And I am not sure why we give NTIA the authority to change Congress's guidelines and possibly further diminish the chances that this grant program will deliver on its objective.

Unfortunately, just yesterday, the Senate voted down an amendment offered by the ranking member of the Commerce Committee that would have provided critical safeguards should NTIA establish this program. The proponents of this legislation have reportedly received assurances from the Secretary of Commerce about how NTIA will implement the bill.

If this bill is enacted, the Secretary should expect close scrutiny from the Commerce Committee and be prepared to explain how she will prevent a repeat of the Agency's past missteps. As I said, there have been problems in the past with government broadband dollars going to overbuilding of broadband in areas that already have a substantial amount of access, and I am concerned that this bill could result in the same problem.

In addition to the NTIA grant program, the infrastructure bill would authorize the Department of Agriculture to improve grant funding of areas where 50 percent of the homes lack adequate access to broadband services. While this may sound like an appropriate percentage, the truth is that a grant for building out broadband in an area where 50 percent of the homes already have adequate access is likely to result in significant overbuilding at taxpayer expense.

We seem to have forgotten that Federal resources are—or at least should be—limited. There are plenty of areas where broadband access is almost nonexistent and where there is almost no available broadband infrastructure to build on. And those are the first places where we need to direct available government funding, which is why I am offering an amendment to change the formula to require that proposed grants cover an area where at least 80 percent of homes lack broadband access. This bipartisan amendment deserves a vote.

I am also concerned that we are advancing this bill without any of the provisions, particularly the broadband components, going through regular committee consideration. The Commerce Committee has a long history of

advancing legislation to expand access to broadband services. Rushed legislative efforts that bypass the committees of jurisdiction and the subject matter expertise that they offer could lead to billions of dollars being spent with little to show.

I am appreciative of the efforts of the bipartisan negotiators who crafted this bill. I know they share my goal of targeting broadband resources to those most in need. I am very pleased that my Telecommunications Skilled Workforce Act amendment received a vote the other day and passed the Senate by an overwhelmingly bipartisan margin. This amendment would help ensure that we develop the workforce necessary to meet the demands of the next generation of mobile broadband internet, 5G.

But I hope—I hope—that we will also have a chance to vote on my other amendments—those I just mentioned—and amendments being offered by my colleagues. Infrastructure legislation is tremendously important to our economy, and we need to take the time to get this legislation right. And that means giving Senators, who are not part of the working group, adequate time to offer amendments and, hopefully, improve this product. We have made some progress on that front this week, and I hope to make more before finishing this bill.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MARK KELLY MAIDEN SPEECH

Mr. CARPER. Mr. President, I just want to say, earlier this week—I am almost at a loss for words. I know I normally am not standing where I normally stand.

Earlier this week, you gave your freshman year first speech—your first speech—and not everybody was able to hear it. A lot of people came up. Democrats and Republicans were here. I just want to say again how much I enjoyed it.

From an old Navy guy to a not-so-old Navy guy, we are very proud of your service in uniform and also proud of your service here. I am delighted that you are a member of our Environment and Public Works Committee. We have done some really good work on this issue. I thank you for your help and contribution.

DISPARITY STUDIES

Mr. CARPER. Mr. President, I have a couple of unanimous consent requests. I ask unanimous consent to have printed in the RECORD a list of studies presenting a strong basis of evidence for the conclusion that discrimination against minority- and women-owned businesses continues to affect the construction, architecture, and engineering and related surface transportation contracting markets nationwide.

These disparity studies contain rigorous statistical analyses to determine whether business discrimination based on—whether it is based upon race or gender, continues to exist, and a review of these studies reveals that the answer, sadly, is a resounding yes, and, therefore, the current Disadvantaged Business Enterprise provisions are still warranted.

Mr. President, I ask unanimous consent to have printed in the RECORD those disparity studies.

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

STATE AND LOCAL DISPARITY STUDIES FROM 2015–2021

ALASKA

Alaska Department of Transportation & Public Facilities Disadvantaged Business Enterprise Study, Final Report & Final Appendices, Prepared by the Alaska Department of Transportation & Public Facilities Civil Rights Office (2020).

ARIZONA

Arizona Department of Transportation Disparity Study, Final Report, Prepared by Keen Independent Research (2020).

Arizona Department of Transportation Disparity Study Report, Prepared by Keen Independent Research (2015).

CALIFORNIA

Caltrans Disparity Study, Prepared by BBC Research and Consulting for Caltrans Department of Transportation (2016).

City of Oakland 2017 Race and Gender Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2020).

LA Metro 2017 Disparity Study, Prepared by BBC Research & Consulting for the Los Angeles County Metropolitan Transportation Authority (2018).

San Francisco Bay Area Rapid Transit District Disparity Study Volumes 1–11, Prepared by Miller Consulting, Inc. (2017).

Disadvantaged Business Enterprise Availability, Utilization, and Disparity Study for the San Francisco Municipal Transportation Agency, Prepared by Rosales Business Partners LLC (2015).

COLORADO

City and County of Denver Disparity Study, Prepared by BBC Research & Consulting (2018).

Colorado Disparity Study, Final Report, Prepared by Keen Independent Research (2020).

CONNECTICUT

Connecticut Disparity Study: Phases 1–3, Prepared by The Connecticut Academy of Science and Engineering for the Connecticut General Assembly and the Government Administration and Elections Commission (2013, 2014, 2016).

DISTRICT OF COLUMBIA

District of Columbia Department of Small and Local Business Development Comparative Analysis: Minority and Women-Owned Business Assessment, Prepared by CRP, Inc (2019).

District of Columbia Department of Small and Local Business Development Disparity Report Framework and Recommendations, Prepared by CRP, Inc. (2019).

2015 Disparity Study for Washington Suburban Sanitary Commission, Prepared by MGT of America, Inc. (2016).

FLORIDA

Minority, Women, and Small Business Enterprise Disparity Study for the City of Tallahassee, Leon County, Florida and Blueprint Intergovernmental Agency, Prepared by MGT Consulting Group (2019).

Palm Beach County Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2017).

Solid Waste Authority of Palm Beach County, Florida Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2017).

GEORGIA

Atlanta Housing Authority Disparity Study, Prepared by Keen Independent Research (2017).

Atlanta Public Schools Disparity Study, Prepared by Keen Independent Research (2017).

City of Atlanta Disparity Study Summary Report, Prepared by Keen Independent Research LLC (2015).

Fulton County Small Business Study, Prepared by Keen Independent Research (2016).

Georgia Department of Transportation Disparity Study, Prepared by Griffin & Strong, P.C. for the State of Georgia (2016).

HAWAII

Hawaii Department of Transportation 2019 Availability and Disparity Study, Prepared by Keen Independent Research (2020).

IDAHO

I.aho Transportation Department Disparity Study, Prepared by BBC Research & Consulting (2017).

ILLINOIS

Chicago Transit Authority Disparity Study, Prepared by Colette Holt & Associates (2019).

Illinois Department of Transportation Disparity Study, Prepared by BBC Research & Consulting (2017).

Illinois State Toll Highway Authority Disparity Study Construction and Construction Related Services, Prepared by Colette Holt & Associates (2015).

INDIANA

City of Indianapolis and Marion County Disparity Study, BBC Research & Consulting (2019).

City of South Bend Disparity Study, Prepared by Colette Holt & Associates (2019).

State of Indiana Disparity Study, Prepared by BBC Research & Consulting for the Indiana Department of Administration (2015–16).

State of Indiana Disparity Study, Prepared by BBC Research & Consulting for the Indiana Department of Administration (2020).

KANSAS

City of Kansas City Construction Workforce Disparity Study, Prepared by Keen Independent Research (2019).

City of Kansas City, Missouri Disparity Study, Prepared by Colette Holt & Associates (2016).

KENTUCKY

Louisville & Jefferson County Metropolitan Sewer District Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2018).

LOUISIANA

City of Baton Rouge, Parish of East Baton Rouge Disparity Study, Prepared by Keen Independent Research (2019).

City of New Orleans Disparity Study, Prepared by Keen Independent Research (2018).

Recreation and Park Commission for the Parish of East Baton Rouge Disparity Study, Prepared by Keen Independent Research (2019).

MARYLAND

Business Disparities in the Maryland Market Area, Prepared by NERA Economic Consulting for the State and Maryland and the Maryland Department of Transportation (2017).

Disadvantaged Business Enterprise Disparity Study: Volumes I–III, Prepared by NERA Economic Consulting for the Maryland Department of Transportation (2018).

MASSACHUSETTS

Business Disparities in the DCAMM Construction and Design Market Area, Prepared by NERA Economic Consulting for the Commonwealth of Massachusetts Division of Capital Asset Management and Maintenance (2017).

City of Boston 2020 Disparity Study, Prepared by BBC Research & Consulting (2021).

MINNESOTA

2017 Minnesota Joint Disparity Study City of Minneapolis, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study City of Saint Paul, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Hennepin County, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Metropolitan Airports Commission, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Metropolitan Council, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Metropolitan Mosquito Control District, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Minnesota Department of Administration, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Minnesota Department of Transportation, Prepared by Keen Independent Research (2018).

2017 Minnesota Joint Disparity Study Minnesota State Colleges and Universities, Prepared by Keen Independent Research (2018).

MISSOURI

City of St. Louis Disparity Study, Prepared by Mason Tillman Associates (2015).

Missouri Department of Transportation DBE Availability Study, Prepared by Keen Independent Research (2019).

Saint Louis County Disparity Study, Prepared by Griffin & Strong P.C. (2017).

MONTANA

Availability and Disparity Study, Prepared by Keen Independent Research LLC for the State of Montana Department of Transportation (2016).

NEVADA

Nevada Transportation Consortium Disparity Study, Prepared by BBC Research & Consulting for the Regional Transportation Commission of Southern Nevada (2017).

NEW JERSEY

NJ Transit Disparity Study, Executive Summary & Appendix, Prepared by The Roy Wilkins Center for Human Relations and Social Justice, Hubert H. Humphrey School of Public Affairs, University of Minnesota (2016).

NEW YORK

City of New York Disparity Study, Prepared by MGT Consulting Group (2018).

State of New York MWBE Disparity Study, Volumes I & II, Prepared by Mason Tillman Associates, Ltd. (2016).

NORTH CAROLINA

City of Asheville, North Carolina Disparity Study, Prepared by BBC Research & Consulting (2018).

City of Charlotte Disparity Study, Prepared by BBC Research & Consulting (2017). City of Winston-Salem Disparity Study, Prepared by MGT Consulting Group (2019).

Durham County/City of Durham, North Carolina Multi-jurisdictional Disparity Study, Prepared by Griffin & Strong, P.C. (2015).

Greensboro, North Carolina Disparity Study, Prepared by Griffin & Strong (2018).

State of North Carolina Department of Administration, Disparity Study Report: Volume I, State Agencies, Prepared by Griffin & Strong, P.C. (2020).

State of North Carolina Department of Administration, Disparity Study Report: Volume 2, Community Colleges and Universities. Prepared by Griffin & Strong, P.C. (2021).

OHIO

Cuyahoga County Disparity Study Report, Prepared by Griffin & Strong P.C. (2020).

2015–16 Ohio Public Authorities Disparity Study, prepared by BBC Research & Consulting for the Ohio Department of Transportation (2016).

City of Cincinnati Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2015).

City of Columbus Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2019).

OREGON

Oregon Department of Transportation DBE Disparity Study Update, Prepared by Keen Independent Research LLC (2019).

Oregon Department of Aviation, Draft Oregon Statewide Airport DBE Disparity Study, Prepared by Keen Independent Research (2021).

Oregon Department of Transportation Availability and Disparity Study, Prepared by Keen Independent Research LLC (2016).

The Port of Portland Small Business Program Disparity Study, Prepared by Colette Holt & Associates (2018).

PENNSYLVANIA

City of Philadelphia Fiscal Year 2019 Annual Disparity Study, Prepared by the City of Philadelphia Department of Commerce and Miller^3 Consulting (2020).

City of Philadelphia Fiscal Year 2018 Annual Disparity Study, Prepared by Econsult Solutions, Inc. and Milligan & Company, LLC (2019).

City of Philadelphia Fiscal Year 2017 Annual Disparity Study, Prepared by Econsult Solutions, Inc. and Milligan & Company, LLC (2018).

City of Philadelphia Fiscal Year 2016 Annual Disparity Study, Prepared by Econsult Solutions, Inc. for the City of Philadelphia Department of Commerce (2017).

City of Philadelphia Fiscal Year 2015 Annual Disparity Study, Prepared by Econsult Solutions, Inc. and Milligan & Company, LLC (2016).

Commonwealth of Pennsylvania Department of General Services Disparity Study, Prepared by BBC Research & Consulting (2018).

Pennsylvania Department of Transportation Disparity Study, Prepared by BBC Research & Consulting (2018).

TENNESSEE

Business Market Availability and Disparity Study Shelby County Schools Board of Education, Prepared by MGT Consulting Group (2017).

City of Chattanooga, Tennessee Disparity Study Final Report, Prepared by Griffin & Strong P.C. (2019).

City of Memphis, Tennessee Disparity Study, Prepared by Griffin & Strong P.C. (2016).

Metro Nashville, Tennessee Disparity Study, Prepared by Griffin & Strong P.C. (2018).

Shelby County Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2016).

TEXAS

Availability and Disparity Study, City of Dallas, Texas, Final Report, Prepared by MGT Consulting Group (2020).

Business Disparities in the Austin, Texas Market Area, Prepared by NERA Economic Consulting for the City of Austin, Texas (2015).

Business Disparities in the San Antonio, Texas Market Area, Prepared by NERA Economic Consulting for the City of San Antonio (2015).

Business Disparities in the Travis County, Texas Market Area, Prepared by NERA Economic Consulting for Travis County, Texas (2016).

City of Fort Worth, Texas, Disparity Study, Prepared by Colette Holt & Associates (2020).

Disparity Study for Corpus Christi and CCRTA, Prepared by Texas A&M University South Texas Economic Development Center (2016).

Minority- and Women-owned Business Enterprise (MIWBE) Program Disparity Study for the San Antonio Water System, Prepared by MGT of America (2015).

Texas Department of Transportation Disparity Study, Prepared by Colette Holt & Associates (2019).

VIRGINIA

Commonwealth of Virginia Disparity Study, Prepared by BBC Research & Consulting (2020).

City of Virginia Beach Disparity Study, Prepared by BBC Research & Consulting (2018).

WASHINGTON

City of Tacoma Disparity Study, Prepared by Griffin & Strong P.C. (2018).

Port of Seattle Disparity Study, Prepared by Colette Holt & Associates (2019).

Sound Transit Disparity Study, Prepared by BBC Research & Consulting (2020).

State of Washington Disparity Study, Prepared by Colette Holt & Associates (2019).

Washington State Airports Disparity Study, Prepared by Colette Holt & Associates (2019).

Washington State Department of Transportation Disparity Study, Prepared by Colette Holt & Associates (2017).

WISCONSIN

Madison Public Works Disparity Study, Prepared by Keen Independent Research for City of Madison, Wisconsin (2015).

ELECTRIC SCHOOL BUSES

Mr. CARPER. Mr. President, I have a second unanimous consent request I want to mention, and that is a request to have printed in the RECORD letters of support for electric school buses.

I would ask unanimous consent to have printed in the RECORD two letters—one from three American school bus manufacturers, and another from 125 nonprofit foundations, businesses, health and scientific organizations, and advocacy groups—in support of investments in electric school buses in this bipartisan package.

Both letters highlight the fact that no other school bus technology manufactured today reduces more emissions than electric vehicle school buses; and both letters highlight that investments in electric school buses would drive the demand for new electric buses and promote cost parity between electric school buses and older technologies.

The message from these diverse groups to Congress is clear: Investing in electric school buses supports American workers and American manufacturers. Not only that, it cleans up our air, protects our kids and our planet on which we live.

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

JULY 27, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER SCHUMER AND MINORITY LEADER MCCONNELL: We are writing to urge funding for a transition to electric school buses as part of the bipartisan infrastructure package being developed on Capitol Hill.

Over the past 15 years much has been accomplished in reducing emissions from older school buses using the Diesel Emission Reduction Act of 2005. Newer buses are available with propane, CNG and electric powertrains which reduce emissions by as much as 100 percent compared with school buses manufactured prior to the enactment of DERA.

The focus of these programs has been in reducing emissions of priority pollutants like nitrogen oxides (NO_X) and particulate matter (PM) but today there is serious concern about carbon emissions. These have not been the focus of earlier programs. We believe the technology that provides the best opportunity to achieve both clean air and carbon reduction is electric vehicle technology. School buses are an ideal platform for electric drive because they have a duty cycle that is highly compatible with electrification, they start and end the day at the same location (simplifies charging infrastructure needs), and enjoy a design that allows for installation of large battery packs. They do not have range issues as they drive daily the same well-established routes that are well within the battery capacity available on the bus. Electric school buses have been in daily use since 2015, accumulating millions of miles. They are reliably and dependably deployed in school districts across the country and we as manufacturers and end users of them can affirm that we are ready to meet the increased demand. This technology is here and ready to go.

Electric school buses are being rapidly introduced but remain more expensive than even some of the other clean vehicle options. Manufacturers believe that a major Federal investment will assist in driving down the cost through economies of scale that result from high volume manufacture. Such an investment would make electric school buses cost competitive with other platforms in allowing greater adoption of a technology that achieves zero emissions of harmful pollutants and greenhouse gases.

In addition to the health and climate benefits for school children and their communities, it would also create many well-paying domestic jobs in engineering, manufacturing, and sales.

Accordingly, we believe that Congress should include substantial Federal funding for clean school buses and that not less than half of that funding should go exclusively to electric buses. We understand that some communities want to use older technologies. If Congress decides to make some portion of funding available for these older technologies, we strongly support making it available for electric buses as well and its related infrastructure to allow for the fastest possible deployment of zero emission vehicle technology.

Sincerely,

BLUE BIRD CORPORATION.
IC BUS, A NAVISTAR COMPANY.
THOMAS BUILT BUSES.

JULY 27, 2021.

DEAR MAJORITY LEADER SCHUMER AND MINORITY LEADER MCCONNELL: We, the undersigned organizations, representing millions of members and companies, strongly support ensuring that the full $7.5 billion in school bus funding goes towards school districts to purchase electric school buses and install the necessary charging infrastructure, as laid out in the memo by Brian Deese explaining the Bipartisan Infrastructure Framework. The 475,000 school buses that carry 25 million children to school every day are some of the oldest technology on the road. Due to their short routes, school buses are frequently on the road for 15–20 years. Diesel exhaust is a known carcinogen which directly and disproportionately impacts the kids and drivers of these buses. Reduced pollution from bus emissions has been shown to decrease incidences of asthma, bronchitis, and pneumonia and also decreases absenteeism. Eliminating emissions from buses should have even stronger effects.

Fortunately, electric school buses are available from several domestic manufacturers and are being integrated into school bus fleets across the country. The significant investment that the government is planning to make in school buses is critical and 100% of this funding should be spent to help school districts to acquire these zero emission technologies. We particularly support ensuring that communities most impacted by air pollution are prioritized in the application process.

We oppose any funding going to fossil fuel buses as these buses do not eliminate tailpipe pollution, CNG and propane buses are already cost competitive with diesel, and all new buses purchased today will be on the road for 15–20 years, thus ensuring long term dependence on fossil fuels. The news story that broke last night shows that the bipartisan group of Senators working on this legislation is planning to use half of the school bus money to buy new fossil fuel buses for school districts, which undermines our climate goals and doesn't support the growth of the domestic EV bus industry. As the climate crisis is worsening, and our kids are breathing polluted air, we need to rapidly transition to electric buses. The government's role is to help in that transition. Even allowing one third of these funds to purchase buses that run on CNG, propane, and biofuels (which are blended in small volumes into gasoline and diesel) would lock in up to 7.5 billion tons of greenhouse gas emissions, up to 88 billion pounds of carbon monoxide pollution, and up to 12.5 million pounds of NOX, not to mention installing fueling infrastructure that will be stranded assets as these school districts move to electrification down the road.

Please ensure that all federal funding for school buses is for electric buses that will both mitigate climate change and reduce dangerous air pollution. We have an opportunity to invest in a domestic industry, promote more good-paying jobs, train more workers to be on the cutting edge of transportation technologies, and reduce asthma attacks and other respiratory ailments for our nation's school children. We sincerely hope that Congress seizes this chance to make a difference and puts $7.5 billion into electric school buses.

Thank you,

Union of Concerned Scientists; 350Brooklyn; 350NYC.org; Acadia Center; Allergy & Asthma Network; Alliance for Clean Energy New York; Alliance of Nurses for Healthy Environments; American Council for an Energy-Efficient Economy (ACEEE); American Federation of Teachers; American Lung Association; American Thoracic Society; AMPLY Power; Association of Schools and Programs of Public Health; Asthma & Allergy Foundation of America—Michigan Chapter; Azul.

Black Millennials 4 Flint; Boulder Valley School District—Safe Routes Unit; Bus-2-Grid Initiative; Cedar Lane Unitarian Universalist Church Environmental Justice Ministry; Center for Biological Diversity; Ceres; ChargePoint; Chesapeake Climate Action Network Action Fund; Children's Environmental Health Network; Chispa Arizona; CHISPA Florida; Chispa LCV; Chispa Maryland; Chispa Nevada; Clean Energy Action; Clean Energy Works; CleanAirNow; CLEER; Climate for Health, ecoAmerica; Climate Hawks Vote.

Climate Law & Policy Project; Climate Reality Project; Coltura; Detroiters Working for Environmental Justice; Dream Corps Green For All; Drive Electric RVA; Earth Ethics, Inc.; Earthjustice; EarthKind Energy Consulting; EcoMadres; Elders Climate Action; Elected Officials to Protect America; Electric Bus Newsletter; Electrification Coalition; Electrify America; Empower our Future—Colorado; Environment America; Environmental Defense Fund; Environmental Law & Policy Center; Evergreen Action.

EVgo; EVHybridNoire; Faith Alliance for Climate Solutions; Forth; Fresh Energy; Generation180; Georgia Interfaith Power and Light; GreenLatinos; H.A. DeHart & Son; Health Care Without Harm; Highland Electric Fleets; Hoosier Environmental Council; Illinois Environmental Council; Indivisible Howard County MD; Interfaith Power & Light; League of Conservation Voters (LCV).

Lewinsville Faith in Action; LION Electric; Long Island Progressive Coalition; Los Angeles County Electric Truck & Bus Coalition; Los Angeles IBEW 11 & National Electrical Contractors Ass.; Madison Area Bus Advocates; Maryland Legislative Coalition; Medical Society Consortium on Climate & Health; MI Air MI Health; Mi Assoc for Pupil Transportation; Michigan Clinicians for Climate Action; Mobilify Southwestern Pennsylvania; Moms Clean Air Force; Mother's & Others For Clean Air; Mothers Out Front.

National Consumer Law Center; Natural Resources Defense Council; New Mexico Interfaith Power and Light; New Urban Mobility Alliance (NUMO); New York City Environmental Justice Alliance; New York Lawyers for the Public Interest; New York League of Conservation Voters; New York Public Interest Research Group; New Yorkers for Clean Power; O.U.R.S. (Organized Uplifting Resources & Strategies); Pacific Environment; Peoples Climate Movement—NY; Plug In America; Proterra; Raise Green.

Renew Puerto Rico; Respiratory Health Association; Rhombus Energy Solutions, Inc.; Rivian; RMI; Save the Sound; Sierra Club; Sierra Club DC Chapter; Southern Alliance for Clean Energy; Southern Environmental Law Center; Southwest Energy Efficiency Project; The Center for Transportation & the Environment (CTE).

The Greater Prince William Climate Action Network; The Mobility House; The Reno + Sparks Chamber of Commerce; Transportation for America; Tri-State Transportation Campaign; U.S. PIRG; Ulupono Initiative; United Methodist Women; United We Stand of New York; Virginia Conservation Network; Voices for Progress; Zero Emission Transportation Association.

ENVIRONMENT

Mr. CARPER. Mr. President, I would like to point out I like to work out. I showed up at Pensacola at the age of 21 right out of Ohio State, invited by the Navy as a midshipman. Before they put us in airplanes, as you may recall, they put us through some really rigorous

conditioning. So I worked out, like, 6, 7 days a week then, and I come pretty close to that today.

And a couple of days a week I like to run. I always like to run outside. And all this work we were doing this last week—we were doing a lot of work not only on the Senate floor, but behind the scenes on electric school buses, to make sure that we would be able to provide funding for a lot of them going forward.

And one morning, I went out running, and it was still almost dark, and I was almost run over by two electric buses, and I said: Don't worry, I am on your side. And I had a nice chat with a couple of drivers.

So I came here to present this message and these unanimous consent requests today.

I also wanted to say that we did get to work yesterday—Democrats and Republicans working together. A bunch of amendments were adopted; one or two not. But it was a good spirit last night, well into the night, and good work has been done and has continued in through the evening and again this morning on both sides of the aisle to find some additional compromises.

I am told that several amendments are ready to be brought to the floor. I would just say to my colleagues: Bring them. If you got something you think is ready for prime time, whether it is Democrat or Republican, and it is a combined bipartisan amendment, bring it. Let's hear about it. Let's have a chance to discuss it and to vote on it.

We could be up late into the night. We are going to be up really early in the morning. I think there is a 7 o'clock flight, maybe out of Andrews. At least we leave from here to Andrews to go catch a 7 o'clock flight to attend the memorial service for Senator Enzi in Wyoming tomorrow.

I think we would be smart not to stay up half the night, and do as much as we can this morning, and then—oh, it is noon, high noon. Get started now. I think we will be glad that we did.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

REMEMBERING RICHARD TRUMKA

Mr. SCHUMER. Mr. President, I rise today with some sad, some horrible news about the passing of a great friend, Rich Trumka, who left us this morning.

The working people of America have lost a fierce warrior at a time when we needed him most. Just yesterday, Rich was lending his support to the striking miners in Alabama.

Following in his father's footsteps, he worked in the mines. He went to Penn State, earned his law degree. He didn't practice. He didn't go to some fancy place. He went right to work for the United Mine Workers, which he lead for so many years, and then he became head—first, secretary-treasurer—of the AFL–CIO.

He had in his veins and every atom of his body the heart, the thoughts, the needs of the working people of America. He was them. Rich Trumka was the working people of America. He never had any airs. He never put it on, and he cared about his fellow workers so.

He was a great leader. He knew that the labor movement and working people had to expand and be diverse. One of his passions as a labor leader was immigration reform, which I talked to him about repeatedly because they were working people, too, no matter where they came from or what they looked like.

It is just horrible news. I will have more to say about it later, but I wanted to inform my colleagues that we have just lost a giant, and we need him so.

We will remember him forever, and his memory will, I know, importune all of us to do more, even more, for the working people of America, who Rich Trumka so dearly and deeply loved.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I just wanted to lend words and support to what Majority Leader SCHUMER just said about Rich Trumka.

I send my prayers and love to Barbara, his family, and everyone in the labor movement.

What a strong, vibrant, committed leader. We have worked together on so many different issues, and it was always about: Is this going to create good-paying jobs? Are workers going to be able to have their voice in the workplace? Is their standard of living going to increase? What are we doing for folks? Are we bringing jobs home? Are we creating jobs here? What are we doing for the backbone of our country, which are working men and women?

So I just want to indicate my profound sadness and shock and my love and support for all of those who I know are very sad and grieving at this moment.

Thank you.

The PRESIDING OFFICER. The Senator from Michigan.

H.R. 3684

Mr. PETERS. Mr. President, I rise today to highlight an important component of the bipartisan infrastructure legislation that we are now debating. This legislation includes new investments that will help communities in Michigan and across the country address the serious risk posed by severe flooding, shoreline erosion, and other natural disasters.

As a result of climate change, we are continuing to experience an increase in the frequency and intensity of severe weather events. In June, Southeast Michigan faced yet another severe flooding event that, tragically, led to two deaths, damaged small businesses and thousands of homes, and devastated families.

The Federal Government has spent many billions of dollars to help respond to and recover from disasters. However, until very recently, we chronically underinvested in mitigating the effects of disasters before they occur, despite the fact that it protects lives, safeguards property, and saves taxpayer dollars. In fact, studies show that every dollar invested in hazard mitigation or prevention saves as much as $6 for the taxpayers.

This package provides critical investments to a number of mitigation programs, but I want to highlight just one in particular, the STORM Act. Last year, I authored bipartisan legislation to create a new revolving loan program to be overseen by the Federal Emergency Management Agency, or FEMA. In January of this year, that bill was signed into law, establishing a new program to help our communities tackle this rising threat.

As the Senate crafted this important bipartisan infrastructure package over the past few weeks, I was able to work with my colleagues to secure $500 million in initial funding for this program, the first Federal investment that will kick-start loans for communities all across our country to begin addressing this serious problem.

With this downpayment, States will receive funding to create revolving loan funds to support local government investments in hazard mitigation projects that will help reduce natural disaster risk. The low-interest loans provided by this program will offer critical resources to cash-strapped local communities. Over time, repayment of those loans at an extremely low interest rate will provide States with a self-sustaining fund that they can use to continue improving resilience in other localities.

Because the revolving loan funds are managed at the State level, each State will have the authority to prioritize funding for the projects with the greatest need, rather than having the Federal Government make those decisions. This flexibility will allow States to focus on protecting vulnerable communities that are particularly hard hit by extreme weather events.

Additionally, unlike other mitigation programs, the STORM Act is the first program to allow States to invest in projects to mitigate shoreline erosion, rising water levels, and severe rainfall that can wreak havoc on public and private property alike. This is especially important for my home State of Michigan, where Great Lakes communities have endured flooded campgrounds, streets, and basements because of storm water drainage issues; boating problems due to submerged structures; and the destruction of beaches and homes from high water levels.

Funding for the STORM Act, along with other mitigation funds provided in this legislation, will help transform our country into a more resilient nation and save us money in the long run. I urge my colleagues to join me in supporting this critical investment in mitigation and enacting the bipartisan Infrastructure Investment and Jobs Act.

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.

SURVIVORS' BILL OF RIGHTS ACT

Mr. GRASSLEY. Mr. President, I am reintroducing the Survivors' Bill of Rights in the States Act of 2021. This measure, which Senator SHAHEEN has joined me in sponsoring, builds on an initiative on which the two of us worked together in 2016.

Entitled the ''Survivors' Bill of Rights Act,'' that earlier legislation cleared the Senate Judiciary Committee in June of 2016, during my tenure as its chairman. The House of Representatives introduced a similar package of rights some months later, and that version was enacted in the fall of 2016 with my strong support.

The 2016 statute provides very important rights for victims of sexual violence, but that act only accomplishes those cases that are Federal. Such rights include, for example, the right to know the results of your forensic exam, the right to have evidence preserved for a certain period, and lastly, the right to notice before your forensic kit is destroyed.

A young sexual assault survivor, Amanda Nguyen, who advocated for these rights at the Federal level, now is leading the effort to persuade other jurisdictions to adopt the same rights for all sexual assault victims. One of those jurisdictions is my home State of Iowa, which this summer adopted a package of rights that is closely modeled after the Federal Survivors' Bill of Rights.

I want to take the opportunity to again thank Amanda, who arrived in my office 6 years ago and convinced me of the importance of working with her on this important initiative. Amanda also later testified before the Judiciary Committee, not once but twice, at my invitation, about the importance of protecting the rights of victims of sexual violence in our criminal justice system.

Amanda worked with Senator SHAHEEN on this same legislation, as well as this Senator, and I am pleased to partner with Senator SHAHEEN again in introducing today's measure that will hopefully affect more States adopting this legislation.

This bill that we sponsored, then, gives each State a financial incentive to adopt new rights for survivors in all sex crime cases, modeled on the same rights that victims in Federal cases now enjoy. Each State that extends these same rights to survivors of sexual violence would then be eligible to receive a Federal grant under the legislation that we have introduced. The amount of each State grant would be calculated based on the formula that is used to calculate STOP grant funding to States under a program that is authorized by the Violence Against Women Act.

Finally, this measure that we have introduced would authorize $20 million annually for each of the next 5 fiscal years to support the implementation of the new grant program established by this bill.

Once again, I want to thank Senator SHAHEEN for joining me in leading this legislation and for her commitment to working to increase protections for victims of sexual violence.

I also want to thank the National Alliance to End Sexual Violence for working with us on the bill's development.

Finally, I thank Congresswoman JACKIE SPEIER and Congressman KELLY ARMSTRONG for initiating this measure in the other Chamber.

I urge my colleagues to join us in cosponsoring this bipartisan, bicameral legislation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Indiana.

THE ECONOMY

Mr. YOUNG. Mr. President, when I first ran for Congress in 2010, then-Vice President Biden was on a ''recovery summer'' tour. You see, on the heels of a trillion-dollar stimulus package, he argued millions of jobs would magically appear.

Happy days are here again.

When that summer ended, the unemployment rate was 9.4 percent, and 280,000 jobs vanished. If ever there was a show that did not deserve a sequel, this was it. But that is exactly what the American people are living through right now.

When they passed their $1.9 trillion ''son of stimulus'' package earlier this year, the President and his friends in Congress promised millions of jobs and another summer of recovery. Like the original, this sequel is a flop. That is because, once again, our friends across the aisle are confusing taxpayer priorities with a liberal wish list.

I see at home the cost of living is rising for Hoosier families and job creators. You take a trip to my hometown grocery in Greenwood, IN, the cost of steak and chicken and bread have all increased. Across the board, the cost of putting food on the table has gone up over 5 percent since last year.

It is not just groceries. The cost of gas and energy and housing and household goods are at historic highs, all while America endures a nationwide crime wave and our borders are overrun.

Now, I know my Democratic colleagues don't want to use the I-word, but let's call it what it is: Inflation. Taxation without legislation. And inflation is at its highest level since 2008.

We know they want to raise taxes on Americans, including those in the middle class, but this is probably not what Democrats had in mind.

But the President, evidently, he is not worried. He says the rising cost of living is only temporary. It is transitory.

Look, this is easy for him to say. His pocketbook isn't impacted by inflation. He isn't buying groceries at the local grocery store or a new fridge for the White House. He is not gassing up the Presidential limousine. Maybe that explains why he is urging Congress to spend another $3.5 trillion taxpayer dollars—$10 billion here for environmental justice, $174 billion there for electric cars, a massive expansion of Medicare and Medicaid, and trillions more in taxes on American families as we emerge from a global pandemic.

Trust me, I can tell you, Hoosiers don't want any of that, nor do the majority of the American people: no more trillion-dollar tax-and-spend rescue plans. They aren't rescuing Americans; they are raising their cost of living.

Don't take it from me. Take it from Larry Summers, President Obama's economic adviser. He is warning President Biden about inflation—has been for a number of months. In fact, he described recent fiscal macroeconomic policy, including the last round of nearly $2 trillion in stimulus as ''the least responsible fiscal macroeconomic policy we've had in the last 40 years.'' With friends like these—but, you know, he speaks the truth.

I wish the President would listen to Secretary Summers. He certainly won't listen to us. We are not arguing for inaction, though. In fact, we are willing to collaborate. We know there is need for targeted and responsible government spending tied to actual results on core infrastructure, on workforce training, on cutting-edge technology.

We just believe that every taxpayer dollar is a sacred trust, and we should treat it accordingly. If we are going to invest it, the American people better see returns. What they are seeing in the Democrats' $3.5 trillion budget proposal is a rerun of a failed trillion-dollar tax-and-spend spectacle from just a decade ago.

Now, the final act of that show, by the way, was not recovery. It was the American people handing control of the House of Representatives over to the Republican Party. The President

should keep that in mind. The President should keep that in mind.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

REMEMBERING RICHARD TRUMKA

Mr. BROWN. Mr. President, I rise with—I don't know if I ever actually said this on the Senate floor—I rise with a heavy heart because of the death earlier today of a longtime friend, Rich Trumka, who was the longtime President of the National AFL–CIO.

I call him a friend because my wife Connie—who is in the Gallery with our grandson Clayton. My wife Connie and I have walked picket lines with Rich Trumka, done rallies with Rich Trumka, and spoken on behalf of workers with Rich Trumka.

He was a son of our part of the country—Pennsylvania, West Virginia, Ohio. He was a coal miner, not just the son of a coal miner. I believe he once told me he was the grandson of a coal miner, but he was a coal miner early in life.

He embodied the soul of the labor movement. He understood workers. He was for them and of them in ways that are unusual in America in the 21st century.

He understood and lived and fought for the dignity of work, the idea that hard work should pay off for everyone. He understood what a woman from southern West Virginia said to me some weeks ago at a ''Dignity of Work'' hearing in the Banking, Housing, and Urban Affairs Committee that I chair. She said the words ''working'' and ''poor'' should not be in the same sentence. Think about that. The words ''working'' and ''poor'' should not be in the same sentence.

Rich Trumka understood the dignity of work. When you work hard—whether you punch a clock or swipe a badge or work for salary or work for tips or take care of children or grandchildren or children or grandparents—that hard work should be rewarded; that no one who works hard should not have a decent standard of living.

Few in this country have done more for workers than Rich. Giving workers a voice has been his life's work. From his days in the mine, when he was an outspoken advocate for trade unionism, he understood it was unions; that carrying a union card was about empowering workers. If you join a union; you make better wages; you get better benefits; you get health insurance; you have more power over your schedule. You have a safety net often when tragedy strikes. Rich understood that. He understood that unions helped build careers and provide for families.

Our hearts are with Barbara, his wife, and their son and with all the workers around the country. I can't even imagine how many workers Rich Trumka touched.

I looked at the impact of just the work he did with me, let alone with so many in this body; the work he did fighting for pensions, and with his support—leading the charge, really—a million families in the United States—more than a million families—had their pensions restored back in March when we passed the American Rescue Plan.

He understood the importance of the child tax credit. He understood the importance of the Affordable Care Act. He understood the importance of protecting the right to organize, which 47 Senate Democrats are cosponsors of. He was even, yesterday, on a call with workers in Alabama, helping to encourage them to organize. He knew that his job as a labor leader was to represent the hundreds and hundreds and hundreds of thousands of members and their families but to always try to recruit new people to join the labor movement, and he knew that it was an uphill fight because of the way the system is rigged toward corporations and toward employers.

He would say, if he were here, how important it is to carry on with or without him, carry on his life's work by standing in solidarity with all the men and women of the labor movement, who built the strongest middle class the world has ever seen.

We see that middle class shrinking day by day, slowly shrinking, and the reason is because we see the number of union members shrinking. He knew the way to turn that around was the Protecting the Right to Organize Act. He knew the way to turn that around was to get more people organized, to give them the option.

Half of America would like to join a union, surveys say—at least half—if they had the opportunity. Most don't because of the outmoded, outdated, rigged-against-them labor laws in this country, but Rich understood that. He understood people staying in the middle class. The union card helped people join the middle class, expand the middle class.

Also, one other point is, I thought of what Rich Trumka did. One of the things I worked most of my career on is a better fair trade policy. I voted against every single trade agreement that came in front of me until 2 years ago, and that is because Rich Trumka played a major role in changing NAFTA, in changing the USMCA, the United States-Mexico-Canada Agreement, and put in language that Senator WYDEN and I worked on that will put workers at the center.

The way that Rich Trumka understood government is, if you put workers at the center of our policy—workers at the center of our trade policy, workers at the center of our tax policy, workers at the center of everything we do here; call it dignity of work; call it putting workers at the center—if you do that, everything right will flow from there. We will have a more just society. We will have a more prosperous society. We will have more opportunity for our children. That is what Rich Trumka was. That is what he stood for. That is what he was all about. That is the fight that we need to carry on on his behalf and in his memory.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Nevada.

Ms. ROSEN. Mr. President, before I begin, I want to take a moment to acknowledge the passing of Richard Trumka, just as my colleagues have been speaking of him so wonderfully.

You know, during his time leading the AFL–CIO, he was a tireless defender of workers and the rights of working Americans all across our country. He recognized the capability of what Americans—of what they could achieve by working together. He fought fiercely to help build something better for our country and for our country's workforce.

My thoughts are with his family and his loved ones.

H.R. 3684

Mr. President, let us all take inspiration and lessons from the trail that he blazed, which is why I rise today to discuss a bill that would also help to build something better for our country as well as our country's workers: the Infrastructure Investment and Jobs Act.

This bipartisan bill is an opportunity for the U.S. Senate to make a major investment in our communities, in our States, in our country. The goal of the G–22 bipartisan working group, which I was proud to join earlier this year, has been to develop bold, comprehensive legislation that will make a real, meaningful difference in people's lives, and now—now—we are close to seeing that goal achieved.

This bill has been years in the making. During my time in Congress, we have gone from one infrastructure week to the next with never much to show for it until now.

It is not hyperbole to say that our bipartisan bill will be the most significant investment in American infrastructure since we built the Interstate Highway System. I know that for my State, for Nevada, these investments—well, they are going to make a real difference because this bill takes steps to support our traditional infrastructure: our roads, our bridges, our rail, our transit.

You know, in Nevada, there are over 1,000 miles of highway in our State that are in need of repair and well over two dozen of Nevada's bridges that need to be restored. We have all experienced driving on cracked roads and broken-down bridges. We know the toll it takes. And this degradation—it poses serious safety concerns. It increases commute times. It costs Nevada drivers hundreds each year in costs, maybe thousands, due to poor conditions. And now, right now, we have an opportunity to make critical upgrades and repairs both for those who call the Silver State home and for the millions—millions—of travelers that visit us from far and wide.

Our bill would also provide funding to expand our roads, bridges, and highways in Nevada and across the whole country, from the Presiding Officer's State of Maine all the way down to us in Southern Nevada.

As a member of the group who negotiated this bipartisan legislation, I am proud that our bill provides flexible funding to States and communities to address their unique challenges. In Nevada, that means meeting the needs of a growing population and making our State accessible to visitors who contribute to our economy and support our job-creating businesses. The Infrastructure Investment and Jobs Act—well, it meets that need by providing growing Western States like mine, Nevada, critical funding for surface transportation investments.

The bill would also make significant investments in accessible public transport and rail systems to ease travel for people in our cities and to connect our rural and suburban communities to our urban cores.

Through the bill's investment in western water systems, we can transport water across communities to better meet needs swiftly and develop important water recycling and reuse projects that will go a long way to providing greater access to water—something especially needed in my State and so many others as we deal with the current historic drought conditions.

But beyond traditional infrastructure investments, this bill is also forward-thinking in its scope and in its intent. The Infrastructure Investment and Jobs Act—well, it just doesn't invest in solutions to our current problems; it will help invest in the success of our Nation's future and our ability to overcome emerging problems through energy and cyber security infrastructure, like my Cyber Sense Act, bipartisan legislation that is included in this legislation to ensure the cyber security of technologies used in our bulk power system.

You know, in addressing these emerging challenges, it took hard work, and it took compromise—exactly what our constituents expect of us but which Congress far too often fails to deliver.

Many of you know that the process of bringing this bill together involved numerous meetings, long hours, and many discussions across party lines on all the issues involved. I was proud to take part in helping put this bill together because I wanted to be the voice at the table for Nevadans, that voice at the negotiating table that they need me to be, and I wanted to make sure that we addressed the issues important to our State. I am here to say that this bill does just that.

This bill includes investments that will uniquely benefit Nevada now and for years to come by increasing access to broadband, by upgrading our State's airports—two sections of the legislation that I took a leading role in drafting.

I don't have to tell anyone, but fast, reliable access to the internet—it is critical for all of our daily lives, and it has been for decades. The pandemic—well, it only put a spotlight on our current digital divide and the challenges that far too many Americans face getting connected.

During COVID–19, many Nevadans went online, well, to conduct business, to seek medical care, or pursue education, but our State's broadband disparity limits many Nevadans, from rural and Tribal communities to our underserved areas and our large cities, from using or even having the most basic of internet services.

The Infrastructure Investment and Jobs Act is going to bring broadband to communities that have long gone without access. It makes an unprecedented investment in building out broadband infrastructure. Never before has Congress taken such a bold step to get all Americans connected. Our bill includes over $42 billion for State broadband deployment grants to connect unserved and underserved communities to high-speed internet.

Finally, we will tackle the ''last mile'' challenges that have plagued so many of our communities for years. This bipartisan legislation also includes my Middle Mile Broadband Deployment Act, which I drafted to fund critical broadband infrastructure that connects internet carriers to local networks and community institutions that will serve as a launching-off point and connector for getting broadband out to all households in their areas. It would also make the cost of broadband more affordable to Nevada families, providing low-income households support to help pay for this service via the new infrastructure that we are building.

Initial estimates are that our bipartisan legislation will make broadband access accessible to more than 120,000 Nevadans who currently lack it, and it will provide subsidies to about a quarter of our State's residents most in need so that they can afford it. Through this bill, we are taking steps to get Nevadans connected for success in the 21st century and beyond.

The Infrastructure Investment and Jobs Act—well, it is also going to help support a key industry in the Silver State: travel and tourism. It does so by providing much needed funding for airports to expand and upgrade their terminals and facilities. As we prepare for a postpandemic world, these critical investments will allow us to bring in travelers and tourists in even greater numbers. As they come, these visitors will support our State's local businesses; they will boost our communities and our economy.

As chair of the Senate Subcommittee on Tourism, Trade, and Export Promotion, I made it my priority to fight for Nevada's travel, tourism, and hospitality economy as a member of the G–22, and I will continue to do so.

In addition to securing robust funding for our airports, I am also proud that this legislation includes my bipartisan TOURISM Act, which requires the Department of Transportation to update its national travel and tourism infrastructure strategic plan to develop an immediate-term and long-term strategy to use the infrastructure investments that we make today—that we are going to make, this week, possible—to revive the travel and tourism not just in Nevada but, of course, all across this Nation as we come out of a deadly pandemic.

Through the investments provided in this bill, Nevada's travel and tourism industry and hopefully all of our tourism can soar once more. To make all of these things happen, this bill, our bill, invests in creating jobs, jobs that will help repair and strengthen our infrastructure and jobs that will build our country's new foundation.

With the Infrastructure Investment and Jobs Act, we can rebuild; we can revamp; we can work through all of our infrastructure. Through that, we will create good-paying jobs, and we will improve the lives of hard-working families and communities all across this country.

I urge all of my colleagues to choose to make this investment with us. Join us, please, in investing in our families and investing in our communities and investing in our States and in our country's future.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CLEAN SCHOOL BUS PROGRAM

Mr. CARPER. Mr. President, for almost two decades, I have worked on policies to clean up dirty diesel engines, especially our Nation's schoolbuses.

And our Presiding Officer—as am I, a recovering Governor—has thought a lot over the years about schools and education and more than a little bit about schoolbuses and how to get kids where they need to go to get educated.

During a normal school year, I am told that more than 25 million American children—more than 25 million American children—ride a schoolbus every day—at least every schoolday to school.

Ninety-five percent of these buses are powered by diesel fuel; and the majority are old, dirty engines that pollute the air, in many cases make our kids sick, and impact our climate.

When we clean up schoolbuses, it is a win-win situation. Our kids get healthier air to breath, our businesses get the message that it is time to invest right here in America on the latest and cleanest technologies, and we add to our toolbox for tackling the challenge of climate change.

Electric schoolbuses make this win-win possible. Schoolbuses have a set

route and can be predictably recharged. Schoolbuses, unlike other heavy-duty vehicles, do not often travel more than 150 miles a day and, therefore, do not have the range issues with current battery technology.

However, electric schoolbuses today are expensive compared to diesel buses; and, too often, buying an electric schoolbus is hard for schools that are already strapped for cash, especially schools that serve low-income and minority populations.

The EPA Diesel Emission Reduction Act, known as DERA—the original cosponsors of whom were George Voinovich of Ohio and yours truly—helps schools replace dirty diesel engines with all types of technologies, including electric vehicles.

With the death of George Voinovich, gosh, close to a decade ago, JIM INHOFE, a colleague from Oklahoma, has taken up the torch from our good friend George to champion through the Diesel Emission Reduction Act, the focus of replacing dirty diesel engines, including for schoolbuses.

However, the DERA program is woefully underfunded and is not structured specifically to meet school needs. DERA also does not prioritize low-income schools, nor provide funds specifically for electric schoolbuses.

With a new EPA Clean School Bus program, we can build on the lessons learned from the Diesel Emissions Reduction Act and help make it easier for schools to buy zero-emitting schoolbuses and other schoolbuses to meet emission standards.

Through this new Clean School Bus program, we also will use the Federal purchasing power to increase the demand for electric schoolbuses, buses that are manufactured here in America in places, among others, like Georgia, which, in turn, will bring down the overall cost of schoolbuses for everybody.

Here is what the clean schoolbus language in this legislation does. The Clean School Bus program amends the EPA Clean School Bus program that was originally authorized in the Energy Policy Act of 2005, but never funded by Congress or implemented by EPA 16 years ago. EPA is authorized to create a national program to fund the replacement of existing schoolbuses with zero-emitting schoolbuses and other clean schoolbuses through grants and rebates.

The Clean School Bus program places a priority on schools that serve low-income students, are on Tribal lands, or are located in rural areas, and the program can fund up to 100 percent of the cost of a new schoolbus.

The legislation provides $5 billion in funding for this new Clean School Bus program over 5 years, with $2.5 billion allocated exclusively for zero-emission schoolbuses. The remaining $2.5 billion can be used on buses that run on liquefied natural gas, compressed natural gas, on hydrogen, propane, or biofuels, and can be used for zero-emission schoolbuses.

My Environment and Public Works Committee staff and I, along with the administration, worked hard to make sure that zero-emitting schoolbuses had dedicated funding in this program and would be eligible for all program funding. This agreement does just that.

I expect EPA to work to implement this program in a way that focuses on pushing zero-emission technology out into the market. Technology that uses fossil fuels is readily available and economic today and should not be broadly subsidized by taxpayer dollars.

My hope is that this is just a down payment, and that Congress will invest in the future even more in zero-emitting schoolbuses. Our kids and our climate can't wait. They deserve it, and we need to deliver it to them.

With that, I yield the floor to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

CLIMATE CHANGE

Mr. GRASSLEY. Mr. President, on January 27 of this year, the Biden administration put out a wide-ranging Executive order on tackling climate change. Tucked in that Executive order was a line directing Secretaries of Agriculture, the Interior, and Commerce to develop a plan to conserve at least 30 percent of our lands and waters by 2030. This plan is commonly referred to as the ''30 by 30.''

To reach the Biden administration's goal of 30 percent of the land in conservation by 2030, the Federal Government will have significant work ahead of them to accomplish that.

This is what 30 percent means. Thirty percent of the land would mean that we will need 440 million additional acres in permanent conservation.

To put 440 million acres of land into perspective, it is the equivalent of taking the State of Iowa and putting all of Iowa's land into permanent conservation. But that is still not enough to get to 440 million acres. You would repeat that 11 more times to reach the Biden administration's goal of 30 percent of the land in conservation by 2030.

This is not really an attempt at conservation; it is an attempt at confiscation, even though the confiscation would be rewarded, presumably, by annual payments from the Federal Government. Between the 30 by 30 land grab and the Waters of the U.S. rewrite, it is clear that this administration simply does not understand rural America. If they did understand, then they would realize that farmers are the first and best conservationists because it is good for their pocketbook and good for the environment.

If the United States decides to go forward with the 30 by 30 plan, we already know what will happen. This rhetoric empowers our Nation's corn and soybean competitors to increase their output.

Now, Brazil is the best example of our corn and soybean competitors, so let's look at Brazil. This week, the Brazilian House of Representatives advanced a bill that their President, President Bolsonaro, supports, that allows the squatters on public lands in the Amazon rainforest to more easily receive deeds to their properties. Now, there is nothing wrong with deeds to property, but what this is going to do is allow squatters to burn the forest to plant corn and soybeans.

Let me tell you how significant this burning is, and this was a few years ago that I read this. I read something from the astronauts in our space station circling the globe. They said there were two significant things that stand out on the Earth's surface when you look down: No. 1 is the Great Wall of China, and No. 2 is the smoke coming from the burning of the rainforest.

Now, Brazil has already plowed under more than half of the Cerrado, which is tropical savanna. The Cerrado is a vital storehouse for carbon dioxide that has been disappearing at rates faster than even the Amazon rainforest.

If we tie the hands of American farmers, our competitors, like the ones in Brazil, will continue to meet the needs of a growing, hungry world. By 2050, the world population will grow to 9 billion people, and we are going to have to feed them.

I don't think the United States should cede our leadership in production agriculture to other countries that already have poor environmental standards. So what you are saying is, in this Cerrado, where the carbon is already sequestered for millennia, that somehow we ought to have a policy here to store more carbon by more conservation to let them plow up more in Brazil.

The 5-year farm bill already does a great job of encouraging farmers and landowners to preserve fragile lands, enhancing environmental benefits for all Americans. These farm bill provisions are referred to as ''working lands programs''—programs like the Environmental Quality Incentives Program that goes by the acronym EQIP, or the Conservation Stewardship Program we call CSP. These programs provide incentives to help producers adopt management practices on their ground that allows the land to stay in production while improving environmental outcomes.

If the Biden administration focuses on these longtime conservation programs, my speech today would be praising those efforts; but, instead, this administration has proposals that take productive farmland out of production, placing the U.S. at a competitive disadvantage.

We have learned from the Conservation Reserve Program—the CRP we call it in agriculture—the CRP program we have had around for decades. About 24 million acres is in CRP now. But we learned a lesson from the early days of CRP that if you take too much land out of production in a certain area, it hurts the small business people who either serve farmers after the products leave their farm or serve farmers with input into agriculture.

So later on, we had to put a requirement that no more than 25 percent of one county can be put into the CRP. Even in doing that—we have counties in southern Iowa that have 25 percent of their land in CRP—and we know even there that with the limit of 25 percent, we still have lost a lot of small business people who work with farmers, and we ruin the small communities of States that have that problem.

So I would be praising these efforts if this is what the administration was satisfied with, but, instead, they have these proposals to take productive farmland out of production and putting our competitors in a financial advantage.

These ideas also make it harder for new and beginning farmers to compete on rental rates and gain access to land—another lesson we learned in the years '13, '14, and '15. We changed it in the 2018 farm bill, but what we learned in '13, '14, and '15, is when the Government is paying more for farmers to take their land out of production than is the going rate for cash rent in those areas, when the government becomes an unfair competitor and pays more, then the farmer landlords put their land in the CRP. Then those farmers that were farming that land can't farm it anymore because they can't afford to compete with what the Government is paying.

Now, there is a limit that cash rent from the Government can't be more than 80 percent of the average cash rent in a particular county. So we have kind of overcome that problem. But if you pay farmers now to put 30 percent of the land out of production, you are going to lose a lot of farmers that are cash renters, and we shouldn't be having the Government be an unfair competitor against the farmers that pay cash rent.

So these farmers understand how conservation and sustainable agriculture affects productivity and generational prosperity. It is important for us to leave the land better than we found it for our children and grandchildren.

So far the Biden administration has said their 30 by 30 plan focuses on voluntary measures. Well, farmers can make a choice to do it or not, but to get to 440 million additional acres in conservation, you would be foolish to think that voluntary measures are going to get to the goal this administration wants.

Instead of focusing on taking more land out of production agriculture, let's work on a strategy that allows farmers to continue to farm their land while improving environmental outcomes.

I yield the floor.

REMEMBERING RICHARD TRUMKA

Mr. VAN HOLLEN. Mr. President, I came to the floor today to make remarks in support of the bipartisan infrastructure modernization plan. But before I do that, I do want to take a moment to remember a real giant of the American working people, and that is Richard Trumka, the head of the AFL–CIO, who is somebody who got up every single morning thinking about how to make life better for working people in America.

He was passionate about it. He was a fellow Marylander. We are going to miss him, but I know that we will continue to be inspired by his example and his understanding that when working people ban together to form a union, that is the best way for them to be able to bargain for better wages and better benefits and a better retirement and a better life.

So I know that we will all carry on in his memory. And as we take up this bill to modernize our infrastructure, it was something that he worked with us on to ensure that as we modernize our infrastructure, we also create good-paying jobs. And I do think that this bill will modernize our infrastructure and generate millions of good-paying jobs for the American people.

INFRASTRUCTURE

Mr. President, it was just about 6 months ago that I came to the floor to urge my Senate colleagues to heed the call of the American people and pass the American Rescue Plan. At that time, the country was being ravaged by the COVID–19 pandemic. The economy was in a slump. The country was hurting, and the American people were hurting.

The American Rescue Plan was designed to accelerate the deployment of vaccines to defeat the pandemic, to extend a hand to those who have been hardest hit, and to boost an economic comeback. We knew we had to be bold, we had to be quick, and we had to be decisive in our actions or risk a drawn out recovery and a weakened public health response.

That legislation, the American Rescue Plan, promised immediate action to meet the urgency of the moment, and that is exactly what it did. Thanks to the American Rescue Plan, we jumpstarted the deployment of the coronavirus vaccines in faster and fairer ways, distributed around the country. Thanks to the American Rescue Plan, millions of American households received a new round of direct payments, bringing their total relief payment—including the December relief bill—up to $2,000 per person.

The American Rescue Plan also expanded the child tax credit to cut child poverty nearly in half this year, with millions of American families receiving up to $300 each month for each child. And because of the American Rescue Plan, State and local governments are receiving the direct funding they need to keep frontline workers on the job and continue essential benefits to lift up our communities.

And thanks to the American Rescue Plan, we secured Federal funds to keep restaurants and small businesses afloat, assist children with disabilities, get our kids back in school more quickly and more safely, bolster childcare, and help more people get connected to the internet during this time when we had to experience so much social distancing, and much more.

That plan was a victory. It was a victory for our families, for our workers, for small businesses, for communities, and for the country. And while we know we have more work to do to defeat the Delta variant of the virus, today, more than 70 percent of the adult population has gotten at least one shot of the COVID–19 vaccine. And last quarter, our economy grew at an annualized rate of 6½ percent, and our gross domestic product rose for the first time from the beginning of the pandemic to the point where it had been before that started.

Thanks to the American Rescue Plan and the resilience of the American people, we are building back from this crisis. But while building back is good, it is not good enough. As President Biden has said, we need to not just build back but build back better. And building back better means not only growing our economy bigger and faster but providing for more inclusive growth and more shared prosperity. We cannot accept an economy where the already-rich grow ever richer while everyone else is running in place or falling behind. A rising tide must lift all boats, not just the yachts.

President Biden has laid out two important pieces to advance the better part of the Build Back Better agenda. One is the American Jobs Plan, and the other is the American Families Plan. Both of these plans, and more, are key to building an economy that works for everyone and not just those who are already at the top.

The bipartisan infrastructure plan that we are considering now contains many elements of the Biden American Jobs Plan. And while I wish it included even more, it is a very important start, and I strongly support it.

And I appreciate the bipartisan cooperation that helped advance this plan, including the efforts of the Presiding Officer. These combined efforts have produced a plan that will make key investments in virtually every part of our infrastructure.

It will include investments in our transit systems and railways and help repair our roads and bridges and tunnels and more. It makes the largest investment in clean drinking water and wastewater infrastructure in American history. And, very importantly, this legislation includes essential investments to build the backbone of the modern 21st century economy, including funds to expand broadband so we can bridge the digital divide and funds to start building out our clean energy grid and the deployment of electric charging stations.

I was proud to work with my colleague and friend from Maryland, Senator CARDIN, to secure some key elements that will directly support our home State of Maryland and the people

who live there. I would like to take a moment to discuss the impact of this legislation here in Maryland, starting with the funds that it provides to repair and restore our roads, our bridges, and our tunnels.

Under this plan, the State of Maryland will receive $4.1 billion for Federal highways and $409 million for bridge replacement and repairs over the next 5 years. These funds will be absolutely vital as we work to restore 273 bridges and over 2,000 miles of Maryland highways that are in poor condition and in desperate need of repair.

This plan also makes a historic investment in public transit and rail systems in Maryland and the DMV area. Maryland will receive $1.7 billion over 5 years to improve public transportation options across our entire State.

And this legislation will make an important down payment on our Amtrak passenger rail systems by addressing the big repair backlog along Amtrak's Northeast Corridor and by supporting projects like the B&P Tunnel in Baltimore, which is used by 9 million travelers every year but has faced challenges of structural deterioration and fire safety concerns for far too long. Restoring this tunnel could slash the time it takes to get from Baltimore to Washington down to just 30 minutes and create 30,000 jobs. And it is a shining example of the type of projects that could be funded by this bill and we expect will be funded by this bill.

As you know, we are not just talking about heavy rail. This plan also authorizes transit monies and, importantly, it continues the $150 million annual Federal contribution to the Washington area Metro system, known as WMATA. We call it the Nation's Metro system.

This bill will extend the Federal authorization of $150 million for another 8 years. This is especially important since that authorization has now expired. It is also important because this new version includes provisions to strengthen WMATA's inspector general's authority in order to improve oversight and passenger safety. It is a big win for passengers and transit employees alike, and I am delighted to see that 8-year authorization in this bill.

That is good news for this part of the region and for this part of Maryland that is covered by WMATA, but in the Baltimore area, many residents don't have easy access to accessible, affordable transit that can get them where they need to go around the city or the region when they need to go there. That is why we also secured a provision in this bill to keep alive future Federal funding for the Baltimore Red Line Metro system.

This is a project that had been years in the making, and, if completed, would boost jobs and economic growth, reduce travel times in the Baltimore region, alleviate congestion, and reduce air pollution. The Maryland delegation fought for years to get this project to the front of the line, and, in 2015, we were pleased to secure $900 million in Federal funds for the Baltimore Red Line project.

But then something happened. The Maryland Governor pulled the plug on the entire Red Line project, turning down the jobs and improved transportation network for the Baltimore area. Other cities and regions around the country were celebrating when they got those funds instead of Baltimore. Senator CARDIN and I have not given up. And while the Federal Government cannot, by itself, bring this project online, this bill states that the Federal Government is still a willing partner on the Red Line when State and local officials signal that they are ready and willing to move forward again.

At the end of the day, the transportation investments made in this bill will facilitate people and products moving more quickly throughout their regions and throughout the country. It invests in airports and ports, including $17 billion in ports like the Port of Baltimore and others around the country.

This funding will benefit our port, the Port of Baltimore, which is a key asset in our State and a powerful engine for economic and job growth. It is currently a hub for 15,000 jobs, with room for growth that can be fueled by this bill.

I was pleased to join others in welcoming our Secretary of Transportation, Pete Buttigieg, to Baltimore just last week where he underscored the Department's commitment to investing in our ports and the men and women who work there. This legislation helps us make good on that commitment.

I partnered with colleagues over the years to secure over $500 million in Federal funds for that port, including funds to dredge channels in the Chesapeake Bay and the Baltimore Harbor so that they are deep enough to accommodate the biggest ships.

Speaking of the Chesapeake Bay, every Marylander knows that the health of the bay is deeply bound to Maryland's local economy and Maryland's environmental well-being, and I am pleased that we secured $238 million in funding for the EPA Chesapeake Bay Program to help us meet the pollution reduction targets that are spelled out in the most recent multistate Chesapeake Bay agreement as part of this legislation.

While this legislation provides important investments to modernize the infrastructure for this century, we, the Federal Government, should also take responsibility to help eliminate some of the past projects that, rather than helping unite communities, divide them and harm them. And there is no clearer example of such a project than what is known as the ''highway to nowhere'' in West Baltimore.

As many Marylanders know, the ''highway to nowhere'' was a project conceived in the 1960s as a way to link Baltimore with the growing U.S. Interstate Highway System. Instead, it tore West Baltimore apart. Developers started dividing up the community to make room for the highway, residents were evicted from their homes, businesses were shut down, and a Black community was split down the middle by that ''highway to nowhere.'' It is estimated that 971 houses and 62 businesses were destroyed, and over 1,500 residents were displaced.

And that has been the story of several other Federal infrastructure projects from the 1960s, projects that too often place pavement over people. I am pleased that this bipartisan plan makes at least an initial down payment for the first time to put Federal dollars toward removing harmful infrastructure projects like the ''highway to nowhere'' so we can reconnect these communities and make them whole.

This provision was based off a pilot program I authored in 2019. I want to thank my colleagues, Senator CARDIN and Senator CARPER, for helping make this vision a reality, and President Biden for including it as part of his American Jobs Plan. While we didn't get the full amount of funds that we would like, this is a very important first step.

As we dismantle some of the harmful legacy from the 1960s and 20th century projects, we must build out and meet the new needs for the 21st century, like universal, affordable access to high-speed internet.

I am very pleased that Maryland will receive a minimum of $100 million from this legislation to help provide broadband coverage across the State, including providing access to the at least 148,000 Marylanders who currently lack it—they are not connected—and it would provide over 1 million Marylanders access to the affordability connectivity benefit plan to help lower income families afford internet access. It doesn't do you much good to be connected to the internet if you can't afford to use it.

This bill also will make important progress, a first step, toward building out clean energy grid and a network of charging stations to facilitate long-distance travel and provide convenient charging options for electric vehicles.

In short, and for all of these reasons, this bipartisan bill is an important step to helping us build back better and stronger than before the pandemic.

That work starts here with this bill, and I strongly support it. But while that work starts here, it does not stop or end here.

To pass this legislation and then call it quits would be to leave a big part of our job undone. We still have urgent work to do in our mission to enact all of President Biden's Build Back Better agenda and address the profound challenges facing our communities that have been exacerbated by this pandemic.

While this bill provides important downpayments in many areas, it does not do everything we need to do. That

is especially true when it comes to infrastructure in the area of clean energy. We need to make sure we take up the other big pieces of the clean energy agenda in President Biden's American Jobs Plan and other proposals that many of us have put forward here in this body, including the clean energy standard, including a clean energy accelerator financing system, and many other provisions, in order for us to be true to the science and really confront the climate crisis that is upon us.

And as we take those next steps to fully modernized our physical infrastructure, we also have to dramatically expand opportunities for every child and every family and every worker in America. Much of that is laid out in President Biden's American Families Plan, including universal access to early education so every single child, regardless of ZIP Code, has a chance and a good start in life; making workforce training more affordable and college more affordable, whether it is 2 years of community colleges or more.

And we also have to make sure that we continue to provide support for families in the form of affordable childcare and, very importantly, extend the child tax credit payments that so many families are now receiving up to $300 a month. That ends at the end of this year if we don't extend it.

While it is always a good thing to reduce child poverty in America—and that reduces it by about half—that would only be true to the end of this year. We need to finish the job and keep going.

We also need to reduce the costs that are squeezing the pocketbooks of every American family. We need to reduce the skyrocketing costs of prescription drugs. We need to reduce the costs of childcare. We need to make sure that families don't have to spend more than 8.5 percent of their budget on their annual healthcare premiums. And we need to provide more security for everybody, including our seniors, by expanding Medicare coverage to cover dental and vision and hearing needs.

Those are just some of the additional things that we need to do as part of the American Families Plan and as part of passing the overall Build Back Better agenda.

I look forward to working with my colleagues to do all of that. But every journey begins with a big step, and this is a very important big step forward on that Build Back Better agenda.

So I am pleased to join many of my colleagues, and I urge my colleagues to support this bipartisan infrastructure modernization bill as part of a very important first step to implement the Build Back Better agenda and make sure that we truly build an economy that works for every American.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

THE ECONOMY

Mr. BARRASSO. Madam President. I come to the floor today to comment on statements made by the majority leader earlier today on this Senate floor, and he made those after President Biden, this morning, signed another expensive Executive order relating to climate change.

The President at the time said it was his goal of making half of all new cars emission-free in less than a decade. In practice, that means making half of all new cars electric.

Well, after the President signed his Executive order, the majority leader came to the floor, and he talked about his own plans to give more of American taxpayer dollars to the manufacturers and purchasers of electric vehicles.

He said:

[W]e hope to add large parts of the plan.

Well, where does he want to add it? Well, he wants to add it to the reckless Democrat tax-and-spending plan.

The American taxpayers are already giving billions and billions of taxpayer dollars to electric vehicle manufacturers and owners. Electric vehicle makers have been given free tax dollars for 30 years. The truth is, electric car buyers don't need more taxpayer money. They have plenty of their own.

Today, the market for electric vehicles is very well established. There are more than a million electric vehicles on the road today. They are being made by everyone: General Motors, Mercedes-Benz, U.S. manufacturers, foreign manufacturers. They are being made all around the world.

In fact, the U.S. Energy Information Administration projects that sales of light-duty electric vehicles is going to reach 4 million by the year 2025. Electric vehicle makers are doing just fine.

They are also receiving free money from just about every State. So who benefits from these taxpayer handouts to electric vehicle makers and users?

Well, customers are usually wealthy. They don't need more money.

Now, seniors on fixed incomes, certainly in Wyoming, are not trading in their cars for expensive electric vehicles. Middle-class families who are trying to make ends meet are dealing with inflation that is hitting them every day under the Biden economy. They are not going out to buy expensive new electric vehicles. Seniors and middle-class families are hurting right now because of inflation hitting them when they buy gas, when they buy groceries, when they buy other goods. And this is, of course, triggered by massive Democrat spending, including the borrowing and spending that has occurred under the last coronavirus—the so-called coronavirus relief bill.

So Democrats aren't looking out for them under the proposal. Oh, no.

Nearly 80 percent of tax credits for electric vehicles go to households that earned at least $100,000 a year. Let me repeat that. Nearly 80 percent of the tax credits for electric vehicles go to households that have earned over $100,000 a year, not to mention the fact that these drivers don't pay for the use and the abuse that occurs to the roads from them driving on the roads. The rest of us do. Anybody who puts gasoline in their car pays the gas tax. It goes to the highway trust fund. It goes to repair damage done to the roads.

We are in a debate over infrastructure. Electric vehicles, no gas tax—that is the ordinary source of funding to do repair of our roads and our highways.

Now, even though a Tesla puts as much wear and tear on the road as a Ford Focus, the Tesla driver pays next to nothing to fix the roads. They contribute nothing to the highway trust fund—one more Democrat giveaway to the rich.

Electric vehicle owners don't need our tax dollars. They have enough. They should pay fair share for the use and abuse that they do to the roads on which they drive.

That is why I have introduced legislation called the ELITE Act. It stands for End Lavish Incentives to Electric Vehicles. We need to make sure to end these incentives to electric vehicles. The bill would end the billion-dollar giveaways to electric vehicle makers.

According to the Manhattan Institute, my bill would actually save taxpayers $20 billion. At a time when middle-class families are hurting from inflation caused by Democrat spending, it is unconscionable that Democrats want to raise taxes to give more handouts to the rich. It is certainly bad economics, and it is bad news for hard-working American taxpayers.

Rather than increasing the giveaways, we should be bringing them to an end. We should stop this wasteful waste of taxpayer dollars. Any waste of taxpayer dollars is wrong, and this is certainly a case where taxpayer dollars are not necessary to be spent.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Madam 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.

The Senator from Connecticut.

REMEMBERING RICHARD TRUMKA

Mr. BLUMENTHAL. Before I begin the remarks that brought me here today, I want to say a word about Richard Trumka, a hero to all of us who care about working people and a good friend to many of us.

I am proud to call him a friend and proud to have been with him as an ally in causes and principles that are so important to the present of America and the future of America. I am proud to have been with him on picket line and platform, to have stood with him and behind him in supporting the rights of working men and women to decent pay, fair treatment, and safety on the job.

He came from America, and he never forgot where he came from. His life is

a lesson to so many of us who seek to emulate his devotion to the public interest.

As a leader of the labor movement, his life also reminds us that unions count; that collective bargaining means something; that the rights of working men and women succeed because they come together in unions, and we ought to respect those unions and listen to them and champion their right to represent fairly and freely and to organize men and women on their jobs.

So we will miss Richard Trumka, but his legacy is going to be an inspiration to all of us—certainly to me—in fighting even harder for the great convictions, sense of conscience, the wonderful heart and spirit that embraced people who disagreed with him. A life's lesson for all of us.

(The remarks of Mr. BLUMENTHAL pertaining to the introduction of S. 2654 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. Madam President, let me say a word of support for the Senator from Connecticut as well as the Senator from New Jersey. I couldn't agree with them more. There is no reason why this information—full disclosure of this information—has not been made known first to the families but certainly to the people of this country at this moment in history, 20 years after that terrible tragedy. It is time for the truth to be known.

I support your efforts completely, Senator BLUMENTHAL, and I will help you in any way that I can.

REMEMBERING RICHARD TRUMKA

Madam President, when I grew up in East St. Louis, IL, I knew I was from a railroad family because, well, both Mom and Dad worked for the railroads. I knew we had a pretty comfortable life. I have come to learn that we weren't by any means rich, but we did well enough—two older brothers and myself. I knew that my mom and dad worked for a railroad, and eventually all of us in the family did in some capacity.

I also knew that we were a union family, and I didn't realize until much later in life a couple facts: No. 1, there were a lot of families around us who weren't that lucky. We were fortunate to be a union family. Secondly, what the union did for my family in East St. Louis, IL, it did for millions of families across America throughout our history. Those labor unions could stand up and fight for people who couldn't fight alone and have a chance to win.

I have a healthy respect for unions. I believe that, more than any other force in American history, the American labor movement, the union movement, created the middle class in America. I am living proof of that. My mom and dad had eighth grade educations. My mother was an immigrant to this country. But hard work, a good work ethic, and a strong support of a labor union gave them a chance to earn a decent living on a safe job and to raise a good family.

I reflect on that at this moment because we have lost one of the pillars of the union movement in the United States of America, Richard Trumka.

What an amazing biography. I used to think back. I had heard he was the son of immigrants, and I knew that he worked in the coal mines, but then I knew he also went to law school, and he became head of the AFL–CIO, the largest gathering of unions in our country.

If you ever met him, with his little brush mustache and the gruff way about him, you knew he was no pushover. How could you be a pushover and head of the United Mine Workers union which he was at a very early age? How could you be a pushover and be head of a national labor organization like the AFL–CIO? He did that, and he was an amazing advocate for the women and men whom he represented in the labor movement.

I can't even start to count the number of meetings that I attended with Richard Trumka. When we wanted labor's voice, we called Richard Trumka, and we knew that when that door was closed, he was going to be brutally honest with us. He would spend a few minutes thanking us, and then he would spend the rest of the meeting telling how we needed to do better: The working families of America were expecting us to stand up and fight for them. And he took no prisoners when he went through the roster and the rollcall of how people had voted and where they stood on union issues. It was an amazing performance by a man who had the credentials to deliver it, a man who was part of the labor movement from working in those coal mines, and a man who had developed the skills and talents at law school and beyond to be able to fight for those men and women.

It is stunning to think that we lost him today at age 72. That is way too young. He did such an amazing job as the son of a coal miner himself. You never had to ask ever which side Rich Trumka was on—ever.

I have got to be honest with you. There are some people who are fighting for causes in Washington, DC, because there is a paycheck at the end of the day, but there are some people who are fighting for causes who couldn't give a damn about a paycheck. They are there because they believe it. Trumka was one of those people. He was fighting for working people across the United States night and day, endlessly, 24/7. He was on the side of workers who built America's roads and bridges and of the men and women who were not in the labor movement but trying to become part of it. He fought for the men and women who kept our powerplants running and our schools, homes, offices running.

He always asked for one basic thing: respect and fairness for working men and women.

He was with me on the Dream Act. He understood, as the son of immigrants, that immigrants are a vital part of this country, and they should be for years to come.

Trumka was on the side of growing this American economy the right way, not from the top-down, not trickle-down, but from the bottom-up. He believed, growing up in Pennsylvania and the life that he led, that it was critical that we be there for families when they made the basic decisions about whether or not they were going to buy a new home, buy a new car, be able to pay for their kids to go to college. He believed, as my old friend Paul Wellstone would say, ''We all do better when we all do better.''

He was a giant who led the labor movement in America through one of the most challenging periods in our history, when his leadership was needed the most.

It is on us now—isn't it?—those of us who think about Rich and what he said to us so many times privately, publicly. The responsibility that we have is to stand up for the men and women who work in this country who don't have a voice otherwise. Our responsibility is to give those in the labor movement the respect they deserve for fighting for the right cause.

My wife Loretta and I send our condolences to Rich's wife Barb and their son and family.

I understand that he was with his grandson when he was stricken this morning. As a grandfather, I will tell you it is a happy moment when you are with your grandkids, and that is the way it should have been for Rich.

President Trumka's friends, his sisters and brothers in the labor movement, and to all the families to whom Rich Trumka devoted his life, they and we have lost a true champion.

America is better for Rich Trumka having lived and been part of fighting for those who worked to make America a great nation.

I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Massachusetts.

Ms. WARREN. Madam President, I am here to honor the memory of my friend and the friend of every working person in America, Rich Trumka.

We lost Rich this morning, and all I kept thinking is the kind of man we have lost and what that means to all of us.

Rich was real. He was a third-generation coal miner who rose to become the president of the United Mine Workers and the president of the American Federation of Labor. Rich was also a hunter, and he had the patience of a hunter—the planning, the long hours, sometimes long days, but always on his target. And Rich was a fighter. He was relentless. When Rich got in a fight, Rich never gave up. Might not plan every one of those fights, at least not the first time out, but he never gave up.

From his growl to his laughter, Rich was real all the way through. He lived his heart every single day. He was always Rich.

Back during the financial crash in 2008, 2009, we were trying to build an idea for a consumer agency to make sure that people wouldn't get cheated next time around the way they had been, and what led up to that crash. Rich was there, and he was there because he had seen firsthand what it is like. He had seen his brothers and sisters in the labor movement, who had lost their homes, had lost their jobs, and seen their pensions disappear because a handful of greedy banks and feckless regulators had permitted the rich and powerful to take over our government and to take over our economy, and they brought that economy to its knees. It fell hard on working people, and Rich was determined that would not happen again.

I remember the day when President Obama announced that they were ready to lay out the first—first outlines of what the financial response should look like, what kind of laws we should pass here in Congress in order to make sure that this didn't come again. And there were a bunch of folks who were invited to the White House. I was invited. It was my first time there. I am looking around—wow.

And a bunch of people crowded, and all we cared about was: Hand us the list. I want to see what is on it. Is there a consumer agency on this?

And we get in our assigned seats, and I am sitting on these tiny, little chairs, jammed together so they can get as many people as possible. And Rich, who was a man of considerable size, is sitting directly behind me, kind of mashed up against the back of my chair and leaning out, and we were on the aisle, both of us, and furiously going through it to see what is there.

And, sure enough, the White House had said there is going to be a consumer agency, or at least that is what they are going to ask for.

So I am smiling. I turn and I say: See this? You see this?

And he said: Yeah.

And I said: You know, it makes me a little nervous for you to be right behind me here.

And he leaned over and he whispered in my ear and he said: I will always have your back, Elizabeth.

And I reached back, patted him on the leg.

And it was true. I never got in a fight for working people that Rich Trumka wasn't already there, that he was already in that fight, that he already saw what was happening to working people on the ground, and what it was that we needed our government to do by way of response.

Rich fought for decades for working people. It was his true north. He never varied from that. He never wanted anything for himself. All he wanted to do was to see workers get more power so that they were playing on a level playing field, to see workers be able to work in safe conditions, to see workers get a chance to build some real security for themselves and for their families.

Rich measured everything that came his way against that test: What is it going to do for working people? And if you could show him this is going to help working people, Rich was in it all the way.

During COVID–19, Rich was here back and forth and back and forth, trying to push this government to get more workers' safety in place, more regulations that were going to protect people so people weren't out there dying trying to do their jobs.

Rich was there, trying to protect the economic security of workers, people who had been laid off, people who had been shut out of the workplace. It was Rich who helped lead the charge, watch out for working families.

He didn't need the glory. He didn't need the spotlight, but, boy, he was in there pushing in the way that only Rich Trumka could do it.

Rich understood that when we put workers at the center of our policies, then families win; when we put workers at the center of our policies, then our economy wins; when we put workers at the center of our policies, then our Nation wins. That is how Rich lived, and that is how Rich died.

To Rich's family, I am so sorry for your loss. For Rich's brothers and sisters in the labor movement, I am so sorry for your loss. Rich is gone, and that is a hard blow to you and to our whole Nation, and this is the moment to honor Rich's legacy not just with words, but by staying in the fights that Rich led us on, by staying in the fights relentlessly for workers' rights.

We are going to miss Rich.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

INFRASTRUCTURE

Mr. CORNYN. Madam President, since last March, State and local governments have received about a half trillion dollars in Federal funding to bolster their fight against COVID–19. Leaders in my State have used this funding to cover the mounting costs of expenses at the start of the pandemic. It enabled them to stand up testing, increase bed space for ICUs and hospitals, and provide grants to small businesses without the fear of cutting other critical services.

As time has gone on, the battle against this virus has shifted, and so have the needs of my State and our local communities. Many simply don't have the continued need or even opportunity under the guardrails Congress imposed to spend this money within the set timeline.

That is especially true in some of the rural parts of my State or places where COVID numbers are, thankfully, low. Qualifying pandemic-related expenses are few and far between in some of those places, as strange as that may sound here in Washington, DC.

I have heard from State and local leaders who are frustrated by the strict rules on the funding. They have needs, but somehow the limitations that Congress has put on their access to the money are stifling their ability to deal with priorities that they have at the local level.

They are able to use these dollars on some of the tough financial dealings of the pandemic, but not all. One of the greatest needs they have is to deal with infrastructure. When folks hunkered down at home to stop the spread of COVID–19, State and local transportation budgets took a big hit. As a result, many infrastructure projects ended up on the chopping block.

In 2020, States and cities across the country delayed or canceled transportation improvement projects totaling about $12 billion. Many of these projects are still in limbo. Without sufficient funding, there is no timeline when that planned construction might actually begin.

For months now, there has been a clear need to bridge the gap. Back in March, nearly three dozen organizations wrote to Treasury Secretary Yellen urging her to make transportation infrastructure an eligible expense. They said the pandemic had impacted every State and community differently, and they wanted and asked for flexibility. They said that flexibility will be critical to ensuring funds are used expeditiously and with maximum impact.

I have gotten the same sort of requests from the people I represent in Texas, so I drafted an amendment to this legislation to provide that flexibility. Thankfully, I found a partner in Senator ALEX PADILLA of California, and our bipartisan amendment, which will, I believe, when we vote on it, receive broad bipartisan support. I am hopeful we can vote on that amendment sometime later today.

This amendment puts decision-making power at the local level and gives these leaders more flexibility to invest in the most critical projects for their communities, whatever those might be. In some places, that may still mean pandemic-related expenses.

The Delta variant has thrown us a curve ball, to be sure, and is surging in some places, and leaders in those areas are going to continue to use this funding to bolster the fight against the virus.

But this change doesn't interfere with those plans in any way, because what Senator PADILLA and I propose is to make that strictly an option—not a mandate, but an option—so leaders at the State and local level can decide what fits their particular need.

It simply gives States and localities that aren't facing a mountain of COVID-related expenses the ability to invest this funding in—you guessed it—infrastructure projects, something that the bill we are currently considering is designed to do.

But one of the things I have noticed since I have been in the Senate is, frequently, we will appropriate money, and it takes not just months, but sometimes years to get to the intended beneficiary. I know the Presiding Officer has seen with me the fact that we appropriated $46 billion to prevent evictions for people that can't pay their rent, and yet that money has simply not made its way to the intended beneficiaries in a timely and expeditious way. Hopefully, that will improve. But this is money that is available immediately to our local and State officials to use now.

This infrastructure bill, to the credit of the bipartisan infrastructure negotiating committee, I think, has some good, very positive elements to it. But the truth is, what we are doing in this bill probably will not flow quickly to local jurisdictions in our States, like the money that they already have but are handcuffed from using for infrastructure purposes.

Whether it is widening highways, constructing bridges, extending railways, or expanding access to broadband, the list of new qualifying expenses is a long one. As I said, there is simply no requirement that they spend a penny on infrastructure if they don't want to or if they think they need to hold more of this money that the Federal Government has appropriated in reserve. All we are doing is simply giving them the freedom to use these Federal dollars on these projects if that makes sense for these communities.

Senator PADILLA and I have worked with our colleagues to make some changes that support a vast array of infrastructure projects. We added additional qualifying infrastructure projects to ensure unique, but no less important, needs in the various States are eligible.

The White House initially raised concerns about the amount of funding that we might authorize under our amendment, and worried it would take away from necessary COVID–19 expenses. Well, Senator PADILLA and I have worked with the White House, and I believe we have come up with a good-faith resolution of their concerns and our interest in getting this money to be available.

Under our amendment, up to 30 percent of the unspent COVID–19 funds would be available to the States and local government for infrastructure projects. It is difficult to quantify exactly how much of the money will be spent on infrastructure projects because, as I said, the States and local governments are not required to spend a penny of that money on infrastructure.

But should they wish to do so, and should local conditions permit, this will open up tens of millions of dollars for infrastructure projects in communities across the country. This can help critical projects that were delayed by the pandemic get back on track and put this funding toward its intended purpose, the very purpose we are debating right now, to both alleviate the burden of the pandemic on cities and States, as well as to refurbish and expand our critical infrastructure, including broadband.

So this isn't just a win for our local communities; it is a win for taxpayers too.

Here is something that may be a little unexpected: The cost of this amendment is zero. It is nothing because the money has already been appropriated and already been scored on previous COVID–19-relief acts. All it does is it removes the handcuffs from the local jurisdictions and allows them to meet their needs based on their best judgment. So this does not increase the deficit and does not add to the debt.

This amendment has been endorsed by more than two dozen organizations representing a diverse set of stakeholders. The National Governors Association—which, as you know, is a bipartisan group of Governors—has endorsed this amendment. The U.S. Conference of Mayors and a long list of organizations have thrown their support behind this commonsense change.

This will give communities in Texas and Nevada and all the other States the ability to use pandemic-relief funding when and where it is needed most.

They know the needs of their communities far better than we do sitting here in Washington, DC. And I hope this amendment will be adopted to give these leaders greater decision-making flexibility.

I want to thank Senators on both sides of the aisle who have worked with Senator PADILLA and myself on this amendment. And, later today, I hope we will receive broad, bipartisan support for this amendment. And I anticipate we will, because I know the circumstances in my State dealing with my constituents is really no different when it comes to giving flexibility and access to those Federal COVID–19 dollars, that the story is probably largely the same in whatever State you represent.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING RICHARD TRUMKA

Mr. WARNOCK. Madam President, before I begin, I want to take a moment to pause and remember an effective leader in the labor movement and a real champion for working families, Richard Trumka.

Richard Trumka believed in the dignity of work, and he also believed in the dignity of workers and that they should share in the prosperity they provide for others.

His family is in my prayers as we remember and honor his legacy as a vital leader in the labor movement and in the larger quest to make us a more just society, providing opportunity for all of us.

HEALTHCARE

Madam President, I am back on the floor of the Senate because I believe that healthcare is a human right, and it is certainly something that the richest Nation on the planet can afford to provide for all of its citizens.

I have come to the Senate floor with the same message week after week because I think it is vital and important. With all of the incentives on the table for my home State of Georgia to expand Medicaid, it is past time for Georgia and the other 11 nonexpansion States to finally expand Medicaid.

My home State of Georgia has the opportunity to provide affordable healthcare to 646,000 people who could qualify. Instead of allowing Georgians to continue to suffer and be cut off from care while politicians are playing games, I introduced the Medicaid Saves Lives Act. This is legislation that would provide people in States like mine that have not expanded Medicaid an alternative path to health coverage.

In the richest country in the world in 2021 and amid a once-in-a-century pandemic that has both illuminated and exacerbated the consequences of long-standing disparities in healthcare, too many Georgians are still struggling to get what they deserve and what is already available if we would just expand Medicaid.

And for far too many, access to affordable, reliable, and continuous healthcare is quite literally the difference between life and death.

We do policy here, but we can only do policy in an effective manner when we keep in front of us the human faces behind the policy we would create or the consequences for real people when we fail to do what we were sent here to do.

So I want to share the story and remember the life of a Georgian who fought to expand Medicaid. She and other Georgians live in the coverage gap. She advocated for herself and others like her.

This is Lorie Davis and her husband Bob, both from Covington, GA. Lorie was one of our heroes. She spent much of her life serving her neighbors as a trauma nurse at the Grady Memorial Hospital. I have been to that hospital time and time again as a pastor and now as a Senator. I have seen firsthand the important work that they do.

She was a trauma nurse there at Grady, and while working as a healthcare professional in Georgia, Lorie was diagnosed with pelvic adhesive disease. The chronic pain associated with this condition eventually pushed her to leave the nursing profession.

After that, while also working to manage her own chronic condition, Lorie struggled to maintain steady employment in the restaurant industry—a

healthcare professional no longer able to serve in her profession as a trauma nurse, working as hard as she can, as hard as she could in the restaurant industry.

She believed in working. She understood the dignity of work. But while working, she could not afford health insurance. She made too much to qualify for Medicaid but not enough to afford other insurance plans. And while in this limbo, Lorie had to wait many years for her Social Security disability claim to be adjudicated. She finally qualified for benefits in 2017, but even then, she was unable to qualify for Medicaid because of her and Bob's combined marital income. This left Lorie in the coverage gap, unable to purchase coverage because it was financially out of reach.

Lorie went without health insurance for years, relying on her own medical training and free healthcare clinics to treat her chronic condition—a trauma nurse who had cared for others, unable to receive any care.

Then, in August of 2020, Lorie began feeling ill, and her condition got noticeably worse. Fearful of costs, she delayed seeking healthcare. Unable to follow the advice that she, no doubt, had provided to other patients: Seek healthcare early. Many things are preventable if you can get there earlier rather than later. She was not able to follow her own advice. But I want us to think about that. She put off seeking the care she needed because she was afraid she would not be able to afford it.

As Members of this body, we should be ashamed that in the richest Nation in the world, a country with all of our resources, with all of our medical technology, that some citizens would choose not to seek treatment even when they know better because they fear they cannot afford the pricetag of lifesaving care. That is Lorie's story.

The next month, in September of 2020, Lorie was admitted to the hospital with pneumonia. And while there, she learned, sadly, that she had lung cancer, a treatable condition had she received an earlier diagnosis.

Put together, it was too much. On September 17, 2020, Lorie passed away.

This is the human face of our public policy. These are the tragic casualties of the games that politicians play.

As a pastor, I am praying for Lorie's family as they mourn her unspeakable and, perhaps, unnecessary loss and the legacy she left behind.

As a Senator who believes that healthcare is a human right, a sacred obligation, I refuse to stop fighting until Georgians, like Lorie Davis, have access to the care that they need when they need it.

Like Lorie, who advocated Members of this body for healthcare during her lifetime, I am committed to gaining ground in this fight to improve access to healthcare for Georgians in every corner of the State. She can no longer speak. We must be her voice.

She is not the only one. There are millions of hard-working people all across our country who went to school, played by the rules, and they don't have access to lifesaving care, costing them their lives and costing us more money.

So we need to pass the Medicaid Saves Lives Act. It is not just the name of a bill; it is actually true, Medicaid saves lives.

Until we get this done, I am going to keep lifting up Lorie's story and the stories of others who would benefit from this lifesaving legislation.

Thank you.

I yield the floor.

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

H.R. 3684

Mr. TOOMEY. Mr. President, I want to address an opportunity that we have in this body to fix a flaw in a provision in this infrastructure bill.

I want to thank my colleague from Oregon and our colleague from Wyoming. The three of us have been working on this, and I really hope we get this done. I am going to insist on having a vote on this.

Let me just give a little context here. So we are all aware of this new category of assets some describe as currencies, which are also called cryptocurrencies. And this is a fascinating development. Actually, some have been around for some time now, but they have come into the public eye in a much, much bigger way in recent years—very recent years.

And while sometimes we think of this as some kind of unit of value that is traded and has some pretty spectacular volatility sometimes, for me, while that is very interesting, what is much more interesting is the underlying technology and what that might make possible. I am still trying to understand. I am still on a steep learning curve about all the possibilities of the distributed ledger technology, the methodology by which cryptocurrencies can be exchanged without an intermediary. There is no bank that the money has to go through.

It is an amazing and fascinating technology where individuals scattered around the globe actually validate the legitimacy of a transaction and it becomes immutable. And there is a permanent record in some cases. There are other models where it is different. But this is an amazing technology. It has tremendous potential.

We had a hearing in the Banking Committee just last week, at my request—the chairman agreed to a hearing—where we talked about some of the use cases for this underlying technology, and we heard some amazing things.

So the most common activity now is trading in these digital currencies, whether it is Bitcoin or Ethereum or others. There are many, many of them. And that is the biggest single activity, but there are very, very important and interesting additional use cases that are occurring.

One of the things that I am fascinated by is the potential to have this dispersed mechanism for validating ownership. Think of all the amount of time and money and effort we spend on all kinds of transactions where, ultimately, we are trying to validate someone's ownership: the title to their house, the title to their car, your ownership of the stocks that you bought from your broker.

We have developed very expensive, actually, and sometimes time-consuming processes by which we do this. This can all be done on a blockchain. This can all be done almost instantly, at almost no cost, and I think that this is the direction that we are going to be heading in.

That is just one example. There is another whole category that is fascinating to me, which is what people refer to as programmable money.

Think about it, programmable money; what is that? Well, here is a great example that we heard at our hearing from a witness who works for a company that actually provides these kinds of services. But here is an example. You know, one of the things that has always been a challenge is, how do you ensure that, say, a person who has a copyright is properly compensated when that copyright is used in one form or another?

I used to have a restaurant. And when we played music in the background to create a certain ambiance in our restaurant, how do you make sure that the people who have the copyright on those songs gets paid properly for that? I will tell you, it is a terrible system. It is completely arbitrary, and there is no precision to it. There is no way to monitor it.

Well, how about an idea where you have a programmable capability where, if I listen to a music app on my iPhone, for every second of a particular artist's music I listen to, it automatically sends a corresponding tiny fraction of some currency to the person who owns that copyright? That is completely doable in the context of this kind of technology.

I just mention these two things just to provide a little, tiny glimpse and illustration of the kinds of amazing things that I think this underlying technology is capable of, and it is likely going to change the way we do an awful lot of things in the coming years.

I say that as background because in this legislation, there is a very reasonable intent, but I think the drafting doesn't get it quite right. The intent is to say: for those exchanges, for those places where people go to buy and sell cryptocurrencies—and there are centralized exchanges where that happens every day in huge, huge volumes—we want to require these exchanges to have the same kind of reporting requirements that a conventional broker would have when a security is bought.

So, in other words, we want the folks who run the exchange to report the name, some identifying number—maybe it is a Social Security number—the dollar amount. And all of this is because people buying and selling these cryptocurrencies are generating capital gains and losses. It is an asset. If you sell it later after a gain, you should have to pay a capital gains tax on that asset, depending on how long you have held it. If you have lost money on it, then you ought to be able to take that loss against gains that you may have elsewhere.

It is completely reasonable to have a provision that requires the reporting of the transaction. That, I think, is the intent of this legislation. But, unfortunately, the way it got drafted, to my reading, and to—I am certainly not alone; I think this is almost universally acknowledged—the language would impose this reporting requirement on people involved in the cryptocurrency world who don't even have the information about the person making the purchase or the sale.

So, for instance, it might very well be interpreted to impose this reporting requirement on the miners, the people who are involved in the arithmetic process by which you validate transactions. They don't even know the names. They have a numerical representation of the transaction. They don't know who is buying it. They have no idea. They have no way of knowing. So it is not a reasonable—not an even slightly reasonable burden to impose on them.

That is one little example of how badly flawed this language is. It wasn't intended that way. The good news is, it can be fixed. And Senator WYDEN and Senator LUMMIS and I have come up with language that fixes this problem. It would make sure that the reporting requirement on a centralized exchange, the folks running that who have this information, would, in fact, have to report it. They don't right now. There is no statute. There is no regulation that requires that. This would require the reporting.

And the industry is fine with that. They recognize that they should have to report this. But they also recognize that it should only be imposed on people for whom it makes sense, right? The people who actually have that information. So our amendment addresses this. It fixes this. It solves this problem. I think it achieves the intent. And we are having a little trouble getting the ability to offer this as an amendment here on the Senate floor on this bill.

I am not here to ask that we simply adopt it by acclamation. I welcome debate and welcome a vote, but we ought to be able to have a vote. We absolutely should have this debate and have a vote before we go ahead and impose this requirement. And if we were not to adopt this amendment, then we could be doing a lot of damage. We could have a very chilling effect on the development of this technology, and that is what I am most concerned about. That is what I want to avoid.

This technology is very, very exciting. It has tremendous potential. And the last thing we should do is allow a flawed drafting exercise to have this chilling effect on the further development of this technology.

I see the Senator from Oregon is here on the floor, and I want to thank him for his leadership on this effort, for his work. He and I, I think, have a very similar way of viewing this. And if he would like to make some comments, I will yield some time to him.

Mr. WYDEN. I thank my colleague, and I will be brief.

As Senator TOOMEY has indicated, he and Senator LUMMIS and I have an amendment to the infrastructure bill dealing with cryptocurrency and taxes. And I am going to go into some of the philosophical underpinnings of what we are doing, but I want to note something at the outset.

Our amendment, this bipartisan amendment, ought to be accepted when the author of the underlying provision has said publicly he will vote for it if the Senate gets a chance to vote, as Senator TOOMEY and I have indicated.

So let me just outline a couple of fundamental propositions about our proposal and start with one that ought to bring the U.S. Senate together. People avoiding taxes they owe on money through cryptocurrencies is a serious issue. It is fundamentally unfair to every working person whose taxes come straight out of their paycheck.

Now, my view is the Senate needs to make sure that new rules addressing this tax avoidance ensure that it is possible to run down the crooks, have strong tax enforcement, while leaving a clear field for an innovation here at home.

We want that innovation here. The fact is, when you don't innovate someplace, it goes somewhere else. We want it here at home.

Without our amendment, this bipartisan amendment, it seems to us that essentially the whole notion of dealing with tax avoidance somehow is going to get lost in approaches for the brick-and-mortar rule. And, as I said, those rules run the very real risk of chilling innovation in the digital economy and driving the core innovations in crypto to places far beyond the reach of the U.S. Treasury and other law enforcement.

So two sentences about what we do in our amendment: We want it stated the tax enforcement rules should focus on the companies that deal with buying, selling, and trading cryptocurrencies. These rules don't need to sweep up other uses of blockchain technologies that have nothing to do with tax avoidance.

Senator TOOMEY and I serve on the Senate Finance Committee. I am the chair; Senator TOOMEY, a senior member. We have been struck by how many people in that space—the various aspects of blockchain technologies—don't even have the tax documents that they would have to file, normally, if they were one of these big crypto exchanges.

Now, the fact is, making changes in both tech and tax policy is hard work that takes time. When I wrote the Internet Tax Nondiscrimination Act that ensured that the rules online and the rules offline would be the same, we had hearings; we had debates; we focused on the issues and produced bipartisan legislation.

The Senate is going to debate these issues further in the months and years ahead. As the chairman of this committee, I am open to working with anybody who wants to show that tough, effective tax enforcement and promoting innovation is not mutually exclusive. Smart policy—smart targeted policy—will get you both.

Our amendment simply says that nobody can use crypto to avoid paying the taxes they owe, and anybody acting as a broker in the cryptocurrency industry must comply with reporting requirements, the same as brokers in every other industry. That is because they are brokers. They are not the people who Senator TOOMEY and I have been concerned about with going to be swept up in this treatment of crypto exchanges and the like.

We advocate a smart, targeted approach and we make sure that reporting requirements, just like brokers in every other industry, are complied with. That is the kind of policy in the crypto area that lays the foundation for future debates.

What Senator TOOMEY and I are doing is very focused in one specific area: Making sure we come down hard on tax avoidance by brokers and people in crypto exchanges, but we also make sure we are not discouraging innovation in other areas.

This is going to be a debate that is going to play out over the years, but when the author of the provision in the bipartisan proposal on crypto, the author of the underlying provision in the legislation in front of us today, has publicly said in the last few hours he will vote for what Senator TOOMEY, Senator LUMMIS, and I have developed, we certainly ought to get a vote. My own view is it ought to be accepted by this body.

I yield the floor.

Mr. TOOMEY. Reclaiming my time.

I want to thank my colleague from Oregon for his thoughtful leadership on this.

I thank the Senator from Wyoming. Senator LUMMIS, is on her way down. She is going to join us, as she has been an integral part of this effort to just correct this.

This is a big deal in a number of respects. I would point out—I want to stress, right now there is no statutory reporting requirement in this whole space. There is no regulatory requirement. I don't think you could have a regulatory requirement without a statute authorizing it.

So this is a big deal. It would require the companies operating these exchanges to report this financial information so that it dramatically enhances the likelihood that capital gains taxes would be collected. This provision scores as a source of revenue because it increases the likelihood of compliance.

I don't know why anyone would object. I am not aware of any objection of the substance of this on my side of the aisle. I know Senator WYDEN has like-minded folks on his side of the aisle.

It is really important that we not overreach, that we not do this wrong. We have not gone through the ordinary process for developing tax legislation. Tax legislation is notoriously complicated and difficult to get exactly right and prone to unintended consequences.

Normally, we have hearings in the Finance Committee. We get input from all kinds of experts. We make drafts. We circuit the drafts. It is a long process to make sure you get it right. This has gone through none of that, zero.

What we are trying to do is say let's restrict this to where it belongs, let's clean this up the best we can.

You know what?

This space is changing. A year from now, there will be new innovations we haven't thought of, that probably nobody has thought of, and we will probably have to go back and revisit this. What we wouldn't want to do—shouldn't want to do—is have an overly broad mandate, a reporting requirement on people who can't possibly comply with it because they don't have the information. We wouldn't want to impose that and have a stifling impact on the development of a really, really exciting and potentially powerful new technology. That is what this is about.

As I said earlier, I am going to insist on having a vote on this. I don't know why we wouldn't win by a big margin since, after all, we are just ensuring that we get the intent of this legislation rather than a miscarriage of it.

As the Senator from Oregon pointed out, Senator PORTMAN from Ohio, who has worked so long and so hard on this infrastructure bill, supports us getting a vote on this. He supports the amendment that we have drafted.

I am hopeful that this is going to pass. I will be insistent that we get our vote. That is something we ought to do.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from New Hampshire.

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

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

SURVIVORS' BILL OF RIGHTS ACT

Mrs. SHAHEEN. I had intended to come to the floor earlier today with Senator GRASSLEY so that we could talk about our legislation that we are introducing this week, that would build upon our efforts to protect the survivors of sexual assault in the criminal justice system.

Unfortunately, I got delayed, but Senator GRASSLEY was here on the floor. I want to recognize all of his efforts to address this critical issue, and appreciate, again, his willingness to work with me.

The effort to extend rights for sexual assault survivors across the country is critically important, and I am hopeful that when the bill that we introduced gets to the floor, that all of our colleagues will join us in passing this bipartisan legislation.

I first became involved in the precursor to this legislation in 2015, when a young woman named Amanda Nguyen of the Rise organization contacted my office. She had been traveling from office to office here in the Senate, trying to find somebody to listen to her story.

Amanda is a survivor of sexual assault, and she is a fierce advocate for change in the way our criminal justice system treats survivors. When she detailed her harrowing story of sexual assault and subsequent interactions with the criminal justice system, it was very clear something had to change.

Amanda described a system that further traumatized survivors and provided scarce protection of their rights. Evidence of assaults was being destroyed without survivors even knowing about it, and survivors were forced to periodically follow up with law enforcement to preserve evidence of their assaults.

The broken process that survivors were forced to endure resulted in a system where they were often revictimized. This system forced survivors to confront the trauma of reliving their attacks each time they sought to preserve evidence or gather information about their cases.

Working with Amanda, I introduced the Sexual Assault Survivors' Rights Act to ensure survivors were guaranteed basic rights while pursuing justice. The legislation created the first legally recognized set of rights for survivors to enforce in a court of law.

I am so grateful that Senator GRASSLEY worked on this effort with me, and he included the legislation in the Adam Walsh Reauthorization Act so that it could be signed into law.

The legislation that we passed back in 2015–2016 provided survivors with greater protections in Federal cases with a focus on notice, access, and the preservation of sexual assault evidence collection kits.

By creating this set of court-enforceable rights at the Federal level, Congress established a model for all States to adopt similar legislation to protect the rights of survivors. And that has happened in many States, including in my home State of New Hampshire. States have adopted legislation to guarantee survivors certain basic rights in the criminal justice system.

Unfortunately, we have a lot of other States that have not followed suit and don't have legislation that protects survivors. That is why the bill that Senator GRASSLEY and I came to the floor today to discuss is just so important.

The Survivors' Bill of Rights in the States Act would establish a grant program accessible to States that have in place a law which guarantees the rights contained in the Sexual Assault Survivors' Rights Act. States could then use the funds to implement survivor rights, preserve sexual assault evidence collection kits, reduce the backlog of kits, and provide support for victim services.

Now is the time to pass this legislation. The risk of sexual assault and domestic violence has increased during this coronavirus pandemic. We can look at any of the statistics and they show us that.

We need to ensure that States provide the same level of protection for these survivors as they receive at the Federal level. No survivor should be compelled to bear the indignity of petitioning law enforcement merely to ensure that they are given a fair shake in the criminal justice process.

It is my hope that this legislation will lead to an increase in States passing bills that protect survivors' rights. Let's again show survivors that Congress is behind them and that we will stand up for their rights. Let's pass the Survivors' Bill of Rights in the States Act.

Again, I want to thank Senator GRASSLEY for all of his efforts. I hope together, with the support of other sponsors in this body, that we can get this bill across the finish line.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I would like to ask unanimous consent to speak as if in morning business for, let's say, 22 minutes.

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

U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, these speeches on the scheme by dark money interests to seize control of the Supreme Court are designed to describe it in all its repulsive intricacy.

My last speech discussed an operation in this scheme within the Federalist Society. This speech will take you literally down the hall from the Federalist Society to something called the Judicial Crisis Network, or JCN. They share the same purpose, the same hallway, and likely the same controlling donors.

Remember David Koch's disastrous bid for Vice President on the Libertarian Party ticket that showed how unappetizing his rightwing extremism was to normal people. And remember the Lewis Powell playbook, which advised:

> Strength lies in organization . . . and in the political power available only through united action and national organizations.

No one corporation or wealthy individual needs to, as Powell said, ''get too far out in front and . . . make itself too visible a target.'' Let intermediaries do that work.

Corporate interests like Big Tobacco and the fossil fuel industry have, for a long time, used coordinated webs of national front groups in their plots to fend off accountability for the dangers of tobacco and carbon emissions.

These front group webs grew and multiplied and specialized, all while concealing their true interests and funders. They got more numerous, and they also got smarter and more strategic over time, polishing up front group names, like the not-too-subtle Tobacco Institute, to names like the more wholesome-sounding Heartland Institute.

It is quite a web. They created science groups to counter real scientific research on public health and climate change with fake science; think tanks to churn out white papers and hire sound bite-friendly fake experts; legal organizations to challenge and delay government regulation of harmful products; academic hothouses in which to grow donor-friendly, right-wing judicial philosophies; identity-laundering screens to hide the true donors and controllers and their interests; and political attack groups to pressure elected officials. People who study this have reported these groups numbering in multiple dozens, and their backers play the front groups like keys on a piano.

Apply this method to the scheme to capture the Court, and you see that the dark money donors needed more than just the nominations turnstile that they ran out of the Federalist Society. They also needed a bare-knuckle political brawler.

One night in early 2005, at an upscale Italian dinner, with special guest Justice Antonin Scalia, major donor and corporate lawyer Ann Corkery, California real estate tycoon Robin Arkley, and Federalist Society executive vice president Leonard Leo got together and celebrated George W. Bush's second term. The political importance of the Supreme Court would have been on everyone's mind there as it was the five Republicans on the Supreme Court who gave George W. Bush his first term.

According to reporting by OpenSecrets and the Daily Beast, this dinner linked to the creation of a 501(c)(4) dark money group, then called the Judicial Confirmation Network. By the end of that year, this group would spend money—lots of money, lots of big donor money—and they would spend it anonymously, first to boost John Roberts as Chief Justice and then Samuel Alito as Associate Justice, cementing rightwing corporate control over the Court and shifting its decisions further in big donors' favor.

There are a few things to note about the Judicial Confirmation Network's early days:

One, it began work fast. Just months after starting, JCN ads hit the air in support of Bush nominees.

Two, it had lots of money. Beginning in 2008, Ann Corkery took control of something called the Wellspring Committee—a dark money, identity-laundering group, seeded with funding from Charles and David Kochs' donor network. Thereafter, Wellspring funneled seven- or eight-figure dark money donations to JCN every year—millions of anonymous dollars.

Three, they brought on a lawyer with heavy rightwing chops to run the place. Wendy Long, a former clerk to Justice Clarence Thomas, became chief counsel and mouthpiece.

Thus, in just a few months, JCN appeared and became a polished, powerful, anonymized campaigner for the big donor scheme to take over the Court.

And then came the election of Barack Obama, and JCN had to go from offense for nominees to defense against nominees. That ''C'' in JCN, for ''confirmation,'' no longer made much sense, and the scheme now faced a crisis—the crisis for it of a President nominating judges who had not been screened by them, judges whose fealty to the corporate rightwing could not be confirmed, judges who might even rule against the rightwing donors' agenda. So they quickly rebranded JCN as the Judicial Crisis Network, but even in the Obama years, the Republican 5-to-4 majority on the captured Court delivered big things for JCN and its secretive backers.

In the administration's first term, the Roberts Court handed down Citizens United and other decisions opening donor pipelines to 501(c)(4) groups like JCN. This caused the tsunami of slime we saw in our politics, and corporations and rightwing donors rushed to the feast. Anonymous money flooded in. Annual donations laundered through Wellspring to JCN rose from millions of dollars to many millions of dollars. JCN even expanded the scheme to seek to influence State supreme courts and State attorney general seats. The scheme was flourishing.

Then, on a 2016 all-expenses-paid trip for Justice Scalia to a luxury hunting ranch in Texas, the Justice died, leaving a Supreme Court vacancy, with the better part of a year left before the Presidential election. Now there really was a crisis. The big donors suddenly faced the prospect of a Democratic President appointing Scalia's replacement, shifting the balance of the Court 5 to 4 against them, taking away their precious majority, undoing the scheme.

So the donors swung into action. Within days, MITCH MCCONNELL quickly pledged to hold the seat open, and within days, Republican Senators uniformly lined up behind that decision—a decision very possibly explained by the overlay between dark money donors to the scheme and dark money donors to Republican Senate political operations. History will have to judge the extent of that overlay.

In any event, dark money funding of JCN hit escape velocity during this period. According to tax records obtained by OpenSecrets and others, JCN received big donations in fiscal year 2015 to 2016. One single anonymous donation alone totaled $17.9 million. Wellspring separately channeled $23.5 million in dark money to JCN in 2016, then another $14.8 million the next year. When Wellspring dissolved in 2018, big slugs of dark money continued to flow through other conduits. JCN received four separate, individual, anonymous donations, each of $15 million or more following Justice Scalia's death. We cannot say for sure because the donors hide behind the dark money screen, but these donations, over $60 million in all, could well have all come from the same donor.

And one wonders, what are the odds that someone willing to spend $60 million anonymously to influence the makeup of the Supreme Court is someone who has business before the Court?

Pretty high, I would say, but dark money scheming keeps this information secret.

How did JCN spend all this money? Attack. Leonard Leo's Federalist Society operation had handed Trump a list of approved nominees. JCN spending poured into TV ads, pressuring Senators, and to media blitzes to sell the Federalist Society list. The group spent $7 million to attack Merrick Garland; $10 million to boost Neil Gorsuch; $10 million or more to prop up Brett Kavanaugh's deeply troubled nomination with its—now we know—fake FBI tip line; and $10 million in under 2 months to support Amy Coney Barrett.

On its own, this anonymous $37 million barrage smells terrible, but it is only part of the Judicial Crisis Network operation. JCN has a corporate twin, the Judicial Education Project, each group backing up the actions and finances of the other. Let me walk you through this setup because it is a capsule summary of how political scheming is accomplished in our corrupted dark money era.

First, you pair a 501(c)(3) and a 501(c)(4). The Judicial Crisis Network was chartered as a 501(c)(4) social welfare group, the Judicial Education Project as its allied 501(c)(3) nonprofit organization. Under a perverse reading of the law, the 501(c)(4) organization is allowed to operate as a dark money political attack group. We see this arrangement commonly now in the clandestine world of dark money politics.

In fact, a recent Supreme Court case about dark money was brought by a group called Americans for Prosperity Foundation, which was the 501(c)(3) associated with Americans for Prosperity, which is the Koch brothers' 501(c)(4) that spent millions of dollars to help Amy Coney Barrett get her seat, and yet she didn't recuse herself from the case involving the 501(c)(3).

So, second, you operate the two as one unit: Judicial Crisis Network and

Judicial Education Project are connected by staff, by dollars, and by location.

According to the most recent tax records, long-serving JCN staffer Carrie Severino is also the sole and principal officer of—you guessed it—the Judicial Education Project. Severino is not listed on JCN's tax forms, but she serves as its public-facing ''chief counsel and policy director.'' JCN and JEP tax records both list the same address in Washington, DC, which, by the way, is right down the hall from the Federalist Society at the same address, and both groups share day-to-day staff. There is a doctrine in the law called piercing the corporate veil. In this case, the corporate veil between these two is a web of holes.

What is the next thing you do? You soak up dark money together.

It is hard to know much about these two groups' dark money funding—that is why they keep it dark—but we know the Wellspring Committee has funded both groups. Both have also paid money to something called BH Group, which is a mysterious LLC that Leonard Leo once disclosed as his employer, that made a $1 million mystery donation to Trump's inaugural. It seems to do no other business. They used the 501(c)(3) and 501(c)(4) status precisely because it lets them hide their donors and controllers.

And the last thing is that you get to play shell games with your name. A couple of years ago, those two organizations formally changed their legal names in Virginia. Now, follow this for a minute. Judicial Crisis Network changed its name, and it became the Concord Fund. Judicial Education Project changed its name, and it became the 85 Fund.

The Concord Fund then registered its old name, Judicial Crisis Network, as what is called a fictitious name, a kind of corporate alias under Virginia law, and continued to operate as the Judicial Crisis Network.

Here is the Virginia law that allows them to do that:

> A fictitious name is a name that a person (individual or business entity) uses instead of the person's true name, usually in the course of transacting or offering to transact business.

It also registered the name ''Honest Elections Project Action'' as an additional fictitious name to carry out a new voter suppression project. The 85 Fund likewise registered its old name, the ''Judicial Education Project,'' as a fictitious name, and it separately registered as the ''Honest Elections Project'' as an additional fictitious name.

It gets even better than this because, as I said before, when the Washington Post exposed the $250 million scheme that Leonard Leo was at the center of to pack and control the Supreme Court, to capture it like a captured agency, he wasn't much use any longer. He was like a blown agent in a covert operation. He had to go someplace. Where did he hop to? He hopped from the Federalist Society to the Honest Elections Project so he could get to work on the Presiding Officer's favorite cause, voter suppression. Same guy, same corporate network, new name, and new purpose: voter suppression.

As if this weren't enough, both of these groups have now filed new fictitious names. This is to help them wade into the rightwing fuss over what the rightwing likes to call critical race theory. So the Concord Fund has now added the fictitious name ''Free to Learn Action,'' and the 85 Fund has now added the fictitious name ''Free to Learn.'' Again, you see the pairing of the 501(c)(3) and the 501(c)(4) as part of the basic structure for dark money political influence operations.

By the way, the same person filled out all these forms for both organizations and is listed with various titles on each.

So now we have one group that calls itself the Concord Fund that operates simultaneously as the Judicial Crisis Network, the Honest Elections Project Action, and the Free to Learn Action, and we have a sister organization, the 85 Fund, that operates simultaneously as the Judicial Education Project, the Honest Elections Project, and Free to Learn—all with overlapping staff, locations, and funding.

By the way, when you are the funder of these groups, you are their controller.

Now, imagine this level of complexity multiplied many times over, because that is what the Washington Post disclosed. And I borrow a photograph from their video of their investigation.

That Washington Post exposé on the covert court-capture operation exposed the Judicial Crisis Network as one part, just one part of a massive—there it is, Judicial Crisis Network—one part of a massive web of groups, a web of groups that took in over $250 million in dark money between 2014 and 2017.

This effort to capture the Supreme Court? They are not kidding around. Spending $250 million in dark money is a serious investment that demands a serious return. And guess what. Expert testimony before my Senate Courts Subcommittee has since raised that number to $400 million through 2018.

Through all these allied and coordinated front groups—the keys on the dark money piano that the big donors can play in chords and singly as they wish—dark money donors can, from hiding, covertly channel tens if not hundreds of millions of dollars in anonymized money toward the scheme's court-capture goals.

Colleagues, this is a scheme akin in complexity and trade craft to an intelligence agency covert operation—only this one is not being run by one country against another; this one is being run in and against our own country by a handful of creepy billionaires and their foundations, trying to impose their self-serving ideology on the rest of us through our least democratic branch—the branch that doesn't care if normal people hate this stuff because they are in robes for life. That is our Federal courts, and particularly, it is our Supreme Court.

The big dark money donors have pretty well pulled it off, too, following Lewis Powell's old admonition to use ''strength . . . in organization'' and ''united action'' of all of this complexity. They have just made it all clandestine, which is why I am going to keep digging.

To be continued.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

REMEMBERING RICHARD TRUMKA

Mrs. MURRAY. Mr. President, I rise today to join my colleagues in saying I am deeply saddened to learn of the passing of my great friend Richard Trumka.

To say Rich was a champion for workers is really an understatement. He dedicated his life to fighting to secure and strengthen workers' rights. Everyone who knew Rich knew just how deeply committed he was to that mission. He understood how hard people in this country work for their families. He understood the dignity of work. He grew up understanding it. His grandfather was a coal miner, his father was a coal miner, and so was he.

It is because he knew how hard people across the country work that he was driven to work so hard himself, to hold Washington accountable and make sure our country was looking out for working families.

For decades, Rich led the charge in creating a country that treats all workers with the dignity and respect they deserve and where every worker had the right to join a union, including by fighting to root out systemic inequities and racism in this country.

Rich once said:

> There's no evil that's inflicted more pain and more suffering than racism and it's something we in the labor movement have a special responsibility to challenge.

He worked to live up to that challenge and to push others as well, and this country is better because of it.

I have worked with Rich for years and seen firsthand how hard he fought every day to make sure workers had a seat at the table on healthcare, education, taxes, climate change. Whatever the issue, you could expect to hear from Rich because of how those issues affected working people.

I will always remember working together to develop and draft the PRO Act, which embodied our vision to give workers and their families a fair shot in this country—something Rich not only fought for every day, but, in my mind, will always be remembered for on this floor, in the halls, and all across our country.

If you didn't hear him in a meeting, you would hear him over the bullhorn soon enough because he was as comfortable on a picket line as he was in a

boardroom or in the Halls of Congress, if not more comfortable, which is why, even as Rich shaped national policy conversations and led one of the Nation's biggest unions in the country through some of the most trying times in its history, including a recession and a pandemic, his legacy stretches far beyond his legislative accomplishments and beyond his leadership of the AFL–CIO, and it will stretch onward still as we continue his lifetime work of fighting for our workers. That is how we can honor Rich's legacy.

Rich may have been a recognizable face on television, especially with his mustache; he may have met with Presidents regularly; he may have changed the history of our Nation for the better; but perhaps the most remarkable thing is, even at his tallest, he never talked down to people. Even at his biggest, he fought for the small. Even after all that he accomplished, he never stopped fighting to do more, which is why we must not either.

My heart goes out to his wife Barbara and his son Rich Junior during this tragic time.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

H.R. 3684

Mr. MENENDEZ. Mr. President, I come to talk about the process that we are in here; first of all, the process that brings us the legislation that is before us.

Now, I respect my colleagues on both sides of the aisle have come together to draft the legislation that we have been debating on and off, voting even less, but that process shortchanges, I think, the Senate and the American people.

It is a process that our colleagues—well-intentioned and working incredibly hard but had no geographic diversity, had no ethnic diversity, had no racial diversity, and that is consequential. It is consequential in the legislation that we are dealing before us. For example, this legislation does very well in taking care of dealing with abandoned mines, but it doesn't do all that well with dealing with Superfund sites—the sites that most Americans who happen to be from disadvantaged communities ultimately reside along.

This legislation does much to help with the challenges of wildfires in our country, which I support, but doesn't do very much for the questions of flooding—flooding that takes place along the Mississippi, flooding that takes place in Louisiana, flooding that takes place in my home State of New Jersey and along the Atlantic coast.

So that lack of diversity is not only consequential in terms of the legislation—geographic, ethnic, and racial—it is also consequential to disadvantaged communities.

For too long, our infrastructure and transportation system have often been used to divide communities, split communities, where a highway goes through it and ultimately divides the community into the ''right side of the track'' and ''wrong side of the track.'' This was an opportunity to actually change that dynamic. This was an opportunity to create equity in our infrastructure system, to make sure that those divided communities no longer were divided and that all of them had a highway to opportunity, to make sure that transit access to minority communities struggling for employment could be realized. Even though, you know, there is a transit provision, it is $9 billion less than what we were originally told, but other elements are much, much higher.

Those provisions not only have a consequence to the communities for which transit mobility is a critical element in order for employment, it often deals with minority communities that find themselves disadvantaged in terms of mobility for minority communities to opportunities for employment.

Look at the pay-fors. The pay-fors, it is pretty remarkable, one of them particularly ends a rebate that is supposed to ultimately end up for consumers at the prescription drug counter. I often hear from people across the spectrum that we need to ultimately ensure that the cost of prescription drugs are lowered, but then here we have a pay-for that has absolutely nothing to do with lowering the cost of prescription drugs.

Then I hear that, ''well, we are waiting for amendments.'' Well, I have bipartisan amendments, amendments on flooding, amendments on our national ferry system that many parts of our Nation depend upon, amendments about eligibility for bus terminals; and they are bipartisan, but the gatekeepers are keeping us away.

Here we are. It is 5:30 in the evening. We have yet to vote on one single amendment. We have yet to vote on anything today. So this cannot be the process by which the world's most deliberative body operates under.

And I just want to serve notice that, as it relates to this Senator, this Senator has no intention of supporting legislation that comes through this process again and that ultimately does not have that diversity of geography, of ethnicity, of race. It doesn't have a committee process which provides for that diversity to be represented and those points of view. I may not win, but I would like to have my point of view and those of the communities I represent have a shot. After all, that is what the American dream is all about, having a shot at it.

So 5:30, no votes. This is a fantastic process, but one that I can serve notice on, I have no intention of supporting in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. PETERS. Mr. President, I rise in support of two nominations to critical positions within the Department of Homeland Security: Robert Silvers to be the Under Secretary for Strategy, Policy and Plans; and Jonathan Meyer to be General Counsel.

Both nominees are well qualified for these important roles, and both of them have strong bipartisan support, including from former national security officials who served both under Democratic and Republican Presidents.

Mr. Silver's public service includes several senior roles in the Department of Homeland Security, including Deputy Chief of Staff and Assistant Secretary for Cyber Policy during the Obama administration.

As a lawyer in the private sector since 2017, Mr. Silvers has been a leader on cybersecurity, data privacy, and artificial intelligence issues. As Under Secretary for Strategy, Policy and Plans, Mr. Silvers will help the Department to take a strategic and coordinated approach to address challenging policy areas, including domestic terrorism, border security, and cybersecurity.

Jonathan Meyers' previous government service spans 17 years and includes senior roles in the Department of Justice, the U.S. Senate, and as Deputy General Counsel for DHS during the Obama administration. Since returning to private practice in 2016, Mr. Meyers' legal work has continued to focus on cybersecurity, technology, and Homeland Security.

DHS needs qualified Senate-confirmed leaders in place to effectively carry out its critical mission of safeguarding our Nation, and I urge my colleagues to confirm these qualified nominees today.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 158; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate, that no further motions be in order to the nominations, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Reserving the right to object.

I would say this is a complicated issue to walk through the issues of immigration, and there are a lot of questions that hang out there. Secretary Mayorkas was in front of our committee on May 13 to be able to walk through the issues we are facing.

Just as a quick review, we had a record number of people illegally cross the border in March. That was beaten in April. That was beaten in May. That was beaten in June. That was beaten in July.

In July, we had 210,000 people illegally cross our border, that we know of.

The DHS, in a recent court filing—actually filed in a court filing where they made this statement:

Based on current trends, the Department expects that total encounters this fiscal year are likely to be the highest ever recorded. . . . The Department also expects that these numbers will climb even higher if the CDC Order [Title 42] is enjoined.

There is a real issue that is going on. So when Ale Mayorkas was in front of our committee, our committee had direct jurisdiction for oversight in what is happening in Homeland Security. There have been a lot of changes that have been done this year in how we are enforcing or not enforcing the border.

We have record numbers of individuals crossing the border. The border wall and that whole infrastructure, as well as the technology on the southern border, all the construction has stopped on that. The best we can tell, we have spent $2 billion this year not building the wall.

Currently, it is not getting better. It continues to be able to get worse. We have 10,000 migrants in the Rio Grande Valley currently being held right now. That is 783 percent overcapacity in the Rio Grande Valley right now.

And on the Interior enforcement side with ICE—we have 6,000 ICE agents—and the last number that we saw last month, they did 3,000 deportations among 6,000 ICE agents in a month. The standard for them to actually interdict, detain, or deport an individual has now reached such a high standard that they have to contact regional leadership and ask permission by name to be able to interdict someone.

That has dramatically slowed down what is happening in Interior enforcement, what is happening at our border area.

And as we continue to be able to watch the number of individuals cross our border that are COVID positive, we have this odd situation where the Nation and the President are talking to companies and telling companies, ''you need to mandate vaccines and you need to mandate masks,'' when at the whole time we are literally bringing people from all over the world across our southern border and releasing them into the United States.

We have legitimate questions that need to be answered. May 13, when Ale Mayorkas was in front of our Committee, there were multiple questions that I had. It was a very cordial interchange and very frank going through the issues. I asked him very specific questions for specific numbers.

He said: I will follow up with that.

We wrote him a list of specific questions and asked for specific answers for that. To their credit, 2 months later—2 months later—we got a list of answers to the questions that I had asked. That was 24 hours ago.

The very specific answer on the issues—I asked about the volunteer force in DHS. The humanitarian exceptions to Title 42, including the policy documents, they were very commendable on how they actually answered those.

To DHS, I would ask specific questions on how they are handling sex offenders, because ICE agents have told me over and over again sex offenders are not being interdicted in the numbers they were in the past. They gave us very specific answers on that.

But the problem was, half of the questions they gave us answers to and half they did not. For instance, we asked about the study that they started January 20th on the border wall. That study was supposed to be 60 days. It has now been more than 200 days. We just asked for the status of that study and, if we could see any of it, what were the findings.

Instead, I was sent a press release that they had put out. That is not what I need. In fact, that press release was copied in multiple places in the document to say ''this is responsive.'' That is not responsive.

There is a new process that has been put in place by this DHS called notice to report, where literally there is a large number of people crossing the border at once. They are taking those individuals out, doing biometrics, background checks and releasing them into the country with the statement of: Turn yourself in at an ICE office somewhere in the country.

No administration has ever done that. As far as we can tell, 55,000 people this year have been released into the country under a notice to report. That is a new process that is undefined. The questions we asked about that were completely unresponsive.

The Supreme Court made a decision on what is called a notice to appear just this year that should change the process from how DHS handles notice to appear. We asked very specific questions on how DHS is handling this issue based on the Supreme Court decision that was made a few months ago. They were completely unresponsive on that.

We asked about cost analysis for the border construction, what is happening on eminent domain on those issues and areas where they are choosing not to do eminent domain, and they were completely unresponsive to that.

So literally half our questions they answered completely, and half our questions they sent us fluff.

I am the only one who is holding this up—I am very aware—but it is also my committee of jurisdiction that specifically has border management. I am the one who is supposed to ask these questions, and I am asking these questions, and they are not unreasonable questions.

We are just asking to be able to get an answer to the questions so we can figure out what is the process and what is happening.

As recently as today, I learned that ICE is currently looking at a facility in western Oklahoma to do what they are calling a surge overflow temporary facility. That surge overflow temporary facility they are looking to open is in western Oklahoma, to move people from the border, process them in western Oklahoma, and then release them from western Oklahoma.

It is not an unfair question for me to ask: What is this facility? What is its purpose? And will individuals who are not legally present in the country be released in western Oklahoma?

This is the same question that has been asked by mayors and leaders in Arizona, who have a facility like this in Arizona, where processing was done there and then they were released from there. And mayors and individuals there have asked the question: Why are individuals who are not legally present in the country being brought from the border to my town, and then released in my town?

It is not unfair for me to be able to ask that as well. I have already had that conversation with the Secretary of DHS. I do not have an answer.

So, yes, I object because we need to get some straightforward answers to some very straightforward, very fair questions.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. PETERS. Mr. President.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. PETERS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 159; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate, that no further motions be in order to the nomination, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. LANKFORD. I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Michigan.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. PETERS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination, Calendar No. 158.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of Robert Peter Silvers, of the District of Columbia, to be Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security.

Thereupon, the Senate proceeded to consider the nomination.

Mr. PETERS. Mr. President, I ask unanimous consent that the Senate

vote on the nomination without intervening action or debate, and if confirmed, the motion to reconsider be considered made and laid upon the table, all without intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The nomination was confirmed.

LEGISLATIVE SESSION

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

The PRESIDING OFFICER (Mr. KAINE). The Senator from Texas.

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

Mr. CRUZ. Mr. President, I rise today to discuss the mammoth $1.2 trillion infrastructure bill before the Senate.

On Sunday night, we finally got to see the 2,700-page infrastructure bill that we will be voting on sometime tomorrow or Saturday. And what we saw is that Democrats want to give billions of dollars to unelected bureaucrats in the Biden administration to spend however they please.

This bill spends $21.5 billion to create a new office at the Department of Energy called the Office of Clean Energy Demonstrations, which would give President Biden's Secretary of Energy the power to use taxpayer dollars to invest in whatever green energy initiative she likes. Reminiscent of Solyndra, we can have the same bankruptcies at taxpayer expense.

This bill spends $24 billion in taxpayer dollars to preserve the water in the San Francisco Bay, and the Long Island Sound would receive $106 million in taxpayer dollars.

As the New York Times reported, ''Climate resiliency programs would receive their largest burst of government spending ever'' from this bill.

And the Wall Street Journal rightly called it ''a major down payment on President Biden's Green New Deal.'' That is exactly what this bill is.

Furthermore, this bill institutes a new tax on 42 chemicals that will raise prices for everyday consumers. Texans will bear the brunt of these high prices because 40 percent of the manufacturing plants that this new tax will hit are in Texas alone.

But this tax will also hurt Louisiana and Michigan and Pennsylvania and Ohio and other manufacturing States.

Indeed, this provision will also likely make many of the raw materials used in infrastructure projects more expensive.

I filed an amendment that would strike this harmful provision. Not only will manufacturing plants in Texas be hurt by this new tax, but for some of these plants, the new taxes will exceed profit margins, leading to plant closings and more and more manufacturing moving to China.

In effect, the loss of these plants would result in lower tax revenue to the Federal Government, not more. Imports would rise, U.S. exports would fall, and production in the United States would fall as well.

Ironically, this infrastructure bill also tries to grow more critical minerals manufacturing and personal protective equipment, or PPE, manufacturing in America. But it places a brandnew tax on both of these things.

PPE is made with many of the 42 chemicals this infrastructure bill now wants to tax, and four of these chemicals are on the Biden administration's own critical minerals list.

The old saying was: If it moves, tax it, and if it stops moving, subsidize it. Well, this bill taxes the things that we are trying to get moving in the first place.

This bill is also a liberal spending wish list. The fact of the matter is, this bill spends too much money, and it is not paid for. We are told that this bill would, in part, be paid for with $205 billion in repurposed COVID relief funds. But when the bill text was released, magically, those funds weren't there. It became apparent, instead, that only about $50 billion in COVID funds was being used to help pay for this bill.

Some have claimed that the bill is paid for, but, by any measure, the payfors are quite simply gimmicks. This is a bait-and-switch, and the bill is not paid for like we were promised.

At a time when we spent trillions of dollars already to combat a deadly pandemic, at a time when we are seeing rising inflation across the country, we can't responsibly be spending yet another trillion dollars. This bill is part of a much broader problem we are having with reckless Federal spending.

Furthermore, suppose this so-called bipartisan $1.2 trillion infrastructure bill were being offered in exchange for the Democrats' massive $3.5 trillion reckless tax-and-spend bill. In that case, I could understand the logic of doing the smaller bill instead of the massive bill. But it is not being offered in exchange.

The Democrats have made it clear that they are going to pass this infrastructure bill, take every penny of the spending, and then turn around and try to ram through their massive $3.5 trillion tax-and-spend bill right on top of this, which means we are looking at about $5 trillion of spending in just those two bills.

That means trillions of dollars in new taxes. If you pay taxes, they are going up. It means corporate taxes are going up; it means individual taxes are going up; it means small business taxes are going up; it means capital gains taxes are going up; it means the death tax is going up—all while our debt is going through the roof and inflation is rising across the country.

Republicans shouldn't play a part in this. We should instead say enough is enough.

Look, the American people want good roads and good bridges. I want good roads and good bridges. But what this bill does is reminds me of the old swindler who says over and over again: I am going to sell you a bridge; I am going to sell you the Brooklyn Bridge—because the proponents of this bill are selling the same bridge over and over and over again. They go on TV, and they say: Bridges are popular. Roads are popular. You want roads and bridges; therefore, we have to do this.

So let's see what the actual spending looks like to understand the shell game that is being played.

This bill has about $100 billion for roads and bridges. Do you know what? If the Democrats want to pass just that—$100 billion for roads and bridges—I bet you could we get 90 Senators to agree with that. We could be done and go home this evening.

And let me remind my fellow Senators: $100 billion is a lot of money. We aren't talking about $5 at a soda machine in the hall. We aren't talking about $100. We are talking about $100 billion, which, in history, is massive spending. But compare that to the $1.2 trillion in this bill. It is not Monopoly money. It is not make-believe money. It is taxpayer dollars, and it is money we are borrowing from China and debt that we are putting on our kids and grandkids.

The roads and bridges part of this bill, in the context of the larger spending free-for-all in Washington, is about one-eighty-sixth the explosive spending going on. Let's compare that to the overall spending going on in this bill and the total spending, so that it is not in a silo or a vacuum; it is all together.

The $1.2 trillion infrastructure bill today is roughly 12 times the new spending on roads and bridges. So they are selling the roads and bridges, but the bill is 12 times bigger. But that ain't it. A few months ago, the Democrats rammed through a massive, so-called COVID relief bill. Only 9 percent of the bill actually went to healthcare spending for COVID.

That was $1.9 trillion. So that was roughly 19 times larger than what is being spent on roads and bridges. Mind you, we keep being told: Roads and bridges are good.

That bill was 19 times that.

And then the massive $3.5 trillion tax-and-spend bill that is coming right after this that the Democrats intend to ram through—that is 35 times the spending on roads and bridges. And when you add up the spending from December 2020 to now, with the Biden budget request, with the Democrats' tax-and-spend reconciliation proposal,

with this infrastructure bill, with the so-called COVID relief bill, and with the emergency spending in December, you hit a whopping $9.5 trillion. That is 86 times the newest spending on roads and bridges.

You know, that is hard to wrap your mind around. These numbers all seem abstract—millions, billions, trillions. It is hard to know what you are talking about. So let's see if we can make it a little more real.

To understand the comparative size, let's take a look at the average American home, right here. The average American home is about 20 feet tall. Compare that to a giant sequoia tree, which is about 240 feet tall, 10 times as much. That is a lot.

But compare that to Big Ben, 380 feet tall. Compare that to Trump Tower in New York City at 700 feet tall. Compare that to One Shell Plaza, where I used to work, in Houston, TX. Or compare that to the Sears Tower, now called the Willis Tower. I don't know why. I like Sears. Compare that to the Sears Tower at 1,400 feet tall.

The Sears Tower is 70 times as tall as the average American house. The Democrats' reckless spending is more than 70 times what is being spent on roads and bridges.

So when you see politicians going on TV saying: Isn't it going to be great to have a new freeway? Isn't it going to be great to repair a bridge?—yes, we should do that—they are selling this. That is what they are selling—this tiny, little bit. But understand that what they are ramming through is this. They are ramming through trillions of dollars.

To give you a sense of what $9.5 trillion means, if the Democrats get their way, Congress will be spending $28,563 for every single American. So I ask you at home: Have you got 28 grand sitting around? The Democrats think you do, and they want to spend it.

I have said more than once: Dear God, please let nobody tell the Democrats what comes after a trillion.

These numbers are real. To put that in perspective, indexed for inflation, the U.S. Government spent $4.1 trillion to win World War II—$4.1 trillion to win World War II—the greatest generation, scaling the cliffs of Normandy, beating the Nazis. The Democrats, in 7 months, are spending more than double what we spent to win World War II.

This is reckless, and it is unprecedented. As Admiral Ackbar said in Star Wars, ''It's a trap.'' This is a trap. This is a trap.

Now, listen, for Democrats, it is what they campaign on. If you are a Democrat, you want to raise taxes and raise spending. You want more debt from China. That is what Democrats do. But for Republicans—come on, guys—we are like Charlie Brown, with CHUCK SCHUMER being Lucy and the football. And you have Republicans happily running going: Oh, he is going to keep the football; he is going to keep the football.

And, every time, Lucy pulls the football back, and we go up in the air and land on our rear. It would be nice for Republicans not to fall for it again.

The Senate minority leader is fond of saying there is no learning in the second kick from a mule. Well, there are a whole lot of Republicans that seem eager to get kicked a second time from a mule. The spending that we are looking at—I want to repeat again—is more than double what the United States spent to win World War II, in 7 months.

If you care about your kids, if you care about your grandkids, that is irresponsible. And let me tell you something it is causing. It is causing inflation across this country. You know, families at home—in Texas, in Virginia, across the country—families go to the grocery store, and they buy food for that week. They buy milk. They buy cereal. They buy fruit. They are noticing the cost of groceries going up and up and up. You get to the cash register, and, gosh, that costs a lot more than it cost a month ago, and it costs a lot more than it cost 3 months ago, and it costs a lot more than it cost a year ago.

Then when you go out and fill up your car with gas, you notice the cost has gone way, way up. And then maybe you go with your daughter to Home Depot to buy some lumber. And you look at the prices of the lumber, and you think: Is this a typo? How did these prices go so high?

And then maybe you go to buy a new house, and you see the prices of a new house—the average new house—going up $20,000 to $30,000.

In the last decade or so, we have been living in a little bit of a holiday from history. Inflation has not been a major factor for many people. Particularly many young people don't know what inflation is. Mr. President, you and I are both old enough to remember the 1970s. We remember the Jimmy Carter Presidency. We remember double-digit inflation. We remember 20 percent home-mortgage rates.

Inflation is a cruel tax. It is a tax on the middle class. It is a tax on working men and women. It is a tax on anyone with a fixed income. And it is a tax, in particular, on seniors. Millions of seniors across this country, on Social Security, struggling to make ends meet, their income isn't going up. But thanks to the Democrats' reckless spending and endless printing of money, their expenses are going up each and every month.

This is wrong. This is harmful. The inflation bomb we are facing is hurting Americans.

In a perfect world, I would ask my Democratic colleagues to reconsider. How about we spend just what we spent on World War II, not twice as much. In a perfect world, that might seem like a reasonable proposition. Actually, in a perfect world, anyone would say you are out of your mind to spend what you spent on World War II.

But I am not naive enough to think that Democrats are suddenly going to see the light. I hope, though, at least some Republicans will. If you vote for this monstrosity, it will open the door to trillions more. That is harmful for our country.

And if you are being told it is all about roads and bridges, just remember the one little house we saw. Roads and bridges are one-eighty-sixth of the total spending that is being rammed through. These trillions are 86 times more. We can't afford it. It is irresponsible, and I urge every Senator to say: Enough is enough. Stop the madness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I would ask unanimous consent to speak as if in morning business.

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

REMEMBERING RICHARD TRUMKA

Mr. CASEY. Mr. President, I rise this afternoon, almost the evening now, to reflect on the sad news that we received today that Rich Trumka, the president of the AFL–CIO, passed away today.

I wanted to try to provide some perspective, at least from my vantage point as a Pennsylvanian, because he was a son of Pennsylvania, born in Southwestern Pennsylvania, in Greene County.

Greene County, for those who don't know where it is, is in the furthest southwestern corner of our State, the corner where Pennsylvania, Ohio, and West Virginia meet.

Rich Trumka was a man who fought his whole life in the cause of justice, fighting on behalf of working men and women. Before he became president of the AFL–CIO, obviously a national position, he also, as a very young man—I think he might have been 32 at the time—served as the president of the United Mine Workers of America, that union. And that was during a very difficult time for coal miners and their families.

And then, in that position and in so many others, he fought for workers everywhere, literally the world over—not just here in America but workers in South Africa and other parts of the world.

So to sum up what he meant to this country is difficult, but I think it can be said of Rich Trumka that he spent every day of his adult life advancing the cause of justice: the cause of justice for workers; the cause of economic justice, social justice, and racial justice. He dedicated his life in service to American workers and their families.

I wanted to reflect a little bit about two parts of his life: first of all, his roots and then, secondly, his work and his contributions.

I mentioned that Rich was a native of Greene County, PA—Southwestern Pennsylvania—a coal county. He was not just a miner himself as a young man, before and actually overlapping, really, getting a degree at Penn State and then eventually getting a law degree at Villanova University, but he

worked in the coal mines himself. He was a third-generation miner. Both his father and grandfather and uncles—just like any coal-mining community, virtually everyone was working in the mines.

The town that he was born in and raised in goes by the name of Nemacolin, PA, in Greene County, right on the Greene County-Fayette County border. And it was that kind of community, a coal-mining community, as was most of Greene County in those days.

I think of this community from the perspective of my own ancestors' background. I come from the other end of the State, all the way up in the northeastern part of the State—Scranton, Lackawanna County, Northeastern Pennsylvania, also a coal community. Lackawanna County, Luzerne County, Carbon County, Susquehanna County, Northumberland County—I may have left one out, but they were the main counties that were producing anthracite coal, hard coal. Where Rich and his family were living was so-called bituminous coal—soft coal, as they used to call it.

In 1894, the great novelist Stephen Crane, who is famous for, among other novels, ''The Red Badge of Courage''—Stephen Crane visited a coal mine near my hometown of Scranton, and he was, at the time, a very young man. I think he passed away before the age of 30. So he was in his twenties when he wrote a long essay about visiting this coal mine, a beautiful description but a haunting description of what a coal mine was like in 1894.

Now, when Rich Trumka went into the mines in the late sixties, of course, there were great advancements to protect workers, new technology, other protections that his ancestors and mine would not have benefited from. But you are still going underground. You are still going every day into that darkness, into that place of so many risks, what Stephen Crane called a place of ''inscrutable darkness, a soundless place of tangible loneliness.''

That is how he described his first impression of a coal mine, when Crane was just in his twenties. Later, he described all the ways you could die in that coal mine, what he called the 100 perils of dying in a coal mine. Of course, this is in the context of the 1890s, but he said:

> There is an insidious, silent enemy in the gas. If the huge fanwheel on the top of the earth should stop for a brief period, there is certain death. If a man escapes the gas, the floods, the ''squeezes'' of falling rock, the cars shooting through little tunnels, the precarious elevators, the hundred perils, there usually comes to him an attack of ''miner's asthma'' that slowly racks and shakes him into the grave.

He was talking about pneumoconiosis, what they used to call miner's asthma in the old, old days.

Rich Trumka understood that. His own family members had died from that same cause of death. It wasn't some theory or some passage he read in a history book or even a passage that he might have read from Stephen Crane. He lived it. His father and his grandfather and his extended family and his community lived it.

And that awareness, that understanding of danger in the workplace, that understanding of suffering that workers still face today—in a different context but certainly faced in a coal mine all those years ago—is part of who he was. And to understand Rich Trumka and his contributions to American working men and women, you have to understand where he came from, those roots.

So I am thinking about that today because of the connection to my own region of Pennsylvania; really, the connection to my own family. I am far removed from it. We had, I guess, four generations before me working the coal mines, but it kind of stopped when my grandfather worked there as a child and then was able to escape the mines.

These were people who not only understood labor and suffering and contribution to their community, these are people who kept their promises. That is why we fought so hard just a couple of years ago—the Presiding Officer was one of the people waging this battle—to get healthcare benefits for retired miners. They waited year after year after year, when we finally had a breakthrough. And one of the arguments we were making is, these miners had kept their promise. They were told by their country, by their government—the Federal Government—that those benefits would be there for them. And the Federal Government was not, at that time, keeping its promise.

You had miners who had kept their promise to their country—sometimes serving in combat and World War II or the Korean war or Vietnam and Iraq and Afghanistan—but also keeping their promise to their employer to work every day in the most dangerous job in the world, and, of course, they kept their promise to their family.

So Rich Trumka knew what it meant to make a commitment and to keep your promise, to never break faith with those to whom you had made the promise. And that is why workers all over the country trusted him. They knew that he came from them, that he understood their struggles, and that he kept his promises. So to understand the life of Rich Trumka and what he meant to this country, what he meant to workers, you have to understand his roots in the coal mines.

How about his work? Well, it was a lifetime of fighting battles tooth and nail for workers, first for coal miners and then for workers across the board, represented by the AFL–CIO.

And there is no way, if I had a half an hour or several hours—there is no way I could encapsulate his work leading the AFL–CIO. So I won't try to do that. But suffice it to say, if there was a battle on healthcare or pensions or the minimum wage or the right to organize and bargain collectively, Rich Trumka was at the center of it, often the leader of all those battles, and it is noteworthy—and this, of course, applies to Rich Trumka but also any labor organization or any labor leader—often fighting battles for the rest of us, battles that they had already won. Rich Trumka was trying to preserve the protections of the Affordable Care Act, and yet as the leader of the AFL–CIO, unions have already bargained and negotiated for healthcare benefits. But he knew that other people who were not members of a union needed that protection, needed the protection and the security that a family would need that the Affordable Care Act would provide.

The minimum wage, another example. Unions had already bargained for their wage—in almost every instance, higher than minimum wage. But there they were, and there he was, Rich Trumka, on the street, marching and battling for an increase in the minimum wage, even though his entire membership already had a higher wage, always helping those who didn't have power.

It is difficult on a day like today to be comprehensive in a recitation of all that Rich Trumka contributed to working men and women and, by extension, our country.

But I think our best tribute is not what we will say in a floor speech or in a statement or even in a eulogy, as important as those words are, as important as it is to pay tribute—maybe the best tribute of all that we can contribute, that we can offer in memory of Rich Trumka, is to keep up the work, to pick up the banner and keep marching, keep fighting. And we have one of those opportunities in the next few months in the opportunity that presents itself in the form of a piece of legislation that Senator MURRAY talked about from the floor today and she has led the fight on—the PRO Act, the Protecting the Right to Organize Act, that Rich Trumka spent his whole life—or, I should say, the most recent years of his life trying to enact into law. Our tribute to him should be to pass that piece of legislation.

Let me conclude with condolences for Rich's family, especially his wife Barbara and his son and the men and women of the AFL–CIO who have lost a leader but, more importantly, have lost a friend, someone who would walk with them in every battle. May it be said of all of us that we will walk those same battle lines with him.

With that, I will yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent that Senator SHAHEEN and I be allowed to engage in a colloquy.

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

H.R. 3684

Mr. WICKER. Senator SHAHEEN, the Portman-Sinema substitute provides in title 1 of the division on broadband that ''[n]othing in this title may be

construed to authorize the Assistant Secretary or the National Telecommunications and Information Administration to regulate the rates charged for broadband service.''

It is my understanding that an agreement was made among the bipartisan group that no rate regulation of broadband services would be authorized or permitted by NTIA or the Assistant Secretary who leads the NTIA, as part of the State broadband grants program.

Is it the Senator's understanding that the language I just quoted accomplishes that goal?

Mrs. SHAHEEN. Senator WICKER, that is my understanding.

Mr. WICKER. I thank the Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 2498

Ms. LUMMIS. Mr. President, I want to say a few words about the Wyden-Lummis-Toomey amendment that is ready before the Senate to vote on tonight.

America is, at its core, a country of innovators. It is written into our DNA. It is why we were the first country to develop a computer, land on the Moon, and develop the internet.

Right now, our financial system is evolving before our eyes, much in the same way that the internet first began to find a foothold in the mid-1990s. Distributed ledgers, digital assets, and other forms of financial technology are in the early stages of transforming the way we share and store value.

These technologies have the potential, if implemented properly, to create a vast, new economic opportunity, reduce systemic risk in our economy, and provide for faster payments and create a more inclusive financial system. These are principles that all Americans can agree on.

America has a heritage of being the global leader in financial services, and this has created enormous wealth and opportunity in this Nation. But we must be careful not to rest on our laurels. America's leadership in the global economy is a privilege, not a right, and one we must earn through innovation and hard work.

Europe, China, Singapore, and other nations have a head start on the United States in implementing financial technology and integrating it into their economies. We have a window to catch up because the U.S. dollar is still the world's reserve currency and because our central role in payments and the capital markets put us there. But let's not make a mistake here; we still have a lot of catching up to do.

The digital asset reporting provisions in the infrastructure bill is one of the first times the Senate has been required to grapple with the opportunities and risks of digital assets.

I thank Senator PORTMAN for bringing attention to this very important issue: the issue of ensuring tax compliance in the digital asset markets. Everyone should be paying the taxes they owe under the law, and I support the spirit of this provision.

I also want to thank Senator PORTMAN for his willingness to work with me over the last week to make changes to the language currently in the bill. It has come a long way. But even with these changes, it isn't quite ready to become law.

The Wyden-Lummis-Toomey amendment is very simple. It clarifies in law what most of us already believe, that validators of distributed ledger data like miners and stakers, hardware wallet providers, and software developers should be required to report transactional data to the Internal Revenue Service. This is common sense.

The most important thing this amendment does is say in plain English what the law means. This is so important to startups, small business owners, and ordinary Americans who want to take a risk on their ideas. In many cases, these Americans can't hire a fancy lawyer to tell them what a complicated law means.

The amendment makes clear that Congress is about to have a really important debate on the legal status of digital assets as securities or commodities and the appropriate regulatory framework in which to house digital assets.

We must make sure that the validators of distributed ledger assets—like miners and stakers, hardware wallet providers, and software developers—are not in a position to report transaction data to the Internal Revenue Service.

Mr. President, this amendment is the first step in a long journey towards America renewing its commitment to innovation and retaining its role as the leader in the global economy. This is why Chairman WYDEN, Ranking Member TOOMEY, and I brought this amendment forward. It is because we care deeply about the future of American innovation, and we want to see thoughtful debate and good public policy around these issues.

I am very thankful to Chairman WYDEN, Ranking Member TOOMEY, Senator SINEMA, Senator PORTMAN, and others for allowing us to have this debate today. It will be the first of many in the coming years.

I urge my colleagues to thoughtfully consider Senate amendment No. 2498 and to support it when it comes up for a vote.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). The majority leader.

H.R. 3684

Mr. SCHUMER. Mr. President, we are working on an agreement. As you know, we have been working all day, but we aren't there yet as work continues on the agreement. I am filing cloture on both the substitute and the underlying bill for a Saturday vote. If we come to an agreement yet tonight, which is our preference, we will have additional votes on amendments. I believe we are very close to an agreement and see no reason why we can't complete this important bipartisan bill. I urge both sides to continue working diligently to make it happen.

CLOTURE MOTION

Mr. SCHUMER. Mr. 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 read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Sinema substitute amendment No. 2137 to Calendar No. 100, H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Charles E. Schumer, Thomas R. Carper, John Hickenlooper, Jon Tester, Richard J. Durbin, Joe Manchin III, Kyrsten Sinema, Jeanne Shaheen, Angus S. King, Jr., Mark Kelly, Chris Van Hollen, Tammy Baldwin, Benjamin L. Cardin, Margaret Wood Hassan, Sheldon Whitehouse, Amy Klobuchar, Christopher A. Coons, Mark R. Warner, Patrick J. Leahy.

CLOTURE MOTION

Mr. SCHUMER. Mr. 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 read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 100, H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Charles E. Schumer, Thomas R. Carper, John Hickenlooper, Jon Tester, Richard J. Durbin, Joe Manchin III, Jeanne Shaheen, Kyrsten Sinema, Angus S. King, Jr., Mark Kelly, Chris Van Hollen, Tammy Baldwin, Margaret Wood Hassan, Benjamin L. Cardin, Sheldon Whitehouse, Amy Klobuchar, Christopher A. Coons, Mark R. Warner, Patrick J. Leahy.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, Thursday, August 5, be waived.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that if cloture is invoked on Executive Calendar No. 50, the Lee nomination, all postcloture time be yielded back and that notwithstanding rule XXII, the Senate vote on confirmation at a time to be determined by the majority leader in consultation with the Republican leader, not before Saturday, August 7, 2021; that if confirmed, the motion to reconsider be considered made and laid upon

the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

CLOTURE MOTION

Mr. SCHUMER. I ask that the Senate vote on cloture as under the previous order.

This vote—I know that Members are probably not all here right now, so we will keep it open for a little while. I urge Members to get here soon.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the nomination of Executive Calendar No. 250, Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit.

Charles E. Schumer, Tammy Duckworth, Christopher Murphy, Richard Durbin, Christopher A. Coons, Sheldon Whitehouse, Tim Kaine, Tammy Baldwin, Tina Smith, Elizabeth Warren, Martin Heinrich, Richard Blumenthal, Margaret Hassan, Raphael Warnock, Kirsten Gillibrand, Jacky Rosen, Patrick Leahy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 308 Leg.]

YEAS—50

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

NAYS—49

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

NOT VOTING—1

Graham

(Mr. PADILLA assumed the chair.)

(Ms. BALDWIN assumed the chair.)

The PRESIDING OFFICER (Mr. KING). On this vote the yeas are 50, the nays are 49.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Cloture having been invoked, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, now we have worked long, hard, and collaboratively to finish this important bipartisan bill.

The Senate has considered 22 amendments during this process, and we have been willing to consider many more. In fact, we have been trying to vote on amendments all day but have encountered numerous objections from the other side.

However, we very much want to finish this important bill, so we will reconvene Saturday at noon to vote on cloture, and then we will follow the regular order to finish the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Ms. SINEMA. Mr. President, I rise in support of the majority leader's comments, and I want to commend my colleagues for the work we have done together in a bipartisan fashion over the last 4 days, considering and clearing 22 amendments as a body together in the Senate.

And while we were unable to agree on additional amendments today, I do also look forward to us reconvening together on Saturday and proceeding under regular order to finish what will be a historic piece of legislation both in its bipartisan nature and in the impact it will have on our country.

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

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

EXECUTIVE CALENDAR

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar No. 143, 144, 145, and 272; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that any statements related to the nominations be printed in the RECORD and that the President be immediately notified of the Senate's actions; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Thereupon, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nominations of Jose W. Fernandez, of New York, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; Jose W. Fernandez, of New York, to be United States Alternate Governor of the European Bank for Reconstruction and Development; Jose W. Fernandez, of New York, to be an Under Secretary of State (Economic Growth, Energy, and the Environment); and Kathleen S. Miller, of Virginia, to be a Deputy Under Secretary of Defense (New Position), en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

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

MORNING BUSINESS

VOTING RIGHTS

Mr. LEAHY. Mr. President, it is alarming to know that voter suppression, which we have worked for decades to overcome, is not a ghost from our past. Suppression efforts are resurfacing—and surging—in State legislatures across the country. Voter roll purging, out-of-the-way polling stations, and needless barriers to accessing the ballot box are underway and under consideration in jurisdictions across the country. It cannot stand.

Under the guise of election integrity, even in the wake of the most secure election in our Nation's history, proponents of these suppressive movements make no effort to hide their targets: African Americans, Latino Americans, college students, low-income voters, the list goes on.

Those who do not feel compelled to push against these voter suppression need a lesson in history. Thankfully, a July 27 column in the Washington Post by Norman Lear offers just that insight. Penned on the occasion of his 99th birthday, this decorated American war hero, one of our Nation's Greatest Generation, recalls the pain and betrayal felt by African-American war heroes who fought for democracy abroad, only to be excluded from it at home. He reminds us that it took decades of relentless activism to give millions of minority American voters and others a real voice by finally giving them a vote.

And most importantly, he urges all Americans to fight now to protect the right to vote, the very right that gives democracy its name. This is a call to action. Voting suppression cannot stand. From the For the People Act to my own bipartisan John Lewis Voting Rights Advancement Act, named for another icon of the voting movement, this Senate has a real opportunity to stand for democracy. I will work in good faith with any member of the Senate, regardless of party, to find a path to passing and enacting that important bill bearing John Lewis's name. Efforts to restore the Voting Rights Act have always been bipartisan. There is no reason it shouldn't be bipartisan again now.

To echo Norman's words, the right to vote isn't about party or even politics. It is about our system of self-government and the notion that a government of, by, and for the people is worth protecting in a world where authoritarianism and tyranny are still forces we are reckoning with. I ask unanimous consent that Norman Lear's opinion piece, titled ''Norman Lear: As I begin my 100th year, I'm baffled that voting rights are still under attack,'' be printed in the RECORD.

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

[From the Washington Post, July 27, 2021]

AS I BEGIN MY 100TH YEAR, I'M BAFFLED THAT VOTING RIGHTS ARE STILL UNDER ATTACK

(By Norman Lear)

I woke up today at the start of my 100th year as a citizen of this beautiful, bewildering country. I am proud of the progress we've made in my first 99 years, and it breaks my heart to see it undermined by politicians more committed to their own power than the principles that should bind us together. Frankly, I am baffled and disturbed that 21st-century Americans must still struggle to protect their right to vote.

I am a patriot, and I will not surrender that word to those who play to our worst impulses rather than our highest ideals. When the United States entered World War II, I dropped out of college to fight fascism. I flew 52 missions with a crew in a B–17, dropping bombs 35 times. Unlike so many others, I returned from that war safely, to another 70-plus years of life, love, family, failure and triumph.

It's very likely that I owe my ass and all those decades of human experience to that Black and Brown squadron of Red Tail P–51 fighter pilots known as the Tuskegee airmen. When we saw their red tails coming to escort us, we all felt a bit safer.

Yet when these courageous men returned to the United States, they returned to racism, segregation and discrimination. Their heroism did not shield them from the indignities and violence of Jim Crow. I can only imagine the depth of the betrayal the airmen must have felt, but it did not prevent many of them from accomplishing great things.

I think often of the congresswoman Barbara Jordan. She will always be remembered for declaring during President Richard M. Nixon's impeachment hearings, ''My faith in the Constitution is whole; it is complete; it is total.'' Even now, it gives me chills to think of her saying that, as a Black woman, in the face of her own experiences of prejudice and her full knowledge of our history.

I believe Jordan's faith in the Constitution, like my continued faith in our country, was grounded in the faith, love and hope of all the people who have struggled for the past 230 years—including millions who rallied for racial justice this past year—to make the Constitution's promises real for all of us.

After we defeated fascism overseas, it took 20 more years to pass the Voting Rights Act and Civil Rights Act at home. Now, headlines seem drawn from the past: States target Black voters with voter-suppression bills. Federal voting-rights laws blocked in the Senate by a filibuster. Racial and religious nationalism, nativism and authoritarianism are seemingly on the rise everywhere. It is deeply discouraging to this member of what has been called ''the Greatest Generation.''

But do you know who else was part of the Greatest Generation? Rosa Parks, Fannie Lou Hamer and Thurgood Marshall. And think of the greatness demonstrated by generations that followed us: Jordan, the Rev. Martin Luther King Jr. and John Lewis, and millions of not-famous people who risked everything to claim the right to vote.

To legislators getting between people and the ballot box, and to senators who are standing in the dishonorable tradition of those who filibustered civil rights legislation, I say this: You may pass some unjust laws. You may win elections by preventing or discouraging people from voting.

But you will not in the end defeat the democratic spirit, the spirit that animated the Tuskegee airmen to whom I owe my life, the spirit that powers millions of Americans who give of themselves to defend voting rights, protect our environment, preserve peaceful pluralism, defeat discrimination, and expand educational and economic opportunity.

The right to vote is foundational to addressing all these issues. It is at the heart of everything I have fought for in war and in peacetime.

To senators who are willing to sacrifice the right to vote to some outdated notion of bipartisanship and Senate tradition, I almost do not know what to say. On the scale of justice, this is not even a close call. Do what's right.

Protecting voting rights should not be today's struggle. But it is. And that means it is our struggle, yours and mine, for as long as we have breath and strength.

SOUTH SUDAN

Mr. LEAHY. Mr. President, after decades of civil war, famine, and political instability, after millions were killed and millions more became refugees, many hoped that independence and a peace agreement in South Sudan would usher in a period of stability and progress.

Some South Sudanese refugees who had resettled in the United States returned to South Sudan to aid in rebuilding. Unfortunately, peace was fleeting and the past decade of independence has been marred by continued violent ethnic conflict, widespread hunger, and ongoing disputes between rival politicians that have cared more about their own ambitions than the South Sudanese people. Despite several power sharing agreements, promises of unity and reconciliation, and a goal to seat a full Parliament in 2020, the rivalry between President Salva Kiir and Vice President Riek Machar has stoked tensions between the Dinka and Nuer ethnic groups and neglected public infrastructure and basic services. On August 2, almost a year past the promised deadline, an incomplete Parliament was sworn into office, with 62 members absent due to disagreements over the power-sharing arrangement.

The people of South Sudan cannot wait another decade for progress. They cannot wait for politicians to argue over control while their children go hungry, while they sink deeper into poverty, while they worry that the next outbreak of violent conflict might send them fleeing for their lives. Recently, the People's Coalition for Civil Action launched an effort to mobilize all South Sudanese people, whether living within the country or abroad, and demand political change. In a declaration, they said they ''have had enough of war, enough of corruption, enough of insecurity, enough of economic hardships, enough of public neglect and leadership failure.'' They admonished the administration of President Salva Kiir, which has completely failed to fulfill its most basic responsibilities to provide security and stability for its citizens.

Just days later, the South Sudanese National Security Service—NSS—arrested two of the leaders of the movement, Augustino Ting Mayai and a former State Governor, Kuel Aguer Kuel, for signing the declaration. The NSS shut down the Sudd Institute, a think tank involved in the creation of the People's Coalition for Civil Action, and issued arrest warrants for Rajab Mohandis and Abraham Awolich, two other signatories of the declaration, who have gone into hiding. This suppression of dissent is not new in South Sudan. Weak and paranoid new leaders often resort to projecting strength by arresting civil society leaders, journalists, and political rivals, and over the years, this has become President Kiir's trademark. This most recent transparent attempt to silence his own citizens for nothing more than demanding that he keep his promises and do his duty has not gone unnoticed by the rest of the world.

President Kiir may not know that Abraham Awolich was one of the now-famous Lost Boys, who as a child survived the civil war that killed most of

his family, endured malnutrition, and escaped attacks by rebel groups seeking child soldiers, only to find himself alone in a refugee camp. He eventually was resettled in the United States, arriving in Vermont in 2001, graduating from the University of Vermont, becoming an American citizen, and going on to get his master's degree. He was my constituent for many years, and I am very proud of the work he did as a member of the South Sudanese diasporic community who returned to his native country to help rebuild. President Kiir may not have known that Abraham was my constituent or that I will always consider him my constituent. So I call upon him now to immediately release Kuel Aguer Kuel and Augustino Ting Mayai, to cancel the arrest warrants for Rajab Mohandis and Abraham Awolich, and end the repression of civil society leaders, journalists, and dissidents.

I want to read into the RECORD a quote from Abraham Awolich's statement at the launch of their movement. What he said is instructive to every citizen of every democracy around the world. He said, ''In the last 10 years the people of South Sudan have been dormant, they have not been challenging the status quo in the Republic of South Sudan and we cannot expect to have a democratic country without active citizenship.''

President Kiir has an opportunity now, with a new Parliament seated and the seeds for an active and engaged citizenry sown, to show true leadership. He has no time to waste, or he will risk wasting his country's future and losing the support of the United States.

BELARUS

Mr. DURBIN. Mr. President, in early 2011, I had one of the more unusual experiences of my Senate career. I traveled back in time, from a free and democratic Lithuania to a closed and totalitarian Belarus. The trip was less than 3 hours, but it took me back to a dark past.

You see, Belarus is the last dictatorship in Europe. But like many dictatorships, it claims to be a democracy. In December 2010, it held what was billed as a Presidential election. The victor in that rigged contest was a heavy by the name of Alexander Lukashenko. His first act, after seizing the Presidency, was to jail all of those who were bold enough to run against him.

Months later, I drove from Vilnius to Minsk to meet with the family members of those jailed candidates, who had been arrested by Belarus security services still called the KGB. Mind you, the original KGB was dissolved more than three decades ago. That tells you all you need to know about how much the Belarusian Government has evolved since the fall of the Soviet Union. My meeting with those family members was sobering, and it is an encounter I will never forget.

Fortunately, over time, we were able to see the release of all these brave Belarusians, but not because Alexander Lukashenko had a sudden change of heart. He is still the same authoritarian thug he has always been. The world was reminded of that a year ago, when another sham election was held in Belarus. True to form, Lukashenko was reelected in that rigged contest. And once again, he began jailing those who had opposed him.

When one leading candidate, social media personality Sergei Tikhanovsky, was arbitrarily jailed, his wife Svetlana Tikhanovskaya stepped in to run in his place. She likely won the ensuing election, although we will never know for certain. The stolen electoral process that unfolded scared her into fleeing for safety in neighboring Lithuania.

Last month, Ms. Tikhanovskaya traveled to Washington, DC, to seek support for the Belarussian peoples' fight for freedom from tyranny. I was proud to meet with her, along with Senators SHAHEEN and SULLIVAN. And I was glad to see President Biden met with her as well. Svetlana Tikhanovskaya is a brave patriot carrying the torch of democracy for all the people of Belarus.

I thought of her, and other Belarussian patriots, as I watched the Olympics this week. In Tokyo, another brave Belarussian woman, sprinter Krystsina Tisimansouskaya, dared to publicly criticize Belarussian Olympic officials, a group from Lukashenko's ruling party. For her audacity, Lukashenko ordered the 24-year-old sprinter to return to Belarus immediately, right before she was scheduled to run in the women's 200-meter race on Monday.

If she had obliged, there is a very good chance she would be locked up in a Belarusian jail at this very moment, along with so many other political prisoners. But Krystsina Tisimansouskaya said no. At the Tokyo airport, before she could be forced onto a plane home, she sought protection from Japanese police. She also appealed to the International Olympic Committee for help. Her appeals worked. The Polish Government granted her a humanitarian visa. And Slovenia and the Czech Republic said she was welcome in their countries, too.

Ten years since my trip to Belarus, I am still moved by the courage of so many Belarusians like Ms. Tisimansouskaya, Ms. Tikhanovskaya, and the thousands upon thousands who have peacefully protested for a better future. These heroic leaders are still trapped in a dark past thanks to the same ruthless dictator who continues to cling onto power.

They are willing to risk so much for a chance at freedom. They are unafraid to stand up to despots and defend democracy. And they are an inspiration to a world that needs it. I want them to know we see them, and America stands with them in their efforts to create a better and truly democratic Belarus.

HUNGARY

Mr. DURBIN. Mr. President, on a related note, Alexander Lukashenko may be the last dictator in Europe. But Hungarian Prime Minister Victor Orban is working hard to become the next dictator in Europe.

In his 15 years as Prime Minister, Orban has undermined Hungary's democratic institutions and the civil society groups that support them. He has dusted off the autocrat's handbook and used many of its familiar tricks, including using public funds to reward his cronies, spying on and jailing dissidents and independent journalists, and turning media organizations into his personal mouthpieces.

He spews ultranationalist bigotry dressed up as traditional values and rails against what he calls an immigrant invasion. Critics on both sides of the Atlantic cite him as a cautionary example of how democracies can die. Some European leaders have called for Hungary's expulsion from the E.U. because of Hungary's growing hostility to the bedrock values of democracy under Orban.

Despite this, every night this week, Tucker Carlson has broadcast his prime-time FOX show from Budapest, Hungary. He is not there to interview the brave supporters of Hungarian democracy who are trying to save their country from Orban and autocracy.

No, Tucker Carlson is in Hungary to praise Orban and hold up his strongman stunts as an example for America to follow. It is reported that he will also address a conference linked to Mr. Orban's anti-democratic nationalist movement.

Tucker Carlson has gone from spouting his dangerous anti-vax quackery and spreading the Big Lie at home, to travelling abroad to fawn over an autocrat and herald him as a leader worth emulating in this country.

Ronald Reagan would be horrified. We all should be.

THE GHOST ARMY CONGRESSIONAL GOLD MEDAL ACT

Mr. GRASSLEY. Mr. President, I rise to recognize the contributions of the Ghost Army units of World War II and explain why I decided to join the Ghost Army Congressional Gold Medal Act as a cosponsor. The 23rd Headquarters Special Troops and the 3133rd Signal Service Company, together known as the Ghost Army, used deception tactics to fool the German Army about the location of American troops. These specialized units used inflatable tanks and sound effects to give the impression of a larger presence. While their role was theatrical, the units suffered causalities and operated close to the front lines. For over 50 years, these units and the contributions of the men who comprised them were kept a secret. I

learned of the success of the Ghost Army from my constituent, Caleb Sinnwell of Nashua, IA. He won first place in the National History Day Project for his website about the Ghost Army and has been tirelessly advocating for this legislation to award the unit a Congressional Gold Medal. I thank him for his advocacy and for his admirable dedication to ensuring that those who sacrificed to ensure that the freedom and rights that we prize in America were protected are always remembered.

CONFIRMATION OF ROBERT PETER SILVERS

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted no on the confirmation of Executive Calendar No. 158, Robert Peter Silvers, of the District of Columbia, to be Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security.

THE NATIONAL DEBT

Mr. PAUL. Mr. President, the Senate is considering an infrastructure bill, and I am glad we are. For too long, Americans have been compelled to send their tax dollars overseas to improve the infrastructure of other countries. I have been fighting, for several years, to invest in infrastructure here at home, which is why I find it frustrating that the very people who celebrate this package today actually opposed my efforts in the past.

We have a short memory here in the Senate. Only 2 years ago, I offered my Penny Plan for Infrastructure for a vote. My plan would have invested nearly $40 billion in infrastructure over those 2 years. In those 2 years, nearly 20,000 miles of roads could have been resurfaced. Instead, those investments weren't made and 2 additional years of wear and tear passed by.

The parade of Senators coming to the floor and expounding upon the urgency of this package is nothing less than shocking, particularly when those same Members voted against 20,000 miles of resurfaced roads only a short time ago.

The Penny Plan was not my only effort to invest in infrastructure. Six years ago, I worked on a bipartisan package that would have made $ 130 billion available for infrastructure. Had my plan been enacted into law, Americans would now be driving on 130 thousand miles of new roads.

So, why for more than 5 years have my infrastructure proposals been stifled? For only one reason: each of my proposals were paid for.

And if there is only one thing Congress always agrees on: never pay for any new spending. Ever.

Proponents of this bill claim it is paid for. And by using budgetary gimmicks, they hope they will erect enough smoke and mirrors to obscure this bill's enormous price tag. But this $1.2 trillion bill is not paid for. And, perhaps the most alarming part of the cost, is the authors of this bill know it is not paid for. And we know that because they wrote the bill so as to exempt it from rules that require the bill be paid for.

You see, Congress passed a law back in 2010 mandating that new spending has to be paid for. That law is called statutory pay-go, or pay as you go. And if Congress can't help itself and refuses to offset the cost of new spending, pay-go is enforced by an automatic cut to spending elsewhere.

But Congress rarely adheres to its own rules. Instead, Congress waived pay-go more than 60 times over the past decade and added over $10 trillion to our debt.

This time is no different. This bill, which its proponents say is paid for, also carries a provision that says pay-go won't apply to it.

The only way to ensure Congress adheres to pay-go is through a point of order. If this bill is actually paid for, then you should have no trouble supporting the point of order. But if you vote to waive the point of order, if you vote to exempt Congress from its own rule requiring that we be good stewards of taxpayer dollars, then stop telling people something you know is not true. The truth is, this bill is not paid for.

And every American should ask a simple question: Why won't Congress obey its own rules?

This bill plus the next pork-laden bill will add trillions of dollars of new debt. We are adding debt at an unprecedented pace. There will be repercussions. A day of reckoning awaits.

But today there is a choice to make. A vote for the point of order is a vote not to keep adding debt.

I urge my colleagues to vote with me to stop the bleeding, to stop the red ink that threatens our country's future.

OIL AND GAS LEASES MORATORIUM

Mr. CRAMER. Mr. President, I rise today in support of North Dakota Attorney General Wayne Stenehjem filing a lawsuit against the Biden administration's continued cancelation of oil and gas leases on Federal lands and its impact on State and private mineral owners.

In addition to being a foolish idea, I believe President Biden's moratorium is illegal. It increases Federal and State budget shortfalls, hampers State and private mineral owners' rights, and makes the United States less energy independent and more reliant on foreign producers.

My State of North Dakota is uniquely harmed by this action, given what is commonly referred to as the split estate issue. For roughly 100 years, the Federal Government has retained Federal mineral rights on land near where State and/or private entities also hold surface and mineral rights. About 30 percent of the spacing units in North Dakota have interspersed federal mineral interests and therefore must go through the leasing process of the Bureau of Land Management—BLM—regardless of its size.

Accordingly, since the moratorium, it is estimated our State has lost $4.77 billion in tax revenues and $1.2 billion in private royalties. We are grateful the Louisiana Federal District Court Order agreed the Biden administration's actions are illegal, but unfortunately, we are being given no reason to think the near of this harmful policy is near.

On a recent call between the leadership of the BLM Montana/Dakotas office and constituents from the region, BLM officials stated that they are canceling quarterly lease sales at least through the end of calendar year 2021. Citing the administration's plans to appeal the district court ruling, State Director John Mehloff said, ''We'll probably, at earliest, would be able to hold an oil and gas lease sale late first quarter of 2022.''

That is disappointing, to say the least. Thankfully, North Dakota is taking action to protect our producers and America's energy security. I support the State's efforts in court and hope they are successful.

RECHARGE ACT

Mr. HICKENLOOPER. Mr. President, I recently introduced the RECHARGE Act, S. 2241, with my friend and colleague, Senator WHITEHOUSE, and we are very pleased that this bill, as amended, is included in the Infrastructure Investment and Jobs Act as Section 40431.

Section 40431 amends section 111(d) of the Public Utility Regulatory Policies Act of 1978, 16 U.S.C. 2621(d) in order to establish a new requirement that all public utilities—investor-owned utilities, customer-owned cooperatives, and public power utilities—must consider establishing EV-specific rates for residential customers, EV drivers, and commercial customers, who operate public and fleet EV charging stations, to promote greater electrification in the transportation sector.

Lowering emissions in the transportation sector will hinge upon the electrification of our country's motorized vehicles. Large investments in electric vehicle, or EV, charging infrastructure of the type included in other sections of this legislation will provide a catalyst for mass EV adoption.

The successful adoption of EVs will depend not only upon modernizing America's grid and charging infrastructure, but also upon updating our electricity sector rates, so that the infrastructure funded by this act can operate in an economically sustainable manner for decades to come. The commercial rates present today were not designed with the unique electricity load profile of a growing EV fleet in mind.

Public EV charging stations, and particularly high-powered DC fast charging stations designed for highway corridors and for heavier-duty EVs like buses and trucks, face a distinct set of hurdles imposed by the current regulatory system and traditional, demand-based electricity rates.

Most prominent among barriers to deploying commercial EV charging are demand charges, which are electricity rates set by public utilities on their customers, including EV charging station owners, based on the maximum amount of power, kW, drawn for any given time interval, typically 15 minutes, during the billing period, multiplied by the relevant tariff demand charge.

Demand charges are designed to capture the marginal costs imposed on the grid by high-capacity, high-utilization infrastructure such as factories. However, when traditional demand charges are levied upon high-capacity, low-utilization infrastructure such as EV charging stations, they can place a disproportionate cost burden on the station owners.

The high-powered, fast-charging stations our Nation needs to serve the EV driving public, public and private fleet vehicle operators, and the trucking industry have different load profiles than most commercial entities, with periods of dormancy punctuated by spikes in activity. And unlike most commercial operations, their demand profile is driven by real-time customer activity. So it is difficult for these stations to optimize their load profiles.

The burden of demand charges varies by State and by region and can fail to accurately reflect the marginal costs imposed on the system by EV charging stations. For example, in the Colorado PUC Electric Vehicle Working Group Report published in 2019, the Colorado Public Utilities Commission found that demand charges result in the annual cost to operate a direct current fast charging, DCFC, station in one Colorado utility territory being 35 times higher than the cost in a neighboring service territory. The problem will only worsen for the still higher-demand and lower-utilization application of EV truck charging.

Demand charges, if not reformed, may also introduce new issues of inequity as America electrifies transportation. For example, homeowners are able to charge an electric vehicle on very affordable residential utility rates, which currently average $1.16 per gasoline gallon equivalent according to the Department of Energy. But those who live in multiunit housing and rent their abode, a population that is disproportionately low-income and minority, often cannot charge an EV at home. They will charge their EVs at public charging stations, and those public charging stations must pay much higher commercial utility rates, including commercial demand charges, which make up as much as 90 percent of public charging station's utility bills according to RMI.

In recent years, some States and utilities have recognized this inequity and taken steps to reform their utility rates, to reduce and reform commercial demand charges and to adopt rates designed for low-load or electric vehicle charging infrastructure. These utilities and regulators should be commended for their forward-leaning approach to a complicated issue. Utilities in Colorado have begun to do this, as have utilities in quite a few other States.

Section 40431 requires only those States and utilities which have not already done so to take up the issue of how demand charge rates affect EV charging in order to encourage new private-sector investment in EV charging stations.

These States and utilities are allowed 2 years to consider the establishment of new rates that A, promote affordable and equitable EV charging options; B, facilitate deployment of faster charging technology that improves the customer experience; C, accelerate third-party investment in EV charging infrastructure; and D, appropriately recover marginal costs.

Our intention is to ensure that alternatives to traditional, demand-based electricity rates are made available to EV charging station owners with appropriate oversight by State public utility commissions. To remove any doubt, section 40431 does not empower, encourage, or allow State public utility commissions to regulate the prices that third-party owned EV charging stations charge their customers for EV charging services. Those prices are set in a competitive marketplace that benefits consumers, and this legislation does not affect that marketplace.

Section 40431 should prompt forward-looking change at the State and utility level which appropriately reflects and accommodates the real differences in geographies, electricity markets, and business environments which exist between and within States and utility territories. It ensures that attention will be paid to this problem nationwide, but also that each State and utility can decide how to address the problem its own way. Ultimately, it should lead to new rate designs that enable the private sector to make economically sustainable investments in the high-powered charging stations that will help drivers, fleet operators, and truckers go electric, while more appropriately reflecting the actual marginal costs added to the grid by EV charging stations.

ADDITIONAL STATEMENTS

REMEMBERING PATRICK J. SOLANO

● Mr. CASEY. Mr. President, today I wish to honor the distinguished life and career of Patrick J. Solano, who passed away on January 23, 2021. I am proud to remember Pat, a resident of Pittston Township, PA, decorated World War II veteran and lifelong public servant. Pat will be remembered at an annual golf tournament in Luzerne County on August 6.

In 1942, Pat was drafted by the U.S. Army Air Corps after he graduated from Pittston Township High School. During his military career, he served as a flight engineer on 23 combat missions with the Eighth United States Air Force Heavy Bombardment Group, aboard the B–17 Flying Fortress. For his service during World War II, he was awarded the Group Presidential Citation, the Air Force Medal with two oakleaf clusters, and the Europe Combat Theater Medal with two Bronze Stars.

Pat's service to our country did not end with World War II, as he came home and embarked on a lifetime of public service at both the local and State level in Pennsylvania. He was recognized as a trusted political adviser for almost 50 years and served in the administrations of nine Governors of both political parties. His service to the Commonwealth of Pennsylvania crossed party lines, and he became known as a voice of reason and a unifying force in Harrisburg.

He served in the Pennsylvania Department of Environmental Regulation, later known as the department of environmental protection. Later, he was appointed the acting secretary for the department of conservation and natural resources when it was first created in 1995. Pat helped to shape the future of the department and its mission to conserve and sustain Pennsylvania's natural resources for present and future generations.

My thoughts and prayers are with Pat's wife, Marie; his children, Mary Pat, Cathy, Anita, Rita, Liz, and Anne; his 11 grandchildren and 3 great-grandchildren; and his countless friends.●

REMEMBERING ALLEN THOMAS NOBLE

● Mr. CRAPO. Mr. President, along with my colleagues Senator JIM RISCH, Representative MIKE SIMPSON, and Representative RUSS FULCHER, I honor Allen Thomas Noble, a stalwart of the city of Boise and a great Idahoan.

Allen Noble was a visionary, who loved our country. He was a native Idahoan, born in Idaho Falls. He graduated from Kuna High School and started out in farming in the Happy Valley of Idaho. Allen married Vera May Shulz, of Kuna, and they had five children: Susan, Linda, June, David, and Mark. As his obituary reads, ''He loved farm equipment and in 1958 bought an interest in Nampa International Harvester and moved his family to Nampa.'' Allen's deep love for farming was evident in his agricultural advancements, including his development of ''high lift pumping'' that advanced farm irrigation capabilities in the Dry Lake area and later near Glenns Ferry. In 1965, Allen married Billie Dee Jolley Johnson and added

four more children to the family: Linda Sue, Cindee Lou, Kate, and Rusty. He later expanded into John Deere dealerships, as Campbell Tractor Co., and extended his appreciation for aviation into agricultural spraying and Idaho Helicopters, Inc.'s firefighting and air medical operations. His helicopter operations have served as the primary life flight service in the Pacific Northwest, saving countless lives. This service has been instrumental in serving Idaho's backcountry and moving patients quickly from accidents to medical care.

In addition to his success and advancements in agriculture, Allen gave generously of his time, talents, and resources to many organizations and efforts in the community. He was a longtime supporter of Boise State football, and he contributed for decades to the Boise State athletic department. This included backing the expansion of Albertsons Stadium and helping to establish the Allen Noble Hall of Fame Gallery, named in his honor. He served on the Bronco Athletic Association Board of Directors and earned the Bronze Bronco Award. He also served on the board of directors for the Idaho First National Bank. Additionally, he was an initial outside investor in Micron Technology and served on its board of directors, playing a key role in the start and growth of the company.

Allen's light shined brightly over the 92 years we were blessed to have him as part of our world. He has been fittingly described as a great man who had an innovative mind, a passion for progress, and a pioneering spirit with the drive and determination to accomplish anything he put his mind to. He was also warmhearted and giving, and his encouragement and support touched many lives over the years.

He is remembered as a loyal friend who was open and generous with his life. We offer our heartfelt condolences to his many friends and loved ones, including his siblings, children, grandchildren, and great-grandchildren. Multiple lifetimes may not have been long enough for all Allen Noble had in mind and was so capable of accomplishing, but he certainly made his time on earth count—putting strong foundations under his ideas and steadfastly helping others.●

REMEMBERING FRED C. ADAMS

● Mr. LEE. Mr. President, through the summer and fall, in the growing town of Cedar City, UT, hundreds of people will fill the seats of the Engelstad Shakespeare Theater, modeled after the Globe, to enjoy a showing of Pericles, Prince of Tyre by William Shakespeare. Families will cry and cheer, gasp and giggle as they enjoy a Utah tradition: the annual Utah Shakespeare Festival.

Each year, for the last six decades, families from around the world have flocked to the campus of Southern Utah University to enjoy productions of the Bard's best works. Founded in 1961, the Utah Shakespeare Festival is a prime example of how private initiative can catalyze growth and unite community. Nobody embodies this story more vividly than Fred C. Adams, the festival's founder.

As a young man, Fred made acting look easy. Not only did he develop a passion for the world of theater, he also demonstrated a knack for stagecraft. Over time, his talent and passion developed from a hobby into a career.

Years before the Utah Shakespeare Festival put on its first show, Fred served his country from the Pentagon. During the Korean war, he was in charge of entertainment and morale. Having grown up acting, he dedicated himself to the work of production and performance, bringing joy and brilliance to those who served with him.

After his service during the Korean war, Fred returned to his home in southern Utah in 1961. At that time, hundreds of thousands of tourists visited each summer to see the area's national parks by day, but by night, there was little to do. It was around that same time that a new freeway exit was planned along I–15, Utah's primary interstate highway, right in the heart of Cedar City. Excited by the prospect of growth, Fred saw an opportunity.

One day, while he and his girlfriend Barbara, who later became his wife, were in the Fluffy Bundle Laundromat, daydreaming while waiting for their laundry to dry, the two thought up an idea. Both Fred and Barbara were passionate about theater, and Fred even taught theater classes at the local College of Southern Utah. ''Why not start a Shakespearean festival in Cedar City?'' they thought. With a bit of funding and the help of friends, the idea seemed like it could become a reality. Eager to learn more about how such a festival might come to be, Fred left the laundromat, packed up his bags, and headed to Ashland, OR, where the Oregon Shakespeare Festival takes place each year.

When Fred got to Oregon, he was befriended by Angus Bowmer, the founder of the Oregon Shakespearean Festival. After a few days of observation there, Fred returned to Cedar City and then set out with Barbara, Barbara's mother Louise, and two theater students to visit theaters in Canada and Connecticut. On the road, the Utah Shakespeare Festival was born.

Fred eagerly approached the Cedar City Council and the Chamber of Commerce to tell them about his plan to attract people to Cedar City. Their reaction was dismal. Fred once recounted: ''the idea went over like a pregnant pole vaulter . . . they thought it was a dumb idea, really dumb.'' Despite the lack of enthusiasm, however, the local Lions Club agreed to underwrite his plan with $1,000 after he told them the festival expected to recover all of the money in ticket sales. Hopeful and excited about the first season of the Utah Shakespeare Festival, Fred set out to show just how significant the economic impact of the festival could be on Cedar City.

To demonstrate the reach of the festival, Fred went out and got hundreds of silver dollars upon which he painted a red line. The stage was set. Each time someone paid for a ticket at the festival and needed change, the ticket counter would give them a painted silver dollar. Little by little, the dollars began to enter circulation and people in the city wondered where the painted coins were from. Just 3 weeks after Fred began painting coins, he attended a chamber of commerce meeting in Cedar City. In the meeting, he was asked if he knew anything about the silver dollars with a red line on them. He laughed and responded, ''that is the economic impact of the Shakespeare Festival in Cedar City!''

That first season of the festival saw productions of ''The Taming of the Shrew,'' ''Hamlet,'' and ''The Merchant of Venice,'' performed by a small company of Fred's students, friends, and neighbors. Over 3,000 people attended the shows during the 2-week-long season. After paying off their debts, the festival had also raised an impressive $2,000 to help put on a second season the following year.

Since that first year, the Utah Shakespeare Festival has grown to serve more than 110,000 patrons, who view nearly 300 plays each year in three theaters over a 16-week season. The festival has become a year-round operation with over 30 full-time employees and a budget of over $7 million. Fred's work catalyzed tremendous growth.

The festival has received many national awards, including the 2011 Emmy Award for its production of ''A Midsummer Night's Dream,'' the 2001 National Governors Association Award for Distinguished Service in the Arts, and most notably the Tony Award for Outstanding Regional Theatre in 2000. Fred's work united the community to accomplish something truly remarkable.

After 44 years as executive producer, Fred retired from an active role with the festival but, despite his retirement, could never fully step away. Not a day went by that he wasn't seen at the festival either directing shows, acting onstage, raising funds, or pulling weeds in the Shakespeare statue garden. Fred loved his work and those he worked with dearly, cherishing them all his life.

In February of last year, after a 22-year battle with cancer, Fred was reunited with his late wife Barbara. Together, he and Barbara had dreamed up the Utah Shakespeare Festival and made their dream a reality. Surely, he and Barbara are now working hard to put on heavenly productions with the help of angels.

Fred's life story is a testament to how personal initiative can catalyze

growth and unite community. He tirelessly worked to see his dream of a Utah Shakespeare Festival realized and tirelessly loved his family, his friends, and his community along the way. And as a result, Cedar City has grown, the festival has drawn international praise, and we all benefit from the example he has left behind.

So when times are tough, when work seems monotonous, and when dreams seem far-fetched or far-gone, remember Fred. His story can inspire us all.●

TRIBUTE TO MILDRED JANZEN

● Mr. MORAN. Mr. President, I want to congratulate and pay tribute to Mildred Schindler Janzen, a World War II survivor and author of the memoir, ''Surviving Hitler, Evading Stalin.''

Mildred was born in Great Bend, KS, in 1929 to German parents. Shortly after her birth, her family returned to Germany to take care of the family farm. Growing up in Nazi Germany, World War II completely disrupted Mildred's childhood and her family's life. Mildred and her family were driven away from their home, separated from each other, and forced to become refugees in their own country. As a teenager, Mildred and her family were captured by Russian soldiers, and eventually, her father was led away to never be seen again. After returning to their family farm, she and her mother and brother were displaced once again by Polish soldiers.

Mildred experienced the horrors of World War II and her courage in sharing her story should be commended. After the war and with the help of her American birth certificate, Mildred was able to return to the United States to live with relatives. Back in the United States, Mildred came back to Kansas, to her birthplace. She settled in Ellsworth, KS, where she attended high school, learned English, and worked at a local bank. During her time in high school, Mildred met and married Leon Janzen, and they had four children together: Karen, Kenton, Susan, and Galen.

After sharing her story with many others, Mildred decided to write a memoir. It is her hope that releasing this memoir will help prevent history from repeating itself. Mildred's bravery and resilience is a testament to her strong character. Her choice to rise above past hardships and instead focus on a life filled with happiness, persistence, and love is a prime example of the enduring survivor that Mildred is.

Today, Mildred spends her time gardening, baking, being active within her church and being with family. She embodies a true Kansan: determined, hard-working, and committed to her community.

Mildred, I congratulate you on the release of your memoir and thank you for demonstrating to Kansans and the world your outstanding courage and character. Thank you for telling your story.●

RECOGNIZING SOUTHCENTRAL VETERINARY SERVICES

Mr. PAUL. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Southcentral Veterinary Services, a family-owned small business in Bowling Green, KY, as the Senate Small Business of the Week.

In 2011, Dr. Eddie Grimes and his wife, Nicole Grimes, founded Southcentral Veterinary Services—SVS—in Bowling Green, KY. Growing up in Warren County, Dr. Grimes and Nicole were childhood friends and both attended Western Kentucky University—WKU—where Dr. Grimes majored in animal science and Nicole studied finance. The couple, high school sweethearts, married after graduating from WKU in 2000. Dr. Grimes went on to earn his doctorate of veterinary medicine from Auburn University and worked as a veterinarian for a few years before moving back to Bowling Green. With Nicole, who had experience in the banking industry, by his side, Dr. Grimes established Southcentral Veterinary Services.

Today, Southcentral Veterinary Services provides exceptional mixed animal care in Warren County, KY. Initially, Dr. Grimes worked out of his truck and provided ambulatory veterinary services; however, the business grew quickly and expanded to a physical location that provides grooming and boarding services, in addition to veterinary care. Being very hands on with the daily operations at SVS, in addition to being co-owners, Dr. Grimes is one of the veterinarians, and Nicole is the human resource manager. Together, they lead a team of more than 10 employees, including a second veterinarian, to meet the animal needs of the community. Since opening its doors, Southcentral Veterinary Services has been recognized by local and industry publications for its outstanding, high-quality veterinary care. Furthermore, for the last 3 years, Southcentral Veterinary Services was recognized as Bowling Green's Best Veterinarian, and in 2020, SVS earned the title of Bowling Green's Best Pet Groomer.

Outside of being business owners, Dr. Grimes and Nicole can be found giving back to their community. Southcentral Veterinary Services has sponsored local youth sports teams and regularly hires local high school and college students, providing training and mentoring to students interested in pursuing a career in veterinary medicine. One of these students is the Grimes' son, Garrett, who works part-time as a veterinary assistant and one day aspires to follow in his father's footsteps becoming a veterinarian himself. Dr. Grimes and Nicole's charitable acts don't stop at mentoring students. Notably, the Grimes established 4AnnieGirl, an organization dedicated to raising awareness of Spinal Muscular Atrophy—SMA—after their second child, Annie, who was born with SMA, passed away from the terminal disease that causes weakness and loss of voluntary muscles. After cherishing 9 precious months with their baby girl, the Grimes sought to help other families affected by this disease by promoting early testing, research, and fundraising to combat SMA through 4AnnieGirl. By hosting speaking engagements and fundraisers, 4AnnieGirl has raised over $30,000 for SMA research and awareness. To honor Annie's memory, the Grimes family remains committed to raising awareness for SMA and to advocating for more research.

Southcentral Veterinary Services is a remarkable example of the positive role that family-owned small businesses play in their communities. Local veterinary practices, like Southcentral Veterinary Services, form the heart of towns across Kentucky, regularly stepping up to support their communities. Congratulations to Dr. Grimes, Nicole, and the entire team at Southcentral Veterinary Services. I wish SVS the best of luck, and I look forward to watching this small business' continued growth and success in Kentucky.

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 13. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2022 and setting forth the appropriate budgetary levels for fiscal years 2023 through 2031.

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–1782. A communication from the Director of the Regulations and Disclosure Law

Division, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Agreement Between the United States of America, the United Mexican States, and Canada (USMCA) Implementing Regulations Related to the Marking Rules, Tariff-rate Quotas, and Other USMCA Provisions'' (RIN1515–AE56) received in the Office of the President of the Senate on July 27, 2021; to the Committee on Finance.

EC–1783. A communication from the Senior Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Flexibility in Evaluating 'Close Proximity of Time' due to COVID 19-Related Barriers to Healthcare'' (RIN0960–AI64) received in the Office of the President of the Senate on July 28, 2021; to the Committee on Finance.

EC–1784. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fludioxonil; Pesticide Tolerances'' (FRL No. 8656–01–OCSPP) received in the Office of the President of the Senate on July 30, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1785. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Zeta-Cypermethrin; Pesticide Tolerances'' (FRL No. 8623–01–OCSPP) received in the Office of the President of the Senate on July 30, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1786. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the 107th Annual Report of the Federal Reserve Board covering operations for calendar year 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC–1787. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Removing Profile Drawing Requirement for Qualifying Conduit Notices of Intent and Revising Filing Requirements for Major Hydroelectric Projects 10 MW or Less'' ((RIN1902–AF77) (Docket No. RM20–21–000)) received in the Office of the President of the Senate on July 30, 2021; to the Committee on Energy and Natural Resources.

EC–1788. A communication from the Secretary of Energy, transmitting a legislative proposal; to the Committee on Energy and Natural Resources.

EC–1789. A communication from the Director of Congressional Affairs, Office of Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulatory Guide (RG) 1.29, Rev 6, Seismic Design Classification for Nuclear Power Plants'' received in the Office of the President of the Senate on July 30, 2021; to the Committee on Environment and Public Works.

EC–1790. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Final Safety Evaluation of Technical Specifications Task Force Traveler TSTF–577, Revised Frequencies for Steam Generator Tube Inspections'' received in the Office of the President of the Senate on July 30, 2021; to the Committee on Environment and Public Works.

EC–1791. A communication from the Director of Congressional Affairs, Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Draft Guidelines for Characterizing the Safety Impact of Issues, Revision 1'' received in the Office of the President of the Senate on July 30, 2021; to the Committee on Environment and Public Works.

EC–1792. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; California; Mojave Desert Air Quality Management District'' (FRL No. 8714–02–Region 9) received in the Office of the President of the Senate on July 30, 2021; to the Committee on Environment and Public Works.

EC–1793. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Missouri; Restriction of Emissions from Lithographic and Letterpress Printing Operations'' (FRL No. 8706–02–Region 7) received in the Office of the President of the Senate on July 30, 2021; to the Committee on Environment and Public Works.

EC–1794. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; California; Placer County Air Pollutions Control District; Open Burning Rules'' (FRL No. 8739–02–Region 9) received in the Office of the President of the Senate on July 30, 2021; to the Committee on Environment and Public Works.

EC–1795. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Revision; Limited Approval and Limited Disapproval; California; Yolo-Solano Air Quality Management District'' (FRL No. 8689–01–Region 9) received in the Office of the President of the Senate on July 30, 2021; to the Committee on Environment and Public Works.

EC–1796. A communication from the Ombudsman, Energy Employees Occupational Illness Compensation Program, Department of Labor, transmitting, pursuant to law, a report entitled ''2020 Annual Report to Congress''; to the Committee on Health, Education, Labor, and Pensions.

EC–1797. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Tobacco Products; Required Warnings for Cigarette Packages and Advertisements; Delayed Effective Date'' (RIN0910–AI39) received in the Office of the President of the Senate on July 27, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC–1798. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Office of Community Oriented Policing Services (COPS) Annual Report to Congress on the Rafael Ramos and Wenjian Lu National Blue Alert Act of 2015; to the Committee on the Judiciary.

EC–1799. A communication from the Attorney Adviser, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Positive Train Control Systems'' (RIN2130–AC75) received in the Office of the President of the Senate on July 29, 2021; to the Committee on Commerce, Science, and Transportation.

EC–1800. A communication from the Chief of the Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''COVID–19 Telehealth Program'' ((FCC 21–24) (Docket No. WC20–89)) received in the Office of the President of the Senate on July 30, 2021; to the Committee on Commerce, Science, and Transportation.

EC–1801. A communication from the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Commercial Driver's License Standards, Requirements and Penalties; Exclusively Electronic Exchange of Driver History Record Information'' (RIN2126–AC36) received in the Office of the President of the Senate on July 28, 2021; to the Committee on Commerce, Science, and Transportation.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 2670. A bill to provide for redistricting reform, and for other purposes.

S. 2671. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. DURBIN for the Committee on the Judiciary.

Matthew G. Olsen, of Maryland, to be an Assistant Attorney General.

Myrna Perez, of New York, to be United States Circuit Judge for the Second Circuit.

Jia M. Cobb, of Virginia, to be United States District Judge for the District of Columbia.

Sarah A.L. Merriam, of Connecticut, to be United States District Judge for the District of Connecticut.

Florence Y. Pan, of the District of Columbia, to be United States District Judge for the District of Columbia.

Karen McGlashan Williams, of New Jersey, to be United States District Judge for the District of New Jersey.

(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. MENENDEZ (for himself, Ms. CORTEZ MASTO, Mr. VAN HOLLEN, Mr. WYDEN, Mr. REED, Mrs. GILLIBRAND, Mr. PADILLA, and Mr. BLUMENTHAL):

S. 2616. A bill to create livable communities through coordinated public investment and streamlined requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself and Mr. WHITEHOUSE):

S. 2617. A bill to amend the Internal Revenue Code of 1986 to revise the treatment of partnership interests received in connection with the performance of services, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. CARDIN):

S. 2618. A bill to amend titles XVIII and XIX of the Social Security Act to provide for coverage of dental and oral health services, vision services, and hearing services under the Medicare and Medicaid programs; to the Committee on Finance.

By Mr. MARSHALL (for himself, Mr. GRASSLEY, Ms. ERNST, Mr. CORNYN, and Mrs. HYDE-SMITH):

S. 2619. A bill to prevent States and local jurisdictions from interfering with the production and distribution of agricultural products in interstate commerce, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PETERS (for himself, Mr. CASSIDY, Mr. KAINE, and Mr. BOOZMAN):

S. 2620. A bill to amend the Higher Education Act of 1965 to make college affordable and accessible by expanding access to dual or concurrent enrollment programs and early college high school programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN:

S. 2621. A bill to amend the Internal Revenue Code of 1986 to modernize the tax treatment of derivatives and their underlying investments, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Ms. COLLINS):

S. 2622. A bill to amend title XIX and XXI of the Social Security Act to provide coverage of comprehensive tobacco cessation services under such titles, and for other purposes; to the Committee on Finance.

By Mr. ROUNDS (for himself, Mr. BARRASSO, Mr. BOOKER, Mr. DAINES, Mr. HAGERTY, Mrs. HYDE-SMITH, Ms. LUMMIS, and Mr. THUNE):

S. 2623. A bill to amend the Federal Meat Inspection Act to modify requirements for a meat food product of cattle to bear a ''Product of U.S.A .'' label, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 2624. A bill to authorize major medical facility projects for the Department of Veterans Affairs for fiscal year 2022, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. DUCKWORTH (for herself, Ms. WARREN, Mr. DURBIN, Mr. WARNOCK, Mr. CASEY, Mr. LUJÁN, Mr. CARDIN, Ms. BALDWIN, Mr. VAN HOLLEN, Ms. SMITH, Ms. KLOBUCHAR, Ms. HIRONO, Mr. BROWN, and Mr. WYDEN):

S. 2625. A bill to amend the Child Care Access Means Parents in School Program under the Higher Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. PADILLA, Mr. OSSOFF, and Mr. MERKLEY):

S. 2626. A bill to enhance protections for election records; to the Committee on Rules and Administration.

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

S. 2627. A bill to amend title 38, United States Code, to improve assistance for veterans with travel necessary for counseling, mental health services, health care, and others services furnished by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HASSAN (for herself and Mr. BRAUN):

S. 2628. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to safe disposal packaging and safe disposal system requirements for certain drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Mr. TILLIS, Mr. CORNYN, and Mr. BLUMENTHAL):

S. 2629. A bill to establish cybercrime reporting mechanisms, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER (for himself, Mr. SCHATZ, Ms. WARREN, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. DURBIN, Mrs. GILLIBRAND, Mr. SANDERS, Mr. COONS, Mr. PADILLA, Mr. MARKEY, Mr. VAN HOLLEN, and Mr. WYDEN):

S. 2630. A bill to require Federal agencies to address environmental justice, to require consideration of cumulative impacts in certain permitting decisions, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BOOKER (for himself and Ms. HIRONO):

S. 2631. A bill to amend the Small Business Act to create a program to provide funding for organizations that support startup businesses in formation and early growth stages by providing entrepreneurs with resources and services to produce viable businesses, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. WHITEHOUSE (for himself and Mr. WICKER):

S. 2632. 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.

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

S. 2633. A bill to require the Administrator of the National Oceanic and Atmospheric Administration to award grants to certain entities for purposes of carrying out climate-resilient living shoreline projects that protect coastal communities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHATZ (for himself, Mr. DURBIN, Ms. KLOBUCHAR, Ms. CORTEZ MASTO, Mr. MARKEY, Ms. WARREN, Mr. MERKLEY, Mr. PADILLA, Ms. BALDWIN, Mr. VAN HOLLEN, and Mr. BLUMENTHAL):

S. 2634. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to issue guidance and recommendations for institutions of higher education on removing criminal and juvenile justice questions from their application for admissions process; to the Committee on Health, Education, Labor, and Pensions.

By Mr. OSSOFF:

S. 2635. A bill to require the Secretary of State to submit a plan to eliminate the backlog of passport applications due to the COVID–19 pandemic, and for other purposes; to the Committee on Foreign Relations.

By Ms. HIRONO (for herself, Ms. KLOBUCHAR, Mr. KING, Ms. SMITH, Mr. MERKLEY, and Mr. VAN HOLLEN):

S. 2636. A bill to amend the Research Facilities Act and the Agricultural Research, Extension, and Education Reform Act of 1998 to address deferred maintenance at agricultural research facilities, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LUJÁN:

S. 2637. A bill to amend the Public Utility Regulatory Policies Act of 1978 to require the consideration of a standard requiring electric utilities to offer community solar programs to ratepayers; to the Committee on Energy and Natural Resources.

By Mr. LUJÁN (for himself and Mr. CASEY):

S. 2638. A bill to provide additional funding under the Child Abuse Prevention and Treatment Act; to the Committee on Health, Education, Labor , and Pensions.

By Mr. SCHATZ (for himself, Mr. LUJÁN, Mrs. SHAHEEN, Ms. WARREN, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. HEINRICH, Mr. REED, Ms. SMITH, Ms. ROSEN, Ms. HIRONO, Mr. BLUMENTHAL, Mr. BOOKER, Mr. MARKEY, Mrs. GILLIBRAND, Mr. LEAHY, Mr. DURBIN, Mr. MURPHY, and Mr. WHITEHOUSE):

S. 2639. A bill to establish a State public option through Medicaid to provide Americans with the choice of a high-quality, low-cost health insurance plan; to the Committee on Finance.

By Ms. BALDWIN (for herself, Mr. CASEY, Mr. KING, and Ms. SMITH):

S. 2640. A bill to establish a program for developing medical countermeasures for unknown viral threats; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOZMAN (for himself, Mr. CASEY, and Mr. DAINES):

S. 2641. A bill to amend title XVIII of the Social Security Act to provide for payment for services of radiologist assistants under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. LEE:

S. 2642. A bill to exempt large cruise ships from certain requirements applicable to passenger vessels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE:

S. 2643. A bill to adjust certain ownership and other requirements for passenger vessels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 2644. A bill to amend title 38, United States Code, to expand eligibility for Post-9/11 Educational Assistance to members of the National Guard who perform certain full-time duty, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHITEHOUSE:

S. 2645. A bill to amend the Internal Revenue Code of 1986 to establish an excise tax on plastics; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. BLUMENTHAL, Mr. BROWN, Mr. VAN HOLLEN, and Ms. WARREN):

S. 2646. A bill to provide Medicaid assistance to individuals and families affected by a disaster or emergency, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 2647. A bill to award a Congressional gold medal to the 369th Infantry Regiment, commonly known as the ''Harlem Hellfighters'', in recognition of their bravery and outstanding service during World War I; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI:

S. 2648. A bill to amend the Omnibus Public Land Management Act of 2009 to reauthorize the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. YOUNG (for himself and Ms. SINEMA):

S. 2649. A bill to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. PADILLA, and Mrs. FEINSTEIN):

S. 2650. A bill to provide mandatory funding for hazardous fuels reduction projects on certain Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WHITEHOUSE (for himself, Mr. HEINRICH, and Mr. HICKENLOOPER):

S. 2651. A bill to amend the Federal Power Act to establish a procedure for the siting of certain interstate electric transmission facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. SCOTT of South Carolina):

S. 2652. A bill to amend title XVIII of the Social Security Act to clarify congressional intent and preserve patient access to home infusion therapy under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. BLUNT, and Mrs. CAPITO):

S. 2653. A bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. CORNYN, Mr. BLUMENTHAL, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BOOKER, and Mr. MURPHY):

S. 2654. A bill to require a declassification review of certain investigation documents concerning foreign support for the terrorist attacks of September 11, 2001, and for other purposes; to the Select Committee on Intelligence.

By Ms. MURKOWSKI (for herself and Mr. HICKENLOOPER):

S. 2655. A bill to provide funding for demonstration grants to support clinical training of health care providers to administer medical forensic examinations and treatments to survivors of interpersonal violence of all ages; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HAWLEY:

S. 2656. A bill to require annual reports and briefings on the Global Force Management Allocation Plan; to the Committee on Armed Services.

By Ms. HIRONO:

S. 2657. A bill to amend the Small Business Act to define the term ''State'' for the purposes of the microloan program carried out under that Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. CASEY (for himself, Mr. BLUMENTHAL, Ms. DUCKWORTH, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. VAN HOLLEN, and Ms. WARREN):

S. 2658. A bill to ensure that older adults and individuals with disabilities are prepared for disasters, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE:

S. 2659. A bill to require the establishment of an advanced energy technology research initiative and an advanced energy technology and modeling grant program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MARKEY (for himself, Ms. SMITH, Mr. LEAHY, Mr. BOOKER, Mr. VAN HOLLEN, Mr. SANDERS, Mr. BLUMENTHAL, Ms. WARREN, and Mr. MERKLEY):

S. 2660. A bill to amend the Toxic Substances Control Act to authorize grants for toxic substances remediation in schools, to reauthorize healthy high-performance schools, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MERKLEY (for himself, Mr. WYDEN, Mr. PADILLA, and Mrs. FEINSTEIN):

S. 2661. A bill to amend the Clean Air Act to establish a grant program for supporting local communities in detecting, preparing for, communicating about, or mitigating the environmental and public health impacts of wildfire smoke, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COONS (for himself, Ms. KLOBUCHAR, Mr. VAN HOLLEN, Mr. WARNOCK, Mr. PETERS, Mr. BENNET, and Mr. WARNER):

S. 2662. A bill to establish the Industrial Finance Corporation of the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself and Mr. BROWN):

S. 2663. A bill to amend the Richard B. Russell National School Lunch Act to improve direct certification, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself and Mr. BROWN):

S. 2664. A bill to amend the Richard B. Russell National School Lunch Act to improve program requirements, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. CORTEZ MASTO (for herself, Mrs. GILLIBRAND, and Mrs. SHAHEEN):

S. 2665. A bill to require the Secretary of Energy to establish a grant program to incentivize small business participation in demand side management programs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself and Mrs. FEINSTEIN):

S. 2666. A bill to address threats relating to ransomware, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOKER (for himself, Mr. SANDERS, Mrs. GILLIBRAND, Mr. PADILLA, Ms. SMITH, Mr. DURBIN, Ms. BALDWIN, Mr. MARKEY, and Mr. HEINRICH):

S. 2667. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to repeal a certain disqualification to receive benefits under title IV of the Social Security Act and benefits under the Food and Nutrition Act of 2008; and to amend the Food and Nutrition Act of 2008 to provide that incarcerated individuals who are scheduled to be released from an institution within 30 days shall be considered to be a household for purposes of such Act; to the Committee on Finance.

By Mr. TESTER (for Ms. ROSEN):

S. 2668. A bill to require the Office of Internet Connectivity and Growth at the National Telecommunications and Information Administration to provide assistance relating to broadband access, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself and Mrs. GILLIBRAND):

S. 2669. A bill to ban the use of orthophthalate chemicals as food contact substances; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 2670. A bill to provide for redistricting reform, and for other purposes; read the first time.

By Mr. SCHUMER:

S. 2671. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

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

S. Res. 338. A resolution designating September 2021 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world; to the Committee on the Judiciary.

By Mr. MURPHY (for himself and Mrs. HYDE-SMITH):

S. Res. 339. A resolution expressing support for the designation of September 25, 2021, as ''National Ataxia Awareness Day'', and raising awareness of ataxia, ataxia research, and the search for a cure; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself, Mr. RUBIO, Mr. LANKFORD, Mr. HAWLEY, Mr. DAINES, and Mr. WICKER):

S. Res. 340. A resolution opposing legislation mandating the registration of women for the Selective Service System; to the Committee on Armed Services.

By Mr. PAUL:

S. Con. Res. 13. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2022 and setting forth the appropriate budgetary levels for the fiscal years 2023 through 2031; placed on the calendar.

ADDITIONAL COSPONSORS

S. 350

At the request of Ms. HASSAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 350, a bill to amend the Public Health Service Act to reauthorize certain programs under part A of title XI of such Act relating to genetic diseases, and for other purposes.

S. 401

At the request of Mr. LANKFORD, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 401, a bill to amend the Public Health Service Act to prohibit governmental discrimination against health care providers that do not participate in abortion.

S. 485

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 485, a bill to establish a grant program for family community organizations that provide support for individuals struggling with substance use disorder and their families.

S. 582

At the request of Mr. DURBIN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 582, a bill to prohibit the imposition of the death penalty for any violation of Federal law, and for other purposes.

S. 692

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 692, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the ''Hello Girls''.

S. 697

At the request of Ms. ROSEN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor

of S. 697, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

S. 866

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 866, a bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 to promote reforestation following unplanned events on Federal land, and for other purposes.

S. 968

At the request of Mr. COTTON, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 968, a bill to prohibit the United States Armed Forces from promoting anti-American and racist theories.

S. 989

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 989, a bill to establish a Native American language resource center in furtherance of the policy set forth in the Native American Languages Act.

S. 1125

At the request of Ms. STABENOW, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1125, a bill to recommend that the Center for Medicare and Medicaid Innovation test the effect of a dementia care management model, and for other purposes.

S. 1312

At the request of Mr. MURPHY, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1312, a bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer and for other purposes.

S. 1404

At the request of Mr. MARKEY, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of 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. 1574

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 1574, a bill to codify a statutory definition for long-term care pharmacies.

S. 1613

At the request of Ms. DUCKWORTH, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1613, a bill to require the Administrator of the Small Business Administration to establish a grant program for certain fitness facilities, and for other purposes.

S. 1752

At the request of Mr. INHOFE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1752, a bill to establish the National Center for Advancement of Aviation.

S. 1872

At the request of Ms. ERNST, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1872, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1873

At the request of Mr. CRAPO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1873, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 1962

At the request of Mr. MURPHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1962, a bill to amend the Public Health Service Act to provide grant funding to States for mental health and substance use disorder parity implementation.

S. 2069

At the request of Ms. STABENOW, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2069, a bill to expand the Medicaid certified community behavioral health clinic demonstration program and to authorize funding for additional grants to certified community behavioral health clinics.

S. 2155

At the request of Mr. WARNOCK, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2155, a bill to amend title 18, United States Code, and the Help America Vote Act of 2002 to provide increased protections for election workers and voters in elections for Federal office, and for other purposes.

S. 2305

At the request of Mr. OSSOFF, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2305, a bill to enhance cybersecurity education.

S. 2458

At the request of Mr. INHOFE, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2458, a bill to clarify that individuals engaged in aircraft flight instruction or testing, including phased testing of experimental aircraft, are not operating an aircraft carrying persons or property for compensation or hire.

S. 2532

At the request of Mrs. FEINSTEIN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 2532, a bill to provide protections for employees of, former employees of, and applicants for employment with Federal agencies, contractors, and grantees whose right to petition or furnish information to Congress is interfered with or denied.

S. 2578

At the request of Mr. BROWN, the names of the Senator from Minnesota (Ms. SMITH), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Maryland (Mr. CARDIN), the Senator from New Mexico (Mr. LUJÁN), the Senator from California (Mrs. FEINSTEIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 2578, a bill to extend the moratorium on residential evictions, and for other purposes.

S. 2587

At the request of Mr. BARRASSO, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 2587, a bill to oppose the provision of assistance to the People's Republic of China by the multilateral development banks.

S. 2590

At the request of Mrs. SHAHEEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of 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.

S. 2615

At the request of Mr. OSSOFF, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2615, a bill protecting the right to vote in elections for Federal office, and for other purposes.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from Wyoming (Ms. LUMMIS) 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.

AMENDMENT NO. 2168

At the request of Mr. WARNOCK, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of amendment No. 2168 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. 2190

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of amendment No. 2190 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. 2230

At the request of Mr. BRAUN, the names of the Senator from Mississippi

(Mr. WICKER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of amendment No. 2230 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. 2231

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor 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. 2239

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2239 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. 2299

At the request of Mrs. BLACKBURN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 2299 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. 2319

At the request of Mr. HOEVEN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 2319 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. 2369

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 2369 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. 2375

At the request of Ms. ERNST, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 2375 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. 2388

At the request of Mr. CRUZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of amendment No. 2388 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. 2404

At the request of Mr. SULLIVAN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of amendment No. 2404 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. 2428

At the request of Mr. COTTON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 2428 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. 2432

At the request of Mr. OSSOFF, his name was added as a cosponsor of amendment No. 2432 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. 2438

At the request of Mrs. BLACKBURN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 2438 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. 2444

At the request of Mrs. GILLIBRAND, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Georgia (Mr. OSSOFF) were added as cosponsors of amendment No. 2444 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. 2479

At the request of Mrs. MURRAY, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of amendment No. 2479 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. 2482

At the request of Mr. WICKER, the names of the Senator from Pennsylvania (Mr. TOOMEY), the Senator from South Carolina (Mr. SCOTT), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 2482 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. 2517

At the request of Mr. LEE, the name of the Senator from Utah (Mr. ROMNEY) was added as a cosponsor of amendment No. 2517 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. 2535

At the request of Mr. SHELBY, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Arkansas (Mr. BOOZMAN), the Senator from West Virginia (Mrs. CAPITO), the Senator from Arkansas (Mr. COTTON), the Senator from North Dakota (Mr. CRAMER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 2535 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. 2544

At the request of Mr. LANKFORD, the names of the Senator from Florida (Mr. RUBIO), the Senator from North Carolina (Mr. TILLIS), the Senator from Louisiana (Mr. KENNEDY), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of amendment No. 2544 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. 2556

At the request of Ms. STABENOW, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of amendment No. 2556 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. 2569

At the request of Mr. HOEVEN, the names of the Senator from Arizona (Mr. KELLY), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 2569 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. 2571

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of amendment No. 2571 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. 2573

At the request of Mr. OSSOFF, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of amendment No. 2573 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. CORNYN, Mr. BLUMENTHAL, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BOOKER, and Mr. MURPHY):

S. 2654. A bill to require a declassification review of certain investigation documents concerning foreign support for the terrorist attacks of September 11, 2001, and for other purposes; to the Select Committee on Intelligence.

Mr. BLUMENTHAL. Mr. President, today, I was very proud to introduce with my colleague Senator MENENDEZ, who is leading this effort, and Senator CORNYN, Senator GRASSLEY the September 11 Transparency Act.

Members of this body have heard me talk about this issue before. It has been a repeated issue for me but for this body as well.

We passed JASTA because we wanted the 9/11 families to have access to the courts and have their fair day in court. We passed the resolution in 2018 to require that the government declassify, to the maximum extent possible, all of the information surrounding 9/11. JASTA was passed over President Obama's veto. His veto was overridden on a bipartisan basis. The resolution demanding more declassification was passed with overwhelming bipartisan support and signed by the President.

The letters that we have written, the questions that I posed in hearings, the press conferences held, the constant effort to provide documents and information to those families so they can have their fair day in court has been a continuing and constant one and, so far, completely unavailable.

Administration after administration—Obama, Trump, and hopefully not but apparently Biden—have resisted these calls for declassifying and disclosure.

That information is evidence that those families need to seek justice in their effort to hold accountable the Government of Saudi Arabia for its alleged complicity, its aiding and abetting, its support for the 9/11 attack. They want to hold them liable in an American court, which JASTA enables them to do. They want to pinpoint responsibility and liability so that we will know, as Americans, whether the Kingdom of Saudi Arabia was, in fact, complicit and supportive of those attackers.

The truth they seek is not just for themselves; it is for the American people, and the concealment by successive administrations denies the American people the truth they deserve and need.

Today, I was proud to stand with Senator MENENDEZ and some of those families led by Terry Strada and Brett Eagleson in front of this Capitol as we announced our introduction of the act, the September 11 Transparency Act, that would very simply require the Director of National Intelligence, the Attorney General, and the Director of the CIA to conduct declassification reviews of certain investigative documents in their 9/11 file. It is a baby step toward full disclosure and truthtelling.

But I was so proud to stand with these families, represented by Terry Strada, among others, when she said:

Yes, we know the Kingdom played a major role in supporting, and financing al Qaeda and evidence demonstrates that Saudi agents who the Kingdom sent here aided and abetted some if not all the 19 hijackers leading into the attack.

It is an indisputable fact the hijackers were living in our country 12–18 months prior to 9/11 planning and plotting the murder of thousands and that the FBI and the CIA knew of at least two of them, Nawaf Al-Hamzi and Khalid Al-Midhar.

She further said:

By keeping evidence hidden that will shed light on the brutal murder of our loved ones, our own government is not only perpetuating our continued pain and suffering, but it is also leaving the facilitators of the attacks unaccountable and our nation vulnerable to terrorist attacks.

Her remarks were so powerful, I hope that every one of my colleagues will read them.

Mr. President, I ask unanimous consent the remarks from Terry Strada be printed in the RECORD.

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

September 11th will mark the 20th anniversary of the murder of my husband Tom and nearly 3,000 people; all brutally slain on orders given by the known Saudi terrorist, Usama bin Laden and his 19 mostly Saudi Islamist al Qaeda terrorists when they infiltrated our country and carried out the deadliest terrorist attack in our nation's history.

For reasons I do not know and cannot fathom, a select group of FBI and CIA operatives knew some of the 19 hijackers were known terrorists traveling freely on American soil using their real names. How much of their planning and plotting were they privy to—I do not know, but clearly, the agencies did absolutely nothing to stop them and failed at the most important job they had; they failed to protect America and her populace.

Along with the entire world, I watched in horror our country under a violent attack. I witnessed on live television the toxic black smoke billowing from the north tower. I spoke with my husband and heard first-hand the fear and panic he and my dear friends were experiencing in the hell-fire they were engulfed in. I watched the North Tower collapse, knowing the father of my three children and my husband's life was being extinguished right before my eyes.

Now, 20 years later, the DOJ and FBI continue to protect the very country who produced 15 of the 19 hijackers, the Kingdom of Saudi Arabia.

Yes, we know the Kingdom played a major role in supporting, and financing al Qaeda and evidence demonstrates that Saudi agents who the Kingdom sent here aided and abetted some if not all the 19 hijackers leading into the attack.

It is an indisputable fact the hijackers were living in our country 12–18 months prior to 9/11 planning and plotting the murder of thousands and that the FBI and CIA knew of at least two of them, Nawaf Al-Hamzi and Khalid Al-Midhar.

Rather than hold the Kingdom accountable, the State Department, FBI, and the CIA continue to betray the 9/11 community and cower to the Kingdom's desperate pleas of keeping Saudi Arabia's involvement in murdering our loved ones a secret, while the Department of Justice ignores our pleas for the truth; instead, choosing to help keep the Kingdom's dirty little secret—that they support radical Islamist terrorism and the hateful ideology that spawned the largest mass murder in our country's history and death of my husband and our children's father . . . for what and why I ask?

Every Administration since 9/11 continues to turn their backs on us, the victims' family members and survivors. Why are we standing here today adversaries to the FBI and Department of Justice instead of allies?—And perversely, why do they stand as allies to the Kingdom against us?

Critical documents are being held from public view because the DOJ refuses to release them in any format. In fact, in many cases they have refused to even look at documents responsive to the subpoena served on them in April 2018. Instead, our government argues it would just be too much of a burden for the most advanced country of the free world to review documents it is supposed to be vigilant about retaining from one of the most important investigations the Country has ever performed. Let me underscore that—we, the 9/11 Community—we the American public—are too burdensome in the eyes of the bureaucracy. We are asking too much for them to tell us what they uncovered in looking into the attacks on all of us.

By keeping evidence hidden that will shed light on the brutal murder of our loved ones, our own government is not only perpetuating our continued pain and suffering, but it is also leaving the facilitators of the attacks unaccountable and our nation vulnerable to future terrorist attacks.

This travesty of justice must come to an end in order for this chapter of our lives to close and keep Americans safe from the endless grief and gruesome carnage terrorist attacks leave behind.

For two decades, Congress has shown a united front and been a staunch supporter for transparency regarding 9/11 and our quest for the truth. Many here today have walked beside us on our path of grief. They have worked hard for us and the American people by passing a resolution to release the ''28 pages'' excised from the Joint Inquiry. Those pages offered us clear facts about the Saudis involvement in 9/11. Congress also worked for seven years on the Justice Against Sponsors of Terrorism Act—JASTA; ultimately voting unanimously for its passage with unfettered enthusiasm and then overriding a Presidential veto to enact JASTA, cementing our right to our day in court and we believed—ensuring all evidence would see the light of day.

No one standing here today anticipated the level of pushback, lack of respect, or the extent to which our State Department, the Department of Justice, and the FBI would go to withhold vital investigative reports from the 9/11 community and the nation at large—all in an effort to protect the Kingdom from embarrassment and accountability.

Attorney General Garland, Director of National Intelligence Haines, FBI Director Wray and the State Department—by ignoring our direct pleas to them—are showing us where their loyalty lies time and time again—with a foreign nation capable of murdering their own.

Aside from the occasional disingenuous words to recognize our loss—by protecting the Saudis they have not shown their allegiance to us the American public and the victims' family members and survivors. They have ignored numerous letters, not only from us, but from several members of

Congress as well. We have never been met with such disdain. Not only have they snubbed our invitations to meet in person, the DOJ has fought vigorously to avoid producing mountains of documents responsive to subpoenas served on the government over three years ago.

This legislation in the Congress and I pray this Administration will right that wrong. While the DOJ claims it has distributed thousands of pages to our representatives, that claim falls patently short of what was requested. Instead of allowing the DOJ to continue cherry picking what documents it wants to release and tolerating their indefensible excuse that it would be ''too burdensome'' to search their files, we now have the full force of the United States Senate—and we anticipate all of Congress—supporting a full declassification review process for all relevant documents related to the Saudis and 9/11.

As a tragic result of 9/11 and the war on terror tomorrow will sadly mark the 10th anniversary of the deadliest incident and largest loss of life in the Naval Special Warfare, when 30 American troops, including 16 commandos from the Navy's Seal Team 6 Call Sign Extortion 16, helicopter was shot down killing all on board in the Tangi Valley, Wardak Province in Afghanistan. They were there fighting for all of us, rooting out the evil created by the Kingdom that threatens our freedoms and our way of life.

The truths we seek with ''The 9/11 Transparency Act'' are not just for us, but for all of our fallen heroes. May every brave warrior, rescue worker and those who have died from 9/11 related illnesses rest in peace.

We sincerely thank Senator Menendez and these Senators introducing 'The 9/11 Transparency Act''; another great bipartisan effort from our esteemed leaders and ask that the entire body of Congress act bravely and cohesively in support of our right to know what the government has uncovered about who facilitated the attacks on us 20 years ago. Yes, let us never forget—but let us never let it happen again. Thank you.

Mr. BLUMENTHAL. We are fast approaching 9/11, the 20th anniversary of that horrific, unspeakable murder of thousands of our fellow citizens, including Terry Strada's husband and Brett Eagleson's father.

Brett Eagleson put it very, very starkly and simply. I am not quoting, but essentially his warning to us ought to reverberate in these Halls. Public officials on that anniversary will be making speeches about how we should never forget, about how we need to commemorate the memories of all who perished in 9/11. But, as he said, their words will ring shallow or hollow if their own government continues to refuse to disclose documents and evidence needed for them to seek justice. Those families deserve better.

And the cause is bigger than just those families. It is the American people who deserve better. They deserve and they need to know the truth about whether the complicity and other kinds of potential criminal activity can be proved in a court of law, can be used to learn about future action to be taken. If Agencies of the U.S. Government, including our intelligence Agencies, knew about those attackers and the danger they posed and failed to take sufficient action, we should know those facts as well.

It is incomprehensible why the U.S. Government has failed to provide this truth to the American people. There has been no explanation for the failure to declassify. There is no explanation for invoking the State Secrets Act. The courts have said that that privilege, the state secrets privilege, cannot be invoked unless it could reasonably be expected that there would be a harm to our national security. No Agency, no official of the U.S. Government has ever said what harm could result, especially 20 years after that attack.

The idea that sources or methods could be endangered seems farfetched. Certainly, there has been no such contention. The idea that maybe the Saudis would be embarrassed is a possible explanation, but it is no excuse—none—for refusing to declassify and disclose this information. The fact that the Saudis may be embarrassed or they may be held liable is no valid reason to withhold this truth from those families and from the American people.

The administration, at the very least, owes us an explanation. We demanded it again and again at the Attorney General's confirmation hearing, at the oversight hearings for the Director of the FBI, at hearings for confirming lower but top-ranking officials of the Department of Justice, and every one of them has promised to look into it but nothing back—no explanation, no justification.

So Senator MENENDEZ and I, along with our colleagues Senators CORNYN and GRASSLEY, have introduced the September 11th Transparency Act. It wouldn't require the declassification of any document, but it would require the review, and it is not unprecedented, because this Congress, 7 years ago, passed and President Obama signed the Intelligence Authorization Act for the fiscal year 2014. It had a similar provision requiring the Director of National Intelligence to complete a declassification review of documents collected during the Osama bin Laden raid in Pakistan in 2011.

This measure should have broad bipartisan support, just as JASTA did and the resolution calling for declassification in 2018, and I have been proud to stand with my Republican colleagues in favor of simple justice.

As Senator SCHUMER said today at that meeting in front of the Capitol, ''Justice, justice, justice.'' That is what these families deserve. That is what the American people should expect of their government, not concealment or obstruction and obfuscation.

Right now, these families are in a struggle against the Government of Saudi Arabia but, equally so, against their own government in seeking fairness and transparency, disclosure, when it counts for them and when it should count for the American people.

We will continue this fight. I don't expect any single speech will persuade administration officials—certainly no single speech of mine—but they are going to be making speeches as we go closer to 9/11. Let them keep in mind that the voices and faces of those families—Brett Eagleson and Terry Strada and others who were there that day and many others in Connecticut, as well as New Jersey and New York and all around the country—will be there as well, and ultimately, our government must be held accountable for telling the American people the truth.

I yield the floor.

Mr. GRASSLEY. Mr. President, in a little over a month, we will remember one of the most horrific events to ever occur on U.S. soil. The lives of those we lost can never be replaced. But their memories forever live on through their spouses, children, family, and friends.

For the last 20 years, the Federal Government has failed these individuals. Tens of thousands of pages of documents relating to the September 11, 2001, terrorist attacks remain classified. Without their release, victims, their families, and the public still do not have the full picture of everything that led up to that day and who was involved. While some of these documents must remain classified for defense or national security reasons, a comprehensive review of these materials is long overdue. In fact, in 2004, the chairmen of the 9/11 Commission, Tom Kean and Lee Hamilton, wrote that this declassification review should be conducted no later than 2009.

We have fallen short. But today, I hope to remedy this wrong, and I am proud to join my colleagues, Senators MENENDEZ, CORNYN, and BLUMENTHAL, on the bipartisan September 11 Transparency Act of 2021. The bill follows familiar legislative precedent, requiring that any documents that can be released, must be released. It is the same step Congress took in requiring the executive branch to conduct a full review of the documents captured at Abbottabad during the Osama Bin Laden raid and publish all materials to the fullest-extent possible.

This is not the first time I have requested this review. In 2018, I coponsored a Senate Resolution calling on the administration to declassify 9/11 documents to the greatest extent possible. I am sad to say, that review was never conducted. Last year, I joined my colleagues on a letter to Inspector General Horowitz, asking for an IG investigation into the FBI's handing of the 9/11 classified documents. We never received a response.

I have been a long-standing champion of victims of terror, injured or killed both at home and abroad. For example, in 1992, I sponsored the Anti-Terrorism Act, allowing Americans who fall victim to acts of terrorism while abroad to seek damages in U.S. courts, and subsequent clarifying laws. And I plan to continue to stand firm for these individuals.

September 11 is a wrong that can never be righted. But we can be on the right side of history and finally put lingering questions to rest by expeditiously declassifying any documents

held by the Federal Government related to 9/11 to the greatest extent possible.

Thank you.

By Mrs. FEINSTEIN (for herself and Mrs. GILLIBRAND):

S. 2669. A bill to ban the use of orthophthalate chemicals as food contact substances; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the ''Preventing Harmful Exposure to Phthalates Act.'' This bill would ban harmful chemicals known as phthalates from products used in food processing and packaging and would require the Food and Drug Administration to review other products under its purview that might also expose Americans to harmful phthalates.

The harm associated with phthalate exposure is well-documented, with studies showing that prenatal exposure to these chemicals can have lasting consequences to child brain development and increase children's risks for learning, attention, and behavioral disorders.

We also know that women are disproportionately affected by phthalates through higher exposure to these harmful chemicals in personal care products, like nail polish, fragrances, and hair products, as compared to men.

Pregnant women's exposure to phthalates has been shown to decrease fetal testosterone and harm reproductive development in male babies. Black and Latina women are also disproportionately affected, experiencing higher exposure to certain phthalates compared to white women.

Studies have demonstrated that Americans are exposed to phthalates through our diet. Phthalates from production materials involved in food processing and packaging are able to leach into our food. These materials include plastic equipment such as tubing used in commercial dairy operations, lid gaskets, food preparation gloves, conveyor belts, and food packaging materials.

People are also exposed to phthalates found in medical devices, flooring, and other home furnishing and building materials. The fact that phthalate exposure often comes from multiple sources simultaneously further emphasizes the unknown collective health risk that these harmful chemicals pose.

We must remove these harmful chemicals from consumer products with the utmost urgency. Congress has already banned them from children's toys and child care products due to the serious long-term health effects that they pose. We now need to remove them from our food packaging and the other remaining consumer products that are slowly poisoning us.

The ''Preventing Harmful Exposure to Phthalates Act'' would specifically ban phthalates from being used in materials that touch food and ensure that any substance used as a replacement is safe.

The bill would also require a review of other products to determine whether they lead to phthalate exposure. This review would need to include consideration of whether communities of color are disproportionately exposed to these harmful products as well as the health effects caused by exposure and any increased risk of preterm birth, low birth weight, or other risks to children's health.

I want to thank Senator GILLIBRAND for joining me in introducing this important legislation, as well as Representatives LIEU and PORTER, who are sponsoring companion legislation in the House.

I also want to thank the health and consumer safety organizations for their support for this bill, including the American Academy of Pediatrics, American College of Obstetricians and Gynecologists, Breast Cancer Prevention Partners, Earthjustice, Endocrine Society, Environmental Working Group, Healthy Babies Bright Futures, and Project TENDR.

Families deserve to know that the products they're consuming aren't exposing them to unnecessary harm. I look forward to working with my colleagues on this important issue, and I urge my fellow Senators to cosponsor the ''Preventing Harmful Exposure to Phthalates Act.''

Thank you Mr. President, and I yield the floor.

By Mr. SCHUMER:

S. 2670. A bill to provide for redistricting reform, and for other purposes.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2670

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Redistricting Reform Act of 2021''.

SEC. 2. FINDING OF CONSTITUTIONAL AUTHORITY.

Congress finds that it has the authority to establish the terms and conditions States must follow in carrying out congressional redistricting after an apportionment of Members of the House of Representatives because—

(1) the authority granted to Congress under article I, section 4 of the Constitution of the United States gives Congress the power to enact laws governing the time, place, and manner of elections for Members of the House of Representatives; and

(2) the authority granted to Congress under section 5 of the 14th amendment to the Constitution gives Congress the power to enact laws to enforce section 2 of such amendment, which requires Representatives to be apportioned among the several States according to their number.

TITLE I—REQUIREMENTS FOR CONGRESSIONAL REDISTRICTING

SEC. 101. REQUIRING CONGRESSIONAL REDISTRICTING TO BE CONDUCTED THROUGH PLAN OF INDEPENDENT STATE COMMISSION.

(a) USE OF PLAN REQUIRED.—Notwithstanding any other provision of law, and except as provided in subsection (c), any congressional redistricting conducted by a State shall be conducted in accordance with—

(1) the redistricting plan developed and enacted into law by the independent redistricting commission established in the State, in accordance with title II; or

(2) if a plan developed by such commission is not enacted into law, the redistricting plan developed and enacted into law by a 3-judge court, in accordance with section 301.

(b) CONFORMING AMENDMENT.—Section 22(c) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a(c)), is amended by striking ''in the manner provided by the law thereof'' and inserting ''in the manner provided by the Redistricting Reform Act of 2021''.

(c) SPECIAL RULE FOR EXISTING COMMISSIONS.—Subsection (a) does not apply to any State in which, under law in effect continuously on and after the date of the enactment of this Act, congressional redistricting is carried out in accordance with a plan developed and approved by an independent redistricting commission that is in compliance with each of the following requirements:

(1) PUBLICLY AVAILABLE APPLICATION PROCESS.—Membership on the commission is open to citizens of the State through a publicly available application process.

(2) DISQUALIFICATIONS FOR GOVERNMENT SERVICE AND POLITICAL APPOINTMENT.—Individuals who, for a covered period of time as established by the State, hold or have held public office, individuals who are or have been candidates for elected public office, and individuals who serve or have served as an officer, employee, or paid consultant of a campaign committee of a candidate for public office are disqualified from serving on the commission.

(3) SCREENING FOR CONFLICTS.—Individuals who apply to serve on the commission are screened through a process that excludes persons with conflicts of interest from the pool of potential commissioners.

(4) MULTI-PARTISAN COMPOSITION.—Membership on the commission represents those who are affiliated with the 2 political parties whose candidates received the most votes in the most recent statewide election for Federal office held in the State, as well as those who are unaffiliated with any party or who are affiliated with political parties other than the 2 political parties whose candidates received the most votes in the most recent statewide election for Federal office held in the State.

(5) CRITERIA FOR REDISTRICTING.—Members of the commission are required to meet certain criteria in the map drawing process, including minimizing the division of communities of interest and a ban on drawing maps to favor a political party.

(6) PUBLIC INPUT.—Public hearings are held and comments from the public are accepted before a final map is approved.

(7) BROAD-BASED SUPPORT FOR APPROVAL OF FINAL PLAN.—The approval of the final redistricting plan requires a majority vote of the members of the commission, including the support of at least one member of each of the following:

(A) Members who are affiliated with the political party whose candidate received the

most votes in the most recent statewide election for Federal office held in the State.

(B) Members who are affiliated with the political party whose candidate received the second most votes in the most recent statewide election for Federal office held in the State.

(C) Members who are not affiliated with any political party or who are affiliated with political parties other than the political parties described in subparagraphs (A) and (B).

(d) TREATMENT OF STATE OF IOWA.—Subsection (a) does not apply to the State of Iowa, so long as congressional redistricting in such State is carried out in accordance with a plan developed by the Iowa Legislative Services Agency with the assistance of a Temporary Redistricting Advisory Commission, under law which was in effect for the most recent congressional redistricting carried out in the State prior to the date of the enactment of this Act and which remains in effect continuously on and after the date of the enactment of this Act.

SEC. 102. BAN ON MID-DECADE REDISTRICTING.

A State that has been redistricted in accordance with this Act and a State described in section 101(c) may not be redistricted again until after the next apportionment of Representatives under section 22(a) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a), unless a court requires the State to conduct such subsequent redistricting to comply with the Constitution of the United States, the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the Constitution of the State, or the terms or conditions of this Act.

SEC. 103. CRITERIA FOR REDISTRICTING.

(a) CRITERIA.—Under the redistricting plan of a State, there shall be established single-member congressional districts using the following criteria as set forth in the following order of priority:

(1) Districts shall comply with the United States Constitution, including the requirement that they equalize total population.

(2) Districts shall comply with the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), including by creating any districts where two or more politically cohesive groups protected by such Act are able to elect representatives of choice in coalition with one another, and all applicable Federal laws.

(3) Districts shall be drawn, to the extent that the totality of the circumstances warrant, to ensure the practical ability of a group protected under the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) to participate in the political process and to nominate candidates and to elect representatives of choice is not diluted or diminished, regardless of whether or not such protected group constitutes a majority of a district's citizen voting age population.

(4) Districts shall respect communities of interest, neighborhoods, and political subdivisions to the extent practicable and after compliance with the requirements of paragraphs (1) through (3). A community of interest is defined as an area with recognized similarities of interests, including ethnic, racial, economic, tribal, social, cultural, geographic or historic identities. The term communities of interest may, in certain circumstances, include political subdivisions such as counties, municipalities, tribal lands and reservations, or school districts, but shall not include common relationships with political parties or political candidates.

(b) NO FAVORING OR DISFAVORING OF POLITICAL PARTIES.—

(1) PROHIBITION.—The redistricting plan enacted by a State shall not, when considered on a Statewide basis, be drawn with the intent or the effect of unduly favoring or disfavoring any political party.

(2) DETERMINATION OF EFFECT.—

(A) TOTALITY OF CIRCUMSTANCES.—For purposes of paragraph (1), the determination of whether a redistricting plan has the effect of unduly favoring or disfavoring a political party shall be based on the totality of circumstances, including evidence regarding the durability and severity of a plan's partisan bias.

(B) PLANS DEEMED TO HAVE EFFECT OF UNDULY FAVORING OR DISFAVORING A POLITICAL PARTY.—Without limiting other ways in which a redistricting plan may be determined to have the effect of unduly favoring or disfavoring a political party under the totality of circumstances under subparagraph (A), a redistricting plan shall be deemed to have the effect of unduly favoring or disfavoring a political party if—

(i) modeling based on relevant historical voting patterns shows that the plan is statistically likely to result in a partisan bias of more than one seat in States with 20 or fewer congressional districts or a partisan bias of more than 2 seats in States with more than 20 congressional districts, as determined using quantitative measures of partisan fairness, which may include, but are not limited to, the seats-to-votes curve for an enacted plan, the efficiency gap, the declination, partisan asymmetry, and the mean-median difference; and

(ii) alternative plans, which may include, but are not limited to, those generated by redistricting algorithms, exist that could have complied with the requirements of law and not been in violation of paragraph (1).

(3) DETERMINATION OF INTENT.—For purposes of paragraph (1), a rebuttable presumption shall exist that a redistricting plan enacted by the legislature of a State was not enacted with the intent of unduly favoring or disfavoring a political party if the plan was enacted with the support of at least a third of the members of the second largest political party in each house of the legislature.

(4) NO VIOLATION BASED ON CERTAIN CRITERIA.—No redistricting plan shall be found to be in violation of paragraph (1) because of partisan bias attributable to the application of the criteria set forth in paragraphs (1), (2), or (3) of subsection (a), unless one or more alternative plans could have complied with such paragraphs without having the effect of unduly favoring or disfavoring a political party.

(c) FACTORS PROHIBITED FROM CONSIDERATION.—In developing the redistricting plan for the State, the independent redistricting commission may not take into consideration any of the following factors, except as necessary to comply with the criteria described in paragraphs (1) through (3) of subsection (a), to achieve partisan fairness and comply with subsection (b), and to enable the redistricting plan to be measured against the external metrics described in section 203(d):

(1) The residence of any Member of the House of Representatives or candidate.

(2) The political party affiliation or voting history of the population of a district.

(d) APPLICABILITY.—This section applies to any authority, whether appointed, elected, judicial, or otherwise, that designs or enacts a congressional redistricting plan of a State.

(e) SEVERABILITY OF CRITERIA.—If any of the criteria set forth in this section, or the application of such criteria to any person or circumstance, is held to be unconstitutional, the remaining criteria set forth in this section, and the application of such criteria to any person or circumstance, shall not be affected by the holding.

TITLE II—INDEPENDENT REDISTRICTING COMMISSIONS

SEC. 201. INDEPENDENT REDISTRICTING COMMISSION.

(a) APPOINTMENT OF MEMBERS.—

(1) IN GENERAL.—The nonpartisan agency established or designated by a State under section 204(a) shall establish an independent redistricting commission for the State, which shall consist of 15 members appointed by the agency as follows:

(A) Not later than October 1 of a year ending in the numeral zero, the agency shall, at a public meeting held not earlier than 15 days after notice of the meeting has been given to the public, first appoint 6 members as follows:

(i) The agency shall appoint 2 members on a random basis from the majority category of the approved selection pool (as described in section 202(b)(1)(A)).

(ii) The agency shall appoint 2 members on a random basis from the minority category of the approved selection pool (as described in section 202(b)(1)(B)).

(iii) The agency shall appoint 2 members on a random basis from the independent category of the approved selection pool (as described in section 202(b)(1)(C)).

(B) Not later than November 15 of a year ending in the numeral zero, the members appointed by the agency under subparagraph (A) shall, at a public meeting held not earlier than 15 days after notice of the meeting has been given to the public, then appoint 9 members as follows:

(i) The members shall appoint 3 members from the majority category of the approved selection pool (as described in section 202(b)(1)(A)).

(ii) The members shall appoint 3 members from the minority category of the approved selection pool (as described in section 202(b)(1)(B)).

(iii) The members shall appoint 3 members from the independent category of the approved selection pool (as described in section 202(b)(1)(C)).

(2) RULES FOR APPOINTMENT OF MEMBERS APPOINTED BY FIRST MEMBERS.—

(A) AFFIRMATIVE VOTE OF AT LEAST 4 MEMBERS.—The appointment of any of the 9 members of the independent redistricting commission who are appointed by the first members of the commission pursuant to subparagraph (B) of paragraph (1), as well as the designation of alternates for such members pursuant to subparagraph (B) of paragraph (3) and the appointment of alternates to fill vacancies pursuant to subparagraph (B) of paragraph (4), shall require the affirmative vote of at least 4 of the members appointed by the nonpartisan agency under subparagraph (A) of paragraph (1), including at least one member from each of the categories referred to in such subparagraph.

(B) ENSURING DIVERSITY.—In appointing the 9 members pursuant to subparagraph (B) of paragraph (1), as well as in designating alternates pursuant to subparagraph (B) of paragraph (3) and in appointing alternates to fill vacancies pursuant to subparagraph (B) of paragraph (4), the first members of the independent redistricting commission shall ensure that the membership is representative of the demographic groups (including racial, ethnic, economic, and gender) and geographic regions of the State, and provides racial, ethnic, and language minorities protected under the Voting Rights Act of 1965 with a meaningful opportunity to participate in the development of the State's redistricting plan.

(3) DESIGNATION OF ALTERNATES TO SERVE IN CASE OF VACANCIES.—

(A) MEMBERS APPOINTED BY AGENCY.—At the time the agency appoints the members of

the independent redistricting commission under subparagraph (A) of paragraph (1) from each of the categories referred to in such subparagraph, the agency shall, on a random basis, designate 2 other individuals from such category to serve as alternate members who may be appointed to fill vacancies in the commission in accordance with paragraph (4).

(B) MEMBERS APPOINTED BY FIRST MEMBERS.—At the time the members appointed by the agency appoint the other members of the independent redistricting commission under subparagraph (B) of paragraph (1) from each of the categories referred to in such subparagraph, the members shall, in accordance with the special rules described in paragraph (2), designate 2 other individuals from such category to serve as alternate members who may be appointed to fill vacancies in the commission in accordance with paragraph (4).

(4) APPOINTMENT OF ALTERNATES TO SERVE IN CASE OF VACANCIES.—

(A) MEMBERS APPOINTED BY AGENCY.—If a vacancy occurs in the commission with respect to a member who was appointed by the nonpartisan agency under subparagraph (A) of paragraph (1) from one of the categories referred to in such subparagraph, the agency shall fill the vacancy by appointing, on a random basis, one of the 2 alternates from such category who was designated under subparagraph (A) of paragraph (3). At the time the agency appoints an alternate to fill a vacancy under the previous sentence, the agency shall designate, on a random basis, another individual from the same category to serve as an alternate member, in accordance with subparagraph (A) of paragraph (3).

(B) MEMBERS APPOINTED BY FIRST MEMBERS.—If a vacancy occurs in the commission with respect to a member who was appointed by the first members of the commission under subparagraph (B) of paragraph (1) from one of the categories referred to in such subparagraph, the first members shall, in accordance with the special rules described in paragraph (2), fill the vacancy by appointing one of the 2 alternates from such category who was designated under subparagraph (B) of paragraph (3). At the time the first members appoint an alternate to fill a vacancy under the previous sentence, the first members shall, in accordance with the special rules described in paragraph (2), designate another individual from the same category to serve as an alternate member, in accordance with subparagraph (B) of paragraph (3).

(5) REMOVAL.—A member of the independent redistricting commission may be removed by a majority vote of the remaining members of the commission if it is shown by a preponderance of the evidence that the member is not eligible to serve on the commission under section 202(a).

(b) PROCEDURES FOR CONDUCTING COMMISSION BUSINESS.—

(1) CHAIR.—Members of an independent redistricting commission established under this section shall select by majority vote one member who was appointed from the independent category of the approved selection pool described in section 202(b)(1)(C) to serve as chair of the commission. The commission may not take any action to develop a redistricting plan for the State under section 203 until the appointment of the commission's chair.

(2) REQUIRING MAJORITY APPROVAL FOR ACTIONS.—The independent redistricting commission of a State may not publish and disseminate any draft or final redistricting plan, or take any other action, without the approval of at least—

(A) a majority of the whole membership of the commission; and

(B) at least one member of the commission appointed from each of the categories of the approved selection pool described in section 202(b)(1).

(3) QUORUM.—A majority of the members of the commission shall constitute a quorum.

(c) STAFF; CONTRACTORS.—

(1) STAFF.—Under a public application process in which all application materials are available for public inspection, the independent redistricting commission of a State shall appoint and set the pay of technical experts, legal counsel, consultants, and such other staff as it considers appropriate, subject to State law.

(2) CONTRACTORS.—The independent redistricting commission of a State may enter into such contracts with vendors as it considers appropriate, subject to State law, except that any such contract shall be valid only if approved by the vote of a majority of the members of the commission, including at least one member appointed from each of the categories of the approved selection pool described in section 202(b)(1).

(3) REPORTS ON EXPENDITURES FOR POLITICAL ACTIVITY.—

(A) REPORT BY APPLICANTS.—Each individual who applies for a position as an employee of the independent redistricting commission and each vendor who applies for a contract with the commission shall, at the time of applying, file with the commission a report summarizing—

(i) any expenditure for political activity made by such individual or vendor during the 10 most recent calendar years; and

(ii) any income received by such individual or vendor during the 10 most recent calendar years which is attributable to an expenditure for political activity.

(B) ANNUAL REPORTS BY EMPLOYEES AND VENDORS.—Each person who is an employee or vendor of the independent redistricting commission shall, not later than one year after the person is appointed as an employee or enters into a contract as a vendor (as the case may be) and annually thereafter for each year during which the person serves as an employee or a vendor, file with the commission a report summarizing the expenditures and income described in subparagraph (A) during the 10 most recent calendar years.

(C) EXPENDITURE FOR POLITICAL ACTIVITY DEFINED.—In this paragraph, the term ''expenditure for political activity'' means a disbursement for any of the following:

(i) An independent expenditure, as defined in section 301(17) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(17)).

(ii) An electioneering communication, as defined in section 304(f)(3) of such Act (52 U.S.C. 30104(f)(3)) or any other public communication, as defined in section 301(22) of such Act (52 U.S.C. 30101(22)) that would be an electioneering communication if it were a broadcast, cable, or satellite communication.

(iii) Any dues or other payments to trade associations or organizations described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that are, or could reasonably be anticipated to be, used or transferred to another association or organization for a use described in paragraph (1), (2), or (4) of section 501(c) of such Code.

(4) GOAL OF IMPARTIALITY.—The commission shall take such steps as it considers appropriate to ensure that any staff appointed under this subsection, and any vendor with whom the commission enters into a contract under this subsection, will work in an impartial manner, and may require any person who applies for an appointment to a staff position or for a vendor's contract with the commission to provide information on the person's history of political activity beyond the information on the person's expenditures for political activity provided in the reports required under paragraph (3) (including donations to candidates, political committees, and political parties) as a condition of the appointment or the contract.

(5) DISQUALIFICATION; WAIVER.—

(A) IN GENERAL.—The independent redistricting commission may not appoint an individual as an employee, and may not enter into a contract with a vendor, if the individual or vendor meets any of the criteria for the disqualification of an individual from serving as a member of the commission which are set forth in section 202(a)(2).

(B) WAIVER.—The commission may by unanimous vote of its members waive the application of subparagraph (A) to an individual or a vendor after receiving and reviewing the report filed by the individual or vendor under paragraph (3).

(d) TERMINATION.—

(1) IN GENERAL.—The independent redistricting commission of a State shall terminate on the earlier of—

(A) June 14 of the next year ending in the numeral zero; or

(B) the day on which the nonpartisan agency established or designated by a State under section 204(a) has, in accordance with section 202(b)(1), submitted a selection pool to the Select Committee on Redistricting for the State established under section 204(b).

(2) PRESERVATION OF RECORDS.—The State shall ensure that the records of the independent redistricting commission are retained in the appropriate State archive in such manner as may be necessary to enable the State to respond to any civil action brought with respect to congressional redistricting in the State.

SEC. 202. ESTABLISHMENT OF SELECTION POOL OF INDIVIDUALS ELIGIBLE TO SERVE AS MEMBERS OF COMMISSION.

(a) CRITERIA FOR ELIGIBILITY.—

(1) IN GENERAL.—An individual is eligible to serve as a member of an independent redistricting commission if the individual meets each of the following criteria:

(A) As of the date of appointment, the individual is registered to vote in elections for Federal office held in the State.

(B) During the 3-year period ending on the date of the individual's appointment, the individual has been continuously registered to vote with the same political party, or has not been registered to vote with any political party.

(C) The individual submits to the nonpartisan agency established or designated by a State under section 204, at such time and in such form as the agency may require, an application for inclusion in the selection pool under this section, and includes with the application a written statement, with an attestation under penalty of perjury, containing the following information and assurances:

(i) The full current name and any former names of, and the contact information for, the individual, including an electronic mail address, the address of the individual's residence, mailing address, and telephone numbers.

(ii) The individual's race, ethnicity, gender, age, date of birth, and household income for the most recent taxable year.

(iii) The political party with which the individual is affiliated, if any.

(iv) The reason or reasons the individual desires to serve on the independent redistricting commission, the individual's qualifications, and information relevant to the ability of the individual to be fair and impartial, including—

(I) any involvement with, or financial support of, professional, social, political, religious, or community organizations or causes; and

(II) the individual's employment and educational history.

(v) An assurance that the individual shall commit to carrying out the individual's duties under this Act in an honest, independent, and impartial fashion, and to upholding public confidence in the integrity of the redistricting process.

(vi) An assurance that, during the covered periods described in paragraph (3), the individual has not taken and will not take any action which would disqualify the individual from serving as a member of the commission under paragraph (2).

(2) DISQUALIFICATIONS.—An individual is not eligible to serve as a member of the commission if any of the following applies during any of the covered periods described in paragraph (3):

(A) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual holds public office or is a candidate for election for public office.

(B) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual serves as an officer of a political party or as an officer, employee, or paid consultant of a campaign committee of a candidate for public office or of any political action committee (as determined in accordance with the law of the State).

(C) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual holds a position as a registered lobbyist under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) or an equivalent State or local law.

(D) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual is an employee of an elected public official, a contractor with the government of the State, or a donor to the campaign of any candidate for public office or to any political action committee (other than a donor who, during any of such covered periods, gives an aggregate amount of $1,000 or less to the campaigns of all candidates for all public offices and to all political action committees).

(E) The individual paid a civil money penalty or criminal fine, or was sentenced to a term of imprisonment, for violating any provision of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.).

(F) The individual or (in the case of the covered periods described in subparagraphs (A) and (B) of paragraph (3)) an immediate family member of the individual is an agent of a foreign principal under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.).

(3) COVERED PERIODS DESCRIBED.—In this subsection, the term ''covered period'' means, with respect to the appointment of an individual to the commission, any of the following:

(A) The 10-year period ending on the date of the individual's appointment.

(B) The period beginning on the date of the individual's appointment and ending on August 14 of the next year ending in the numeral one.

(C) The 10-year period beginning on the day after the last day of the period described in subparagraph (B).

(4) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term ''immediate family member'' means, with respect to an individual, a father, stepfather, mother, stepmother, son, stepson, daughter, stepdaughter, brother, stepbrother, sister, stepsister, husband, wife, father-in-law, or mother-in-law.

(b) DEVELOPMENT AND SUBMISSION OF SELECTION POOL.—

(1) IN GENERAL.—Not later than June 15 of each year ending in the numeral zero, the nonpartisan agency established or designated by a State under section 204(a) shall develop and submit to the Select Committee on Redistricting for the State established under section 204(b) a selection pool of 36 individuals who are eligible to serve as members of the independent redistricting commission of the State under this Act, consisting of individuals in the following categories:

(A) A majority category, consisting of 12 individuals who are affiliated with the political party whose candidate received the most votes in the most recent statewide election for Federal office held in the State.

(B) A minority category, consisting of 12 individuals who are affiliated with the political party whose candidate received the second most votes in the most recent statewide election for Federal office held in the State.

(C) An independent category, consisting of 12 individuals who are not affiliated with either of the political parties described in subparagraph (A) or subparagraph (B).

(2) FACTORS TAKEN INTO ACCOUNT IN DEVELOPING POOL.—In selecting individuals for the selection pool under this subsection, the nonpartisan agency shall—

(A) ensure that the pool is representative of the demographic groups (including racial, ethnic, economic, and gender) and geographic regions of the State, and includes applicants who would allow racial, ethnic, and language minorities protected under the Voting Rights Act of 1965 a meaningful opportunity to participate in the development of the State's redistricting plan; and

(B) take into consideration the analytical skills of the individuals selected in relevant fields (including mapping, data management, law, community outreach, demography, and the geography of the State) and their ability to work on an impartial basis.

(3) INTERVIEWS OF APPLICANTS.—To assist the nonpartisan agency in developing the selection pool under this subsection, the nonpartisan agency shall conduct interviews of applicants under oath. If an individual is included in a selection pool developed under this section, all of the interviews of the individual shall be transcribed and the transcriptions made available on the nonpartisan agency's website contemporaneously with release of the report under paragraph (6).

(4) DETERMINATION OF POLITICAL PARTY AFFILIATION OF INDIVIDUALS IN SELECTION POOL.—For purposes of this section, an individual shall be considered to be affiliated with a political party only if the nonpartisan agency is able to verify (to the greatest extent possible) the information the individual provides in the application submitted under subsection (a)(1)(C), including by considering additional information provided by other persons with knowledge of the individual's history of political activity.

(5) ENCOURAGING RESIDENTS TO APPLY FOR INCLUSION IN POOL.—The nonpartisan agency shall take such steps as may be necessary to ensure that residents of the State across various geographic regions and demographic groups are aware of the opportunity to serve on the independent redistricting commission, including publicizing the role of the panel and using newspapers, broadcast media, and online sources, including ethnic media, to encourage individuals to apply for inclusion in the selection pool developed under this subsection.

(6) REPORT ON ESTABLISHMENT OF SELECTION POOL.—At the time the nonpartisan agency submits the selection pool to the Select Committee on Redistricting under paragraph (1), it shall publish and post on the agency's public website a report describing the process by which the pool was developed, and shall include in the report a description of how the individuals in the pool meet the eligibility criteria of subsection (a) and of how the pool reflects the factors the agency is required to take into consideration under paragraph (2).

(7) PUBLIC COMMENT ON SELECTION POOL.—During the 14-day period which begins on the date the nonpartisan agency publishes the report under paragraph (6), the agency shall accept comments from the public on the individuals included in the selection pool. The agency shall post all such comments contemporaneously on the nonpartisan agency's website and shall transmit them to the Select Committee on Redistricting immediately upon the expiration of such period.

(8) ACTION BY SELECT COMMITTEE.—

(A) IN GENERAL.—Not earlier than 15 days and not later than 21 days after receiving the selection pool from the nonpartisan agency under paragraph (1), the Select Committee on Redistricting shall, by majority vote—

(i) approve the pool as submitted by the nonpartisan agency, in which case the pool shall be considered the approved selection pool for purposes of section 201(a)(1); or

(ii) reject the pool, in which case the nonpartisan agency shall develop and submit a replacement selection pool in accordance with subsection (c).

(B) INACTION DEEMED REJECTION.—If the Select Committee on Redistricting fails to approve or reject the pool within the deadline set forth in subparagraph (A), the Select Committee shall be deemed to have rejected the pool for purposes of such subparagraph.

(c) DEVELOPMENT OF REPLACEMENT SELECTION POOL.—

(1) IN GENERAL.—If the Select Committee on Redistricting rejects the selection pool submitted by the nonpartisan agency under subsection (b), not later than 14 days after the rejection, the nonpartisan agency shall develop and submit to the Select Committee a replacement selection pool, under the same terms and conditions that applied to the development and submission of the selection pool under paragraphs (1) through (7) of subsection (b). The replacement pool submitted under this paragraph may include individuals who were included in the rejected selection pool submitted under subsection (b), so long as at least one of the individuals in the replacement pool was not included in such rejected pool.

(2) ACTION BY SELECT COMMITTEE.—

(A) IN GENERAL.—Not later than 21 days after receiving the replacement selection pool from the nonpartisan agency under paragraph (1), the Select Committee on Redistricting shall, by majority vote—

(i) approve the pool as submitted by the nonpartisan agency, in which case the pool shall be considered the approved selection pool for purposes of section 201(a)(1); or

(ii) reject the pool, in which case the nonpartisan agency shall develop and submit a second replacement selection pool in accordance with subsection (d).

(B) INACTION DEEMED REJECTION.—If the Select Committee on Redistricting fails to approve or reject the pool within the deadline set forth in subparagraph (A), the Select Committee shall be deemed to have rejected the pool for purposes of such subparagraph.

(d) DEVELOPMENT OF SECOND REPLACEMENT SELECTION POOL.—

(1) IN GENERAL.—If the Select Committee on Redistricting rejects the replacement selection pool submitted by the nonpartisan

agency under subsection (c), not later than 14 days after the rejection, the nonpartisan agency shall develop and submit to the Select Committee a second replacement selection pool, under the same terms and conditions that applied to the development and submission of the selection pool under paragraphs (1) through (7) of subsection (b). The second replacement selection pool submitted under this paragraph may include individuals who were included in the rejected selection pool submitted under subsection (b) or the rejected replacement selection pool submitted under subsection (c), so long as at least one of the individuals in the replacement pool was not included in either such rejected pool.

(2) ACTION BY SELECT COMMITTEE.—

(A) IN GENERAL.—Not earlier than 15 days and not later than 14 days after receiving the second replacement selection pool from the nonpartisan agency under paragraph (1), the Select Committee on Redistricting shall, by majority vote—

(i) approve the pool as submitted by the nonpartisan agency, in which case the pool shall be considered the approved selection pool for purposes of section 201(a)(1); or

(ii) reject the pool.

(B) INACTION DEEMED REJECTION.—If the Select Committee on Redistricting fails to approve or reject the pool within the deadline set forth in subparagraph (A), the Select Committee shall be deemed to have rejected the pool for purposes of such subparagraph.

(C) EFFECT OF REJECTION.—If the Select Committee on Redistricting rejects the second replacement pool from the nonpartisan agency under paragraph (1), the redistricting plan for the State shall be developed and enacted in accordance with title III.

SEC. 203. PUBLIC NOTICE AND INPUT.

(a) PUBLIC NOTICE AND INPUT.—

(1) USE OF OPEN AND TRANSPARENT PROCESS.—The independent redistricting commission of a State shall hold each of its meetings in public, shall solicit and take into consideration comments from the public, including proposed maps, throughout the process of developing the redistricting plan for the State, and shall carry out its duties in an open and transparent manner which provides for the widest public dissemination reasonably possible of its proposed and final redistricting plans.

(2) WEBSITE.—

(A) FEATURES.—The commission shall maintain a public internet site which is not affiliated with or maintained by the office of any elected official and which includes the following features:

(i) General information on the commission, its role in the redistricting process, and its members, including contact information.

(ii) An updated schedule of commission hearings and activities, including deadlines for the submission of comments.

(iii) All draft redistricting plans developed by the commission under subsection (b) and the final redistricting plan developed under subsection (c), including the accompanying written evaluation under subsection (d).

(iv) All comments received from the public on the commission's activities, including any proposed maps submitted under paragraph (1).

(v) Live streaming of commission hearings and an archive of previous meetings, including any documents considered at any such meeting, which the commission shall post not later than 24 hours after the conclusion of the meeting.

(vi) Access in an easily usable format to the demographic and other data used by the commission to develop and analyze the proposed redistricting plans, together with access to any software used to draw maps of proposed districts and to any reports analyzing and evaluating any such maps.

(vii) A method by which members of the public may submit comments and proposed maps directly to the commission.

(viii) All records of the commission, including all communications to or from members, employees, and contractors regarding the work of the commission.

(ix) A list of all contractors receiving payment from the commission, together with the annual disclosures submitted by the contractors under section 201(c)(3).

(x) A list of the names of all individuals who submitted applications to serve on the commission, together with the applications submitted by individuals included in any selection pool, except that the commission may redact from such applications any financial or other personally sensitive information.

(B) SEARCHABLE FORMAT.—The commission shall ensure that all information posted and maintained on the site under this paragraph, including information and proposed maps submitted by the public, shall be maintained in an easily searchable format.

(C) DEADLINE.—The commission shall ensure that the public internet site under this paragraph is operational (in at least a preliminary format) not later than January 1 of the year ending in the numeral one.

(3) PUBLIC COMMENT PERIOD.—The commission shall solicit, accept, and consider comments from the public with respect to its duties, activities, and procedures at any time during the period—

(A) which begins on January 1 of the year ending in the numeral one; and

(B) which ends 7 days before the date of the meeting at which the commission shall vote on approving the final redistricting plan for enactment into law under subsection (c)(2).

(4) MEETINGS AND HEARINGS IN VARIOUS GEOGRAPHIC LOCATIONS.—To the greatest extent practicable, the commission shall hold its meetings and hearings in various geographic regions and locations throughout the State.

(5) MULTIPLE LANGUAGE REQUIREMENTS FOR ALL NOTICES.—The commission shall make each notice which is required to be posted and published under this section available in any language in which the State (or any jurisdiction in the State) is required to provide election materials under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503).

(b) DEVELOPMENT AND PUBLICATION OF PRELIMINARY REDISTRICTING PLAN.—

(1) IN GENERAL.—Prior to developing and publishing a final redistricting plan under subsection (c), the independent redistricting commission of a State shall develop and publish a preliminary redistricting plan.

(2) MINIMUM PUBLIC HEARINGS AND OPPORTUNITY FOR COMMENT PRIOR TO DEVELOPMENT.—

(A) 3 HEARINGS REQUIRED.—Prior to developing a preliminary redistricting plan under this subsection, the commission shall hold not fewer than 3 public hearings at which members of the public may provide input and comments regarding the potential contents of redistricting plans for the State and the process by which the commission will develop the preliminary plan under this subsection.

(B) MINIMUM PERIOD FOR NOTICE PRIOR TO HEARINGS.—Not fewer than 14 days prior to the date of each hearing held under this paragraph, the commission shall post notices of the hearing on the website maintained under subsection (a)(2), and shall provide for the publication of such notices in newspapers of general circulation throughout the State. Each such notice shall specify the date, time, and location of the hearing.

(C) SUBMISSION OF PLANS AND MAPS BY MEMBERS OF THE PUBLIC.—Any member of the public may submit maps or portions of maps for consideration by the commission. As provided under subsection (a)(2)(A), any such map shall be made publicly available on the commission's website and open to comment.

(3) PUBLICATION OF PRELIMINARY PLAN.—

(A) IN GENERAL.—The commission shall post the preliminary redistricting plan developed under this subsection, together with a report that includes the commission's responses to any public comments received under subsection (a)(3), on the website maintained under subsection (a)(2), and shall provide for the publication of each such plan in newspapers of general circulation throughout the State.

(B) MINIMUM PERIOD FOR NOTICE PRIOR TO PUBLICATION.—Not fewer than 14 days prior to the date on which the commission posts and publishes the preliminary plan under this paragraph, the commission shall notify the public through the website maintained under subsection (a)(2), as well as through publication of notice in newspapers of general circulation throughout the State, of the pending publication of the plan.

(4) MINIMUM POST-PUBLICATION PERIOD FOR PUBLIC COMMENT.—The commission shall accept and consider comments from the public (including through the website maintained under subsection (a)(2)) with respect to the preliminary redistricting plan published under paragraph (3), including proposed revisions to maps, for not fewer than 30 days after the date on which the plan is published.

(5) POST-PUBLICATION HEARINGS.—

(A) 3 HEARINGS REQUIRED.—After posting and publishing the preliminary redistricting plan under paragraph (3), the commission shall hold not fewer than 3 public hearings in different geographic areas of the State at which members of the public may provide input and comments regarding the preliminary plan.

(B) MINIMUM PERIOD FOR NOTICE PRIOR TO HEARINGS.—Not fewer than 14 days prior to the date of each hearing held under this paragraph, the commission shall post notices of the hearing on the website maintained under subsection (a)(2), and shall provide for the publication of such notices in newspapers of general circulation throughout the State. Each such notice shall specify the date, time, and location of the hearing.

(6) PERMITTING MULTIPLE PRELIMINARY PLANS.—At the option of the commission, after developing and publishing the preliminary redistricting plan under this subsection, the commission may develop and publish subsequent preliminary redistricting plans, so long as the process for the development and publication of each such subsequent plan meets the requirements set forth in this subsection for the development and publication of the first preliminary redistricting plan.

(c) PROCESS FOR ENACTMENT OF FINAL REDISTRICTING PLAN.—

(1) IN GENERAL.—After taking into consideration comments from the public on any preliminary redistricting plan developed and published under subsection (b), the independent redistricting commission of a State shall develop and publish a final redistricting plan for the State.

(2) MEETING; FINAL VOTE.—Not later than the deadline specified in subsection (e), the commission shall hold a public hearing at which the members of the commission shall vote on approving the final plan for enactment into law.

(3) PUBLICATION OF PLAN AND ACCOMPANYING MATERIALS.—Not fewer than 14 days before the date of the meeting under paragraph (2), the commission shall provide the following information to the public through the website maintained under subsection (a)(2),

as well as through newspapers of general circulation throughout the State:

(A) The final redistricting plan, including all relevant maps.

(B) A report by the commission to accompany the plan which provides the background for the plan and the commission's reasons for selecting the plan as the final redistricting plan, including responses to the public comments received on any preliminary redistricting plan developed and published under subsection (b).

(C) Any dissenting or additional views with respect to the plan of individual members of the commission.

(4) ENACTMENT.—Subject to paragraph (5), the final redistricting plan developed and published under this subsection shall be deemed to be enacted into law upon the expiration of the 45-day period which begins on the date on which—

(A) such final plan is approved by a majority of the whole membership of the commission; and

(B) at least one member of the commission appointed from each of the categories of the approved selection pool described in section 202(b)(1) approves such final plan.

(5) REVIEW BY DEPARTMENT OF JUSTICE.—

(A) REQUIRING SUBMISSION OF PLAN FOR REVIEW.—The final redistricting plan shall not be deemed to be enacted into law unless the State submits the plan to the Department of Justice for an administrative review to determine if the plan is in compliance with the criteria described in paragraphs (2) and (3) of section 103(a).

(B) TERMINATION OF REVIEW.—The Department of Justice shall terminate any administrative review under subparagraph (A) if, during the 45-day period which begins on the date the plan is enacted into law, an action is filed in a United States district court alleging that the plan is not in compliance with the criteria described in paragraphs (2) and (3) of section 103(a).

(d) WRITTEN EVALUATION OF PLAN AGAINST EXTERNAL METRICS.—The independent redistricting commission shall include with each redistricting plan developed and published under this section a written evaluation that measures each such plan against external metrics which cover the criteria set forth in section 103(a), including the impact of the plan on the ability of communities of color to elect candidates of choice, measures of partisan fairness using multiple accepted methodologies, and the degree to which the plan preserves or divides communities of interest.

(e) TIMING.—The independent redistricting commission of a State may begin its work on the redistricting plan of the State upon receipt of relevant population information from the Bureau of the Census, and shall approve a final redistricting plan for the State in each year ending in the numeral one not later than 8 months after the date on which the State receives the State apportionment notice or October 1, whichever occurs later.

SEC. 204. ESTABLISHMENT OF RELATED ENTITIES.

(a) ESTABLISHMENT OR DESIGNATION OF NONPARTISAN AGENCY OF STATE LEGISLATURE.—

(1) IN GENERAL.—Each State shall establish a nonpartisan agency in the legislative branch of the State government to appoint the members of the independent redistricting commission for the State in accordance with section 201.

(2) NONPARTISANSHIP DESCRIBED.—For purposes of this subsection, an agency shall be considered to be nonpartisan if under law the agency—

(A) is required to provide services on a nonpartisan basis;

(B) is required to maintain impartiality; and

(C) is prohibited from advocating for the adoption or rejection of any legislative proposal.

(3) TRAINING OF MEMBERS APPOINTED TO COMMISSION.—Not later than January 15 of a year ending in the numeral one, the nonpartisan agency established or designated under this subsection shall provide the members of the independent redistricting commission with initial training on their obligations as members of the commission, including obligations under the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) and other applicable laws.

(4) REGULATIONS.—The nonpartisan agency established or designated under this subsection shall adopt and publish regulations, after notice and opportunity for comment, establishing the procedures that the agency will follow in fulfilling its duties under this Act, including the procedures to be used in vetting the qualifications and political affiliation of applicants and in creating the selection pools, the randomized process to be used in selecting the initial members of the independent redistricting commission, and the rules that the agency will apply to ensure that the agency carries out its duties under this Act in a maximally transparent, publicly accessible, and impartial manner.

(5) DESIGNATION OF EXISTING AGENCY.—At its option, a State may designate an existing agency in the legislative branch of its government to appoint the members of the independent redistricting commission plan for the State under this Act, so long as the agency meets the requirements for nonpartisanship under this subsection.

(6) TERMINATION OF AGENCY SPECIFICALLY ESTABLISHED FOR REDISTRICTING.—If a State does not designate an existing agency under paragraph (5) but instead establishes a new agency to serve as the nonpartisan agency under this section, the new agency shall terminate upon the enactment into law of the redistricting plan for the State.

(7) PRESERVATION OF RECORDS.—The State shall ensure that the records of the nonpartisan agency are retained in the appropriate State archive in such manner as may be necessary to enable the State to respond to any civil action brought with respect to congressional redistricting in the State.

(8) DEADLINE.—The State shall meet the requirements of this subsection not later than each October 15 of a year ending in the numeral nine.

(b) ESTABLISHMENT OF SELECT COMMITTEE ON REDISTRICTING.—

(1) IN GENERAL.—Each State shall appoint a Select Committee on Redistricting to approve or disapprove a selection pool developed for the State by the nonpartisan agency pursuant to section 202(b).

(2) APPOINTMENT.—The Select Committee on Redistricting for a State under this subsection shall consist of the following members:

(A) One member of the upper house of the State legislature, who shall be appointed by the leader of the party with the greatest number of seats in the upper house.

(B) One member of the upper house of the State legislature, who shall be appointed by the leader of the party with the second greatest number of seats in the upper house.

(C) One member of the lower house of the State legislature, who shall be appointed by the leader of the party with the greatest number of seats in the lower house.

(D) One member of the lower house of the State legislature, who shall be appointed by the leader of the party with the second greatest number of seats in the lower house.

(3) SPECIAL RULE FOR STATES WITH UNICAMERAL LEGISLATURE.—In the case of a State with a unicameral legislature, the Select Committee on Redistricting for the State under this subsection shall consist of the following members:

(A) Two members of the State legislature appointed by the chair of the political party of the State whose candidate received the highest percentage of votes in the most recent statewide election for Federal office held in the State.

(B) Two members of the State legislature appointed by the chair of the political party whose candidate received the second highest percentage of votes in the most recent statewide election for Federal office held in the State.

(4) DEADLINE.—The State shall meet the requirements of this subsection not later than each January 15 of a year ending in the numeral zero.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit the leader of any political party in a legislature from appointment to the Select Committee on Redistricting.

SEC. 205. REPORT ON DIVERSITY OF MEMBERSHIPS OF INDEPENDENT REDISTRICTING COMMISSIONS.

Not later than May 15 of a year ending in the numeral one, the Comptroller General of the United States shall submit to Congress a report on the extent to which the memberships of independent redistricting commissions for States established under this title with respect to the immediately preceding year ending in the numeral zero meet the diversity requirements as provided for in sections 201(a)(2)(B) and 202(b)(2).

TITLE III—ROLE OF COURTS IN DEVELOPMENT OF REDISTRICTING PLANS

SEC. 301. ENACTMENT OF PLAN DEVELOPED BY 3-JUDGE COURT.

(a) DEVELOPMENT OF PLAN.—If any of the triggering events described in subsection (f) occur with respect to a State—

(1) not later than December 15 of the year in which the triggering event occurs, the United States district court for the applicable venue, acting through a 3-judge court convened pursuant to section 2284 of title 28, United States Code, shall develop and publish the congressional redistricting plan for the State; and

(2) the final plan developed and published by the court under this section shall be deemed to be enacted on the date on which the court publishes the final plan, as described in subsection (d).

(b) APPLICABLE VENUE DESCRIBED.—For purposes of this section, the ''applicable venue'' with respect to a State is the District of Columbia or the judicial district in which the capital of the State is located, as selected by the first party to file with the court sufficient evidence of the occurrence of a triggering event described in subsection (f).

(c) PROCEDURES FOR DEVELOPMENT OF PLAN.—

(1) CRITERIA.—In developing a redistricting plan for a State under this section, the court shall adhere to the same terms and conditions that applied (or that would have applied, as the case may be) to the development of a plan by the independent redistricting commission of the State under section 103.

(2) ACCESS TO INFORMATION AND RECORDS OF COMMISSION.—The court shall have access to any information, data, software, or other records and material that was used (or that would have been used, as the case may be) by the independent redistricting commission of the State in carrying out its duties under this Act.

(3) HEARING; PUBLIC PARTICIPATION.—In developing a redistricting plan for a State, the court shall—

(A) hold one or more evidentiary hearings at which interested members of the public may appear and be heard and present testimony, including expert testimony, in accordance with the rules of the court; and

(B) consider other submissions and comments by the public, including proposals for redistricting plans to cover the entire State or any portion of the State.

(4) USE OF SPECIAL MASTER.—To assist in the development and publication of a redistricting plan for a State under this section, the court may appoint a special master to make recommendations to the court on possible plans for the State.

(d) PUBLICATION OF PLAN.—

(1) PUBLIC AVAILABILITY OF INITIAL PLAN.—Upon completing the development of one or more initial redistricting plans, the court shall make the plans available to the public at no cost, and shall also make available the underlying data used by the court to develop the plans and a written evaluation of the plans against external metrics (as described in section 203(d)).

(2) PUBLICATION OF FINAL PLAN.—At any time after the expiration of the 14-day period which begins on the date the court makes the plans available to the public under paragraph (1), and taking into consideration any submissions and comments by the public which are received during such period, the court shall develop and publish the final redistricting plan for the State.

(e) USE OF INTERIM PLAN.—In the event that the court is not able to develop and publish a final redistricting plan for the State with sufficient time for an upcoming election to proceed, the court may develop and publish an interim redistricting plan which shall serve as the redistricting plan for the State until the court develops and publishes a final plan in accordance with this section. Nothing in this subsection may be construed to limit or otherwise affect the authority or discretion of the court to develop and publish the final redistricting plan, including the discretion to make any changes the court deems necessary to an interim redistricting plan.

(f) TRIGGERING EVENTS DESCRIBED.—The ''triggering events'' described in this subsection are as follows:

(1) The failure of the State to establish or designate a nonpartisan agency of the State legislature under section 204(a) prior to the expiration of the deadline set forth in section 204(a)(8).

(2) The failure of the State to appoint a Select Committee on Redistricting under section 204(b) prior to the expiration of the deadline set forth in section 204(b)(4).

(3) The failure of the Select Committee on Redistricting to approve any selection pool under section 202 prior to the expiration of the deadline set forth for the approval of the second replacement selection pool in section 202(d)(2).

(4) The failure of the independent redistricting commission of the State to approve a final redistricting plan for the State prior to the expiration of the deadline set forth in section 203(e).

SEC. 302. SPECIAL RULE FOR REDISTRICTING CONDUCTED UNDER ORDER OF FEDERAL COURT.

If a Federal court requires a State to conduct redistricting subsequent to an apportionment of Representatives in the State in order to comply with the Constitution or to enforce the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), section 203 shall apply with respect to the redistricting, except that the court may revise any of the deadlines set forth in such section if the court determines that a revision is appropriate in order to provide for a timely enactment of a new redistricting plan for the State.

TITLE IV—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

SEC. 401. PAYMENTS TO STATES FOR CARRYING OUT REDISTRICTING.

(a) AUTHORIZATION OF PAYMENTS.—Subject to subsection (d), not later than 30 days after a State receives a State apportionment notice, the Election Assistance Commission shall, subject to the availability of appropriations provided pursuant to subsection (e), make a payment to the State in an amount equal to the product of—

(1) the number of Representatives to which the State is entitled, as provided under the notice; and

(2) $150,000.

(b) USE OF FUNDS.—A State shall use the payment made under this section to establish and operate the State's independent redistricting commission, to implement the State redistricting plan, and to otherwise carry out congressional redistricting in the State.

(c) NO PAYMENT TO STATES WITH SINGLE MEMBER.—The Election Assistance Commission shall not make a payment under this section to any State which is not entitled to more than one Representative under its State apportionment notice.

(d) REQUIRING SUBMISSION OF SELECTION POOL AS CONDITION OF PAYMENT.—

(1) REQUIREMENT.—Except as provided in paragraph (2), the Election Assistance Commission may not make a payment to a State under this section until the State certifies to the Commission that the nonpartisan agency established or designated by a State under section 204(a) has, in accordance with section 202(b)(1), submitted a selection pool to the Select Committee on Redistricting for the State established under section 204(b).

(2) EXCEPTION FOR STATES WITH EXISTING COMMISSIONS.—In the case of a State which, pursuant to section 101(c), is exempt from the requirements of section 101(a), the Commission may not make a payment to the State under this section until the State certifies to the Commission that its redistricting commission meets the requirements of section 101(c).

(3) EXCEPTION FOR STATE OF IOWA.—In the case of the State of Iowa, the Commission may not make a payment to the State under this section until the State certifies to the Commission that it will carry out congressional redistricting pursuant to the State's apportionment notice in accordance with a plan developed by the Iowa Legislative Services Agency with the assistance of a Temporary Redistricting Advisory Commission, as provided under the law described in section 101(d).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for payments under this section.

SEC. 402. CIVIL ENFORCEMENT.

(a) CIVIL ENFORCEMENT.—

(1) ACTIONS BY ATTORNEY GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such relief as may be appropriate to carry out this Act.

(2) AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Any citizen of a State who is aggrieved by the failure of the State to meet the requirements of this Act may bring a civil action in the United States district court for the applicable venue for such relief as may be appropriate to remedy the failure. For purposes of this section, the ''applicable venue'' is the District of Columbia or the judicial district in which the capital of the State is located, as selected by the person who brings the civil action.

(b) EXPEDITED CONSIDERATION.—In any action brought forth under this section, the following rules shall apply:

(1) The action shall be filed in the district court of the United States for the District of Columbia or for the judicial district in which the capital of the State is located, as selected by the person bringing the action.

(2) The action shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

(3) The 3-judge court shall consolidate actions brought for relief under subsection (b)(1) with respect to the same State redistricting plan.

(4) A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

(5) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(6) It shall be the duty of the district court and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(c) REMEDIES.—

(1) ADOPTION OF REPLACEMENT PLAN.—

(A) IN GENERAL.—If the district court in an action under this section finds that the congressional redistricting plan of a State violates, in whole or in part, the requirements of this Act—

(i) the court shall adopt a replacement congressional redistricting plan for the State in accordance with the process set forth in section 301; or

(ii) if circumstances warrant and no delay to an upcoming regularly scheduled election for the House of Representatives in the State would result, the district court may allow a State to develop and propose a remedial congressional redistricting plan for consideration by the court, and such remedial plan may be developed by the State by adopting such appropriate changes to the State's enacted plan as may be ordered by the court.

(B) SPECIAL RULE IN CASE FINAL ADJUDICATION NOT EXPECTED WITHIN 3 MONTHS OF ELECTION.—If final adjudication of an action under this section is not reasonably expected to be completed at least three months prior to the next regularly scheduled election for the House of Representatives in the State, the district court shall, as the balance of equities warrant,—

(i) order development, adoption, and use of an interim congressional redistricting plan in accordance with section 301(e) to address any claims under this Act for which a party seeking relief has demonstrated a substantial likelihood of success; or

(ii) order adjustments to the timing of primary elections for the House of Representatives, as needed, to allow sufficient opportunity for adjudication of the matter and adoption of a remedial or replacement plan for use in the next regularly scheduled general elections for the House of Representatives.

(2) NO INJUNCTIVE RELIEF PERMITTED.—Any remedial or replacement congressional redistricting plan ordered under this subsection shall not be subject to temporary or preliminary injunctive relief from any court unless the record establishes that a writ of mandamus is warranted.

(3) NO STAY PENDING APPEAL.—Notwithstanding the appeal of an order finding that a congressional redistricting plan of a State violates, in whole or in part, the requirements of this Act, no stay shall issue which shall bar the development or adoption of a replacement or remedial plan under this subsection, as may be directed by the district court, pending such appeal.

(d) ATTORNEY'S FEES.—In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(e) RELATION TO OTHER LAWS.—

(1) RIGHTS AND REMEDIES ADDITIONAL TO OTHER RIGHTS AND REMEDIES.—The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this Act shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) VOTING RIGHTS ACT OF 1965.—Nothing in this Act authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(f) LEGISLATIVE PRIVILEGE.—No person, legislature, or State may claim legislative privilege under either State or Federal law in a civil action brought under this section or in any other legal challenge, under either State or Federal law, to a redistricting plan enacted under this Act.

SEC. 403. STATE APPORTIONMENT NOTICE DEFINED.

In this Act, the ''State apportionment notice'' means, with respect to a State, the notice sent to the State from the Clerk of the House of Representatives under section 22(b) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a), of the number of Representatives to which the State is entitled.

SEC. 404. NO EFFECT ON ELECTIONS FOR STATE AND LOCAL OFFICE.

Nothing in this Act or in any amendment made by this Act may be construed to affect the manner in which a State carries out elections for State or local office, including the process by which a State establishes the districts used in such elections.

SEC. 405. EFFECTIVE DATE.

This Act and the amendments made by this Act shall apply with respect to redistricting carried out pursuant to the decennial census conducted during 2030 or any succeeding decennial census.

TITLE V—REQUIREMENTS FOR REDISTRICTING CARRIED OUT PURSUANT TO 2020 CENSUS

Subtitle A—Application of Certain Requirements for Redistricting Carried Out Pursuant to 2020 Census

SEC. 511. APPLICATION OF CERTAIN REQUIREMENTS FOR REDISTRICTING CARRIED OUT PURSUANT TO 2020 CENSUS.

Notwithstanding section 405, titles I, III, and IV of this Act and the amendments made by such titles shall apply with respect to congressional redistricting carried out pursuant to the decennial census conducted during 2020 in the same manner as such titles and the amendments made by such title apply with respect to redistricting carried out pursuant to the decennial census conducted during 2030, except as follows:

(1) Except as provided in subsection (c) and subsection (d) of section 101, the redistricting shall be conducted in accordance with—

(A) the redistricting plan developed and enacted into law by the independent redistricting commission established in the State in accordance with subtitle B; or

(B) if a plan developed by such commission is not enacted into law, the redistricting plan developed and enacted into law by a 3-judge court in accordance with section 301.

(2) If any of the triggering events described in section 512 occur with respect to the State, the United States district court for the applicable venue shall develop and publish the redistricting plan for the State, in accordance with section 301, not later than March 15, 2022.

(3) For purposes of section 401(d)(1), the Election Assistance Commission may not make a payment to a State under such section until the State certifies to the Commission that the nonpartisan agency established or designated by a State under section 524(a) has, in accordance with section 522(b)(1), submitted a selection pool to the Select Committee on Redistricting for the State established under section 524(b).

SEC. 512. TRIGGERING EVENTS.

For purposes of the redistricting carried out pursuant to the decennial census conducted during 2020, the triggering events described in this section are as follows:

(1) The failure of the State to establish or designate a nonpartisan agency under section 524(a) prior to the expiration of the deadline under section 524(a)(6).

(2) The failure of the State to appoint a Select Committee on Redistricting under section 524(b) prior to the expiration of the deadline under section 524(b)(4).

(3) The failure of the Select Committee on Redistricting to approve a selection pool under section 522(b) prior to the expiration of the deadline under section 522(b)(7).

(4) The failure of the independent redistricting commission of the State to approve a final redistricting plan for the State under section 523 prior to the expiration of the deadline under section 523(e).

Subtitle B—Independent Redistricting Commissions for Redistricting Carried Out Pursuant to 2020 Census

SEC. 521. USE OF INDEPENDENT REDISTRICTING COMMISSIONS FOR REDISTRICTING CARRIED OUT PURSUANT TO 2020 CENSUS.

(a) APPOINTMENT OF MEMBERS.—

(1) IN GENERAL.—The nonpartisan agency established or designated by a State under section 524(a) shall establish an independent redistricting commission under this title for the State, which shall consist of 15 members appointed by the agency as follows:

(A) Not later than November 5, 2021, the agency shall, at a public meeting held not earlier than 15 days after notice of the meeting has been given to the public, first appoint 6 members as follows:

(i) The agency shall appoint 2 members on a random basis from the majority category of the approved selection pool (as described in section 522(b)(1)(A)).

(ii) The agency shall appoint 2 members on a random basis from the minority category of the approved selection pool (as described in section 522(b)(1)(B)).

(iii) The agency shall appoint 2 members on a random basis from the independent category of the approved selection pool (as described in section 522(b)(1)(C)).

(B) Not later than November 15, 2021, the members appointed by the agency under subparagraph (A) shall, at a public meeting held not earlier than 15 days after notice of the meeting has been given to the public, then appoint 9 members as follows:

(i) The members shall appoint 3 members from the majority category of the approved selection pool (as described in section 522(b)(1)(A)).

(ii) The members shall appoint 3 members from the minority category of the approved selection pool (as described in section 522(b)(1)(B)).

(iii) The members shall appoint 3 members from the independent category of the approved selection pool (as described in section 522(b)(1)(C)).

(2) RULES FOR APPOINTMENT OF MEMBERS APPOINTED BY FIRST MEMBERS.—

(A) AFFIRMATIVE VOTE OF AT LEAST 4 MEMBERS.—The appointment of any of the 9 members of the independent redistricting commission who are appointed by the first members of the commission pursuant to subparagraph (B) of paragraph (1) shall require the affirmative vote of at least 4 of the members appointed by the nonpartisan agency under subparagraph (A) of paragraph (1), including at least one member from each of the categories referred to in such subparagraph.

(B) ENSURING DIVERSITY.—In appointing the 9 members pursuant to subparagraph (B) of paragraph (1), the first members of the independent redistricting commission shall ensure that the membership is representative of the demographic groups (including racial, ethnic, economic, and gender) and geographic regions of the State, and provides racial, ethnic, and language minorities protected under the Voting Rights Act of 1965 with a meaningful opportunity to participate in the development of the State's redistricting plan.

(3) REMOVAL.—A member of the independent redistricting commission may be removed by a majority vote of the remaining members of the commission if it is shown by a preponderance of the evidence that the member is not eligible to serve on the commission under section 522(a).

(b) PROCEDURES FOR CONDUCTING COMMISSION BUSINESS.—

(1) REQUIRING MAJORITY APPROVAL FOR ACTIONS.—The independent redistricting commission of a State under this title may not publish and disseminate any draft or final redistricting plan, or take any other action, without the approval of at least—

(A) a majority of the whole membership of the commission; and

(B) at least one member of the commission appointed from each of the categories of the approved selection pool described in section 522(b)(1).

(2) QUORUM.—A majority of the members of the commission shall constitute a quorum.

(c) STAFF; CONTRACTORS.—

(1) STAFF.—Under a public application process in which all application materials are available for public inspection, the independent redistricting commission of a State under this title shall appoint and set the pay of technical experts, legal counsel, consultants, and such other staff as it considers appropriate, subject to State law.

(2) CONTRACTORS.—The independent redistricting commission of a State may enter into such contracts with vendors as it considers appropriate, subject to State law, except that any such contract shall be valid only if approved by the vote of a majority of the members of the commission, including at least one member appointed from each of the categories of the approved selection pool described in section 522(b)(1).

(3) GOAL OF IMPARTIALITY.—The commission shall take such steps as it considers appropriate to ensure that any staff appointed under this subsection, and any vendor with whom the commission enters into a contract under this subsection, will work in an impartial manner.

(d) PRESERVATION OF RECORDS.—The State shall ensure that the records of the independent redistricting commission are retained in the appropriate State archive in such manner as may be necessary to enable the State to respond to any civil action brought with respect to congressional redistricting in the State.

SEC. 522. ESTABLISHMENT OF SELECTION POOL OF INDIVIDUALS ELIGIBLE TO SERVE AS MEMBERS OF COMMISSION.

(a) CRITERIA FOR ELIGIBILITY.—

(1) IN GENERAL.—An individual is eligible to serve as a member of an independent redistricting commission under this title if the

individual meets each of the following criteria:

(A) As of the date of appointment, the individual is registered to vote in elections for Federal office held in the State.

(B) During the 3-year period ending on the date of the individual's appointment, the individual has been continuously registered to vote with the same political party, or has not been registered to vote with any political party.

(C) The individual submits to the nonpartisan agency established or designated by a State under section 524, at such time and in such form as the agency may require, an application for inclusion in the selection pool under this section, and includes with the application a written statement, with an attestation under penalty of perjury, containing the following information and assurances:

(i) The full current name and any former names of, and the contact information for, the individual, including an electronic mail address, the address of the individual's residence, mailing address, and telephone numbers.

(ii) The individual's race, ethnicity, gender, age, date of birth, and household income for the most recent taxable year.

(iii) The political party with which the individual is affiliated, if any.

(iv) The reason or reasons the individual desires to serve on the independent redistricting commission, the individual's qualifications, and information relevant to the ability of the individual to be fair and impartial, including—

(I) any involvement with, or financial support of, professional, social, political, religious, or community organizations or causes; and

(II) the individual's employment and educational history.

(v) An assurance that the individual shall commit to carrying out the individual's duties under this Act in an honest, independent, and impartial fashion, and to upholding public confidence in the integrity of the redistricting process.

(vi) An assurance that, during such covered period as the State may establish with respect to any of the subparagraphs of paragraph (2), the individual has not taken and will not take any action which would disqualify the individual from serving as a member of the commission under such paragraph.

(2) DISQUALIFICATIONS.—An individual is not eligible to serve as a member of the commission if any of the following applies with respect to such covered period as the State may establish:

(A) The individual or an immediate family member of the individual holds public office or is a candidate for election for public office.

(B) The individual or an immediate family member of the individual serves as an officer of a political party or as an officer, employee, or paid consultant of a campaign committee of a candidate for public office or of any political action committee (as determined in accordance with the law of the State).

(C) The individual or an immediate family member of the individual holds a position as a registered lobbyist under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) or an equivalent State or local law.

(D) The individual or an immediate family member of the individual is an employee of an elected public official, a contractor with the government of the State, or a donor to the campaign of any candidate for public office or to any political action committee (other than a donor who, during any of such covered periods, gives an aggregate amount of $1,000 or less to the campaigns of all candidates for all public offices and to all political action committees).

(E) The individual paid a civil money penalty or criminal fine, or was sentenced to a term of imprisonment, for violating any provision of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.).

(F) The individual or an immediate family member of the individual is an agent of a foreign principal under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.).

(3) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term ''immediate family member'' means, with respect to an individual, a father, stepfather, mother, stepmother, son, stepson, daughter, stepdaughter, brother, stepbrother, sister, stepsister, husband, wife, father-in-law, or mother-in-law.

(b) DEVELOPMENT AND SUBMISSION OF SELECTION POOL.—

(1) IN GENERAL.—Not later than October 15, 2021, the nonpartisan agency established or designated by a State under section 524(a) shall develop and submit to the Select Committee on Redistricting for the State established under section 524(b) a selection pool of 36 individuals who are eligible to serve as members of the independent redistricting commission of the State under this title, consisting of individuals in the following categories:

(A) A majority category, consisting of 12 individuals who are affiliated with the political party whose candidate received the most votes in the most recent Statewide election for Federal office held in the State.

(B) A minority category, consisting of 12 individuals who are affiliated with the political party whose candidate received the second most votes in the most recent Statewide election for Federal office held in the State.

(C) An independent category, consisting of 12 individuals who are not affiliated with either of the political parties described in subparagraph (A) or subparagraph (B).

(2) FACTORS TAKEN INTO ACCOUNT IN DEVELOPING POOL.—In selecting individuals for the selection pool under this subsection, the nonpartisan agency shall—

(A) ensure that the pool is representative of the demographic groups (including racial, ethnic, economic, and gender) and geographic regions of the State, and includes applicants who would allow racial, ethnic, and language minorities protected under the Voting Rights Act of 1965 a meaningful opportunity to participate in the development of the State's redistricting plan; and

(B) take into consideration the analytical skills of the individuals selected in relevant fields (including mapping, data management, law, community outreach, demography, and the geography of the State) and their ability to work on an impartial basis.

(3) DETERMINATION OF POLITICAL PARTY AFFILIATION OF INDIVIDUALS IN SELECTION POOL.—For purposes of this section, an individual shall be considered to be affiliated with a political party only if the nonpartisan agency is able to verify (to the greatest extent possible) the information the individual provides in the application submitted under subsection (a)(1)(C), including by considering additional information provided by other persons with knowledge of the individual's history of political activity.

(4) ENCOURAGING RESIDENTS TO APPLY FOR INCLUSION IN POOL.—The nonpartisan agency shall take such steps as may be necessary to ensure that residents of the State across various geographic regions and demographic groups are aware of the opportunity to serve on the independent redistricting commission, including publicizing the role of the panel and using newspapers, broadcast media, and online sources, including ethnic media, to encourage individuals to apply for inclusion in the selection pool developed under this subsection.

(5) REPORT ON ESTABLISHMENT OF SELECTION POOL.—At the time the nonpartisan agency submits the selection pool to the Select Committee on Redistricting under paragraph (1), it shall publish a report describing the process by which the pool was developed, and shall include in the report a description of how the individuals in the pool meet the eligibility criteria of subsection (a) and of how the pool reflects the factors the agency is required to take into consideration under paragraph (2).

(6) PUBLIC COMMENT ON SELECTION POOL.—During the 14-day period which begins on the date the nonpartisan agency publishes the report under paragraph (5), the agency shall accept comments from the public on the individuals included in the selection pool. The agency shall transmit all such comments to the Select Committee on Redistricting immediately upon the expiration of such period.

(7) ACTION BY SELECT COMMITTEE.—

(A) IN GENERAL.—Not later than November 1, 2021, the Select Committee on Redistricting shall—

(i) approve the pool as submitted by the nonpartisan agency, in which case the pool shall be considered the approved selection pool for purposes of section 521(a)(1); or

(ii) reject the pool, in which case the redistricting plan for the State shall be developed and enacted in accordance with title III.

(B) INACTION DEEMED REJECTION.—If the Select Committee on Redistricting fails to approve or reject the pool within the deadline set forth in subparagraph (A), the Select Committee shall be deemed to have rejected the pool for purposes of such subparagraph.

SEC. 523. CRITERIA FOR REDISTRICTING PLAN; PUBLIC NOTICE AND INPUT.

(a) PUBLIC NOTICE AND INPUT.—

(1) USE OF OPEN AND TRANSPARENT PROCESS.—The independent redistricting commission of a State under this title shall hold each of its meetings in public, shall solicit and take into consideration comments from the public, including proposed maps, throughout the process of developing the redistricting plan for the State, and shall carry out its duties in an open and transparent manner which provides for the widest public dissemination reasonably possible of its proposed and final redistricting plans.

(2) PUBLIC COMMENT PERIOD.—The commission shall solicit, accept, and consider comments from the public with respect to its duties, activities, and procedures at any time until 7 days before the date of the meeting at which the commission shall vote on approving the final redistricting plan for enactment into law under subsection (c)(2).

(3) MEETINGS AND HEARINGS IN VARIOUS GEOGRAPHIC LOCATIONS.—To the greatest extent practicable, the commission shall hold its meetings and hearings in various geographic regions and locations throughout the State.

(4) MULTIPLE LANGUAGE REQUIREMENTS FOR ALL NOTICES.—The commission shall make each notice which is required to be published under this section available in any language in which the State (or any jurisdiction in the State) is required to provide election materials under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503).

(b) DEVELOPMENT AND PUBLICATION OF PRELIMINARY REDISTRICTING PLAN.—

(1) IN GENERAL.—Prior to developing and publishing a final redistricting plan under subsection (c), the independent redistricting commission of a State under this title shall develop and publish a preliminary redistricting plan.

(2) MINIMUM PUBLIC HEARINGS AND OPPORTUNITY FOR COMMENT PRIOR TO DEVELOPMENT.—

(A) 2 HEARINGS REQUIRED.—Prior to developing a preliminary redistricting plan under this subsection, the commission shall hold not fewer than 2 public hearings at which members of the public may provide input and comments regarding the potential contents of redistricting plans for the State and the process by which the commission will develop the preliminary plan under this subsection.

(B) NOTICE PRIOR TO HEARINGS.—The commission shall provide for the publication of notices of each hearing held under this paragraph, including in newspapers of general circulation throughout the State. Each such notice shall specify the date, time, and location of the hearing.

(C) SUBMISSION OF PLANS AND MAPS BY MEMBERS OF THE PUBLIC.—Any member of the public may submit maps or portions of maps for consideration by the commission.

(3) PUBLICATION OF PRELIMINARY PLAN.—The commission shall provide for the publication of the preliminary redistricting plan developed under this subsection, including in newspapers of general circulation throughout the State, and shall make publicly available a report that includes the commission's responses to any public comments received under this subsection.

(4) PUBLIC COMMENT AFTER PUBLICATION.—The commission shall accept and consider comments from the public with respect to the preliminary redistricting plan published under paragraph (3), including proposed revisions to maps, until 14 days before the date of the meeting under subsection (c)(2) at which the members of the commission shall vote on approving the final redistricting plan for enactment into law.

(5) POST-PUBLICATION HEARINGS.—

(A) 2 HEARINGS REQUIRED.—After publishing the preliminary redistricting plan under paragraph (3), and not later than 14 days before the date of the meeting under subsection (c)(2) at which the members of the commission shall vote on approving the final redistricting plan for enactment into law, the commission shall hold not fewer than 2 public hearings in different geographic areas of the State at which members of the public may provide input and comments regarding the preliminary plan.

(B) NOTICE PRIOR TO HEARINGS.—The commission shall provide for the publication of notices of each hearing held under this paragraph, including in newspapers of general circulation throughout the State. Each such notice shall specify the date, time, and location of the hearing.

(6) PERMITTING MULTIPLE PRELIMINARY PLANS.—At the option of the commission, after developing and publishing the preliminary redistricting plan under this subsection, the commission may develop and publish subsequent preliminary redistricting plans, so long as the process for the development and publication of each such subsequent plan meets the requirements set forth in this subsection for the development and publication of the first preliminary redistricting plan.

(c) PROCESS FOR ENACTMENT OF FINAL REDISTRICTING PLAN.—

(1) IN GENERAL.—After taking into consideration comments from the public on any preliminary redistricting plan developed and published under subsection (b), the independent redistricting commission of a State under this title shall develop and publish a final redistricting plan for the State.

(2) MEETING; FINAL VOTE.—Not later than the deadline specified in subsection (e), the commission shall hold a public hearing at which the members of the commission shall vote on approving the final plan for enactment into law.

(3) PUBLICATION OF PLAN AND ACCOMPANYING MATERIALS.—Not fewer than 14 days before the date of the meeting under paragraph (2), the commission shall make the following information available to the public, including through newspapers of general circulation throughout the State:

(A) The final redistricting plan, including all relevant maps.

(B) A report by the commission to accompany the plan which provides the background for the plan and the commission's reasons for selecting the plan as the final redistricting plan, including responses to the public comments received on any preliminary redistricting plan developed and published under subsection (b).

(C) Any dissenting or additional views with respect to the plan of individual members of the commission.

(4) ENACTMENT.—The final redistricting plan developed and published under this subsection shall be deemed to be enacted into law upon the expiration of the 45-day period which begins on the date on which—

(A) such final plan is approved by a majority of the whole membership of the commission; and

(B) at least one member of the commission appointed from each of the categories of the approved selection pool described in section 522(b)(1) approves such final plan.

(d) WRITTEN EVALUATION OF PLAN AGAINST EXTERNAL METRICS.—The independent redistricting commission of a State under this title shall include with each redistricting plan developed and published under this section a written evaluation that measures each such plan against external metrics which cover the criteria set forth in section 103(a), including the impact of the plan on the ability of communities of color to elect candidates of choice, measures of partisan fairness using multiple accepted methodologies, and the degree to which the plan preserves or divides communities of interest.

(e) DEADLINE.—The independent redistricting commission of a State under this title shall approve a final redistricting plan for the State not later than February 15, 2022.

SEC. 524. ESTABLISHMENT OF RELATED ENTITIES.

(a) ESTABLISHMENT OR DESIGNATION OF NONPARTISAN AGENCY OF STATE LEGISLATURE.—

(1) IN GENERAL.—Each State shall establish a nonpartisan agency in the legislative branch of the State government to appoint the members of the independent redistricting commission for the State under this title in accordance with section 521.

(2) NONPARTISANSHIP DESCRIBED.—For purposes of this subsection, an agency shall be considered to be nonpartisan if under law the agency—

(A) is required to provide services on a nonpartisan basis;

(B) is required to maintain impartiality; and

(C) is prohibited from advocating for the adoption or rejection of any legislative proposal.

(3) DESIGNATION OF EXISTING AGENCY.—At its option, a State may designate an existing agency in the legislative branch of its government to appoint the members of the independent redistricting commission plan for the State under this Act, so long as the agency meets the requirements for nonpartisanship under this subsection.

(4) TERMINATION OF AGENCY SPECIFICALLY ESTABLISHED FOR REDISTRICTING.—If a State does not designate an existing agency under paragraph (3) but instead establishes a new agency to serve as the nonpartisan agency under this section, the new agency shall terminate upon the enactment into law of the redistricting plan for the State.

(5) PRESERVATION OF RECORDS.—The State shall ensure that the records of the nonpartisan agency are retained in the appropriate State archive in such manner as may be necessary to enable the State to respond to any civil action brought with respect to congressional redistricting in the State.

(6) DEADLINE.—The State shall meet the requirements of this subsection not later than September 1, 2021.

(b) ESTABLISHMENT OF SELECT COMMITTEE ON REDISTRICTING.—

(1) IN GENERAL.—Each State shall appoint a Select Committee on Redistricting to approve or disapprove a selection pool developed by the independent redistricting commission for the State under this title under section 522.

(2) APPOINTMENT.—The Select Committee on Redistricting for a State under this subsection shall consist of the following members:

(A) One member of the upper house of the State legislature, who shall be appointed by the leader of the party with the greatest number of seats in the upper house.

(B) One member of the upper house of the State legislature, who shall be appointed by the leader of the party with the second greatest number of seats in the upper house.

(C) One member of the lower house of the State legislature, who shall be appointed by the leader of the party with the greatest number of seats in the lower house.

(D) One member of the lower house of the State legislature, who shall be appointed by the leader of the party with the second greatest number of seats in the lower house.

(3) SPECIAL RULE FOR STATES WITH UNICAMERAL LEGISLATURE.—In the case of a State with a unicameral legislature, the Select Committee on Redistricting for the State under this subsection shall consist of the following members:

(A) Two members of the State legislature appointed by the chair of the political party of the State whose candidate received the highest percentage of votes in the most recent Statewide election for Federal office held in the State.

(B) Two members of the State legislature appointed by the chair of the political party whose candidate received the second highest percentage of votes in the most recent Statewide election for Federal office held in the State.

(4) DEADLINE.—The State shall meet the requirements of this subsection not later than September 15, 2021.

(5) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit the leader of any political party in a legislature from appointment to the Select Committee on Redistricting.

SEC. 525. REPORT ON DIVERSITY OF MEMBERSHIPS OF INDEPENDENT REDISTRICTING COMMISSIONS.

Not later than February 15, 2022, the Comptroller General of the United States shall submit to Congress a report on the extent to which the memberships of independent redistricting commissions for States established under this title with respect to the immediately preceding year ending in the numeral zero meet the diversity requirements as provided for in sections 521(a)(2)(B) and 522(b)(2).

By Mr. SCHUMER:

S. 2671. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

Mr. President. I ask the text of the bill be printed in the RECORD.

So ordered.

S. 2671

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Democracy Is Strengthened by Casting Light On Spending in Elections Act of 2021'' or the ''DISCLOSE Act of 2021''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

TITLE I—CLOSING LOOPHOLES ALLOWING SPENDING BY FOREIGN NATIONALS IN ELECTIONS

SEC. 101. CLARIFICATION OF PROHIBITION ON PARTICIPATION BY FOREIGN NATIONALS IN ELECTION-RELATED ACTIVITIES.

(a) CLARIFICATION OF PROHIBITION.—Section 319(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)) is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; or''; and

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

''(3) a foreign national to direct, dictate, control, or directly or indirectly participate in the decision making process of any person (including a corporation, labor organization, political committee, or political organization) with regard to such person's Federal or non-Federal election-related activity, including any decision concerning the making of contributions, donations, expenditures, or disbursements in connection with an election for any Federal, State, or local office or any decision concerning the administration of a political committee.''.

(b) CERTIFICATION OF COMPLIANCE.—Section 319 of such Act (52 U.S.C. 30121) is amended by adding at the end the following new subsection:

''(c) CERTIFICATION OF COMPLIANCE REQUIRED PRIOR TO CARRYING OUT ACTIVITY.—Prior to the making in connection with an election for Federal office of any contribution, donation, expenditure, independent expenditure, or disbursement for an electioneering communication by a corporation, labor organization (as defined in section 316(b)), limited liability corporation, or partnership during a year, the chief executive officer of the corporation, labor organization, limited liability corporation, or partnership (or, if the corporation, labor organization, limited liability corporation, or partnership does not have a chief executive officer, the highest ranking official of the corporation, labor organization, limited liability corporation, or partnership), shall file a certification with the Commission, under penalty of perjury, that a foreign national did not direct, dictate, control, or directly or indirectly participate in the decision making process relating to such activity in violation of subsection (a)(3), unless the chief executive officer has previously filed such a certification during that calendar year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this Act, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

SEC. 102. CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN TO CERTAIN DISBURSEMENTS AND ACTIVITIES.

(a) APPLICATION TO DISBURSEMENTS TO SUPER PACS AND OTHER PERSONS.—Section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs 2 ems to the right;

(2) by striking ''As used in this section, the term 'foreign national' means'' and inserting the following: ''DEFINITIONS.—For purposes of this section—

''(1) FOREIGN NATIONAL.—The term'';

(3) by moving paragraphs (1) and (2) two ems to the right and redesignating them as subparagraphs (A) and (B), respectively; and

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

''(2) CONTRIBUTION AND DONATION.—For purposes of paragraphs (1) and (2) of subsection (a), the term 'contribution or donation' includes any disbursement to a political committee which accepts donations or contributions that do not comply with any of the limitations, prohibitions, and reporting requirements of this Act (or any disbursement to or on behalf of any account of a political committee which is established for the purpose of accepting such donations or contributions), or to any other person for the purpose of funding an expenditure, independent expenditure, or electioneering communication (as defined in section 304(f)(3)).''.

(b) CONDITIONS UNDER WHICH CORPORATE PACS MAY MAKE CONTRIBUTIONS AND EXPENDITURES.—Section 316(b) of such Act (52 U.S.C. 30118(b)) is amended by adding at the end the following new paragraph:

''(8) A separate segregated fund established by a corporation may not make a contribution or expenditure during a year unless the fund has certified to the Commission the following during the year:

''(A) Each individual who manages the fund, and who is responsible for exercising decisionmaking authority for the fund, is a citizen of the United States or is lawfully admitted for permanent residence in the United States.

''(B) No foreign national under section 319 participates in any way in the decisionmaking processes of the fund with regard to contributions or expenditures under this Act.

''(C) The fund does not solicit or accept recommendations from any foreign national under section 319 with respect to the contributions or expenditures made by the fund.

''(D) Any member of the board of directors of the corporation who is a foreign national under section 319 abstains from voting on matters concerning the fund or its activities.''.

SEC. 103. AUDIT AND REPORT ON ILLICIT FOREIGN MONEY IN FEDERAL ELECTIONS.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by inserting after section 319 the following new section:

''SEC. 319A. AUDIT AND REPORT ON DISBURSEMENTS BY FOREIGN NATIONALS.

''(a) AUDIT.—

''(1) IN GENERAL.—The Commission shall conduct an audit after each Federal election cycle to determine the incidence of illicit foreign money in such Federal election cycle.

''(2) PROCEDURES.—In carrying out paragraph (1), the Commission shall conduct random audits of any disbursements required to be reported under this Act, in accordance with procedures established by the Commission.

''(b) REPORT.—Not later than 180 days after the end of each Federal election cycle, the Commission shall submit to Congress a report containing—

''(1) results of the audit required by subsection (a)(1);

''(2) an analysis of the extent to which illicit foreign money was used to carry out disinformation and propaganda campaigns focused on depressing turnout among rural communities and the success or failure of these efforts, together with recommendations to address these efforts in future elections;

''(3) an analysis of the extent to which illicit foreign money was used to carry out disinformation and propaganda campaigns focused on depressing turnout among African-American and other minority communities and the success or failure of these efforts, together with recommendations to address these efforts in future elections;

''(4) an analysis of the extent to which illicit foreign money was used to carry out disinformation and propaganda campaigns focused on influencing military and veteran communities and the success or failure of these efforts, together with recommendations to address these efforts in future elections; and

''(5) recommendations to address the presence of illicit foreign money in elections, as appropriate.

''(c) DEFINITIONS.—As used in this section:

''(1) The term 'Federal election cycle' means the period which begins on the day after the date of a regularly scheduled general election for Federal office and which ends on the date of the first regularly scheduled general election for Federal office held after such date.

''(2) The term 'illicit foreign money' means any disbursement by a foreign national (as defined in section 319(b)) prohibited under such section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the Federal election cycle that began during November 2020, and each succeeding Federal election cycle.

SEC. 104. PROHIBITION ON CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS IN CONNECTION WITH BALLOT INITIATIVES AND REFERENDA.

(a) IN GENERAL.—Section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)), as amended by section 102(a), is amended by adding at the end the following new paragraph:

''(3) FEDERAL, STATE, OR LOCAL ELECTION.—The term 'Federal, State, or local election' includes a State or local ballot initiative or referendum.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections held in 2022 or any succeeding year.

SEC. 105. DISBURSEMENTS AND ACTIVITIES SUBJECT TO FOREIGN MONEY BAN.

(a) DISBURSEMENTS DESCRIBED.—Section 319(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)), as amended by section 101, is amended—

(1) by striking ''or'' at the end of subparagraph (B); and

(2) by striking subparagraph (C) and inserting the following:

''(C) an expenditure;

''(D) an independent expenditure;

''(E) a disbursement for an electioneering communication (within the meaning of section 304(f)(3));

''(F) a disbursement for a communication which is placed or promoted for a fee on a website, web application, or digital application that refers to a clearly identified candidate for election for Federal office and is disseminated within 60 days before a general, special or runoff election for the office sought by the candidate or 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate for the office sought by the candidate;

''(G) a disbursement for a broadcast, cable or satellite communication, or for a communication which is placed or promoted for a fee on a website, web application, or digital application, that promotes, supports, attacks or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the communication contains express advocacy or the functional equivalent of express advocacy);

''(H) a disbursement for a broadcast, cable, or satellite communication, or for any communication which is placed or promoted for a fee on an online platform, that discusses a national legislative issue of public importance in a year in which a regularly scheduled general election for Federal office is held, but only if the disbursement is made by a covered foreign national;

''(I) a disbursement by a covered foreign national to compensate any person for internet activity that promotes, supports, attacks or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the activity contains express advocacy or the functional equivalent of express advocacy); or

''(J) a disbursement for a Federal judicial nomination communication (as defined in section 324(d)(3));''.

(b) ONLINE PLATFORM.—Section 319(b) of such Act (51 U.S.C. 30121(b)), as amended by sections 102(a) and 104, is amended by adding at the end the following new paragraphs:

''(4) ONLINE PLATFORM.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'online platform' means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—

''(i)(I) sells qualified political advertisements; and

''(II) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months; or

''(ii) is a third-party advertising vendor that has 50,000,000 or more unique monthly United States visitors in the aggregate on any advertisement space that it has sold or bought for a majority of months during the preceding 12 months, as measured by an independent digital ratings service accredited by the Media Ratings Council (or its successor).

''(B) EXEMPTION.—Such term shall not include any online platform that is a distribution facility of any broadcasting station or newspaper, magazine, blog, publication, or periodical.

''(C) QUALIFIED POLITICAL ADVERTISEMENT.—For purposes of this paragraph, the term 'qualified political advertisement' means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

''(i) is made by or on behalf of a candidate; or

''(ii) communicates a message relating to any political matter of national importance, including—

''(I) a candidate;

''(II) any election to Federal office; or

''(III) a national legislative issue of public importance.

''(D) THIRD-PARTY ADVERTISING VENDOR DEFINED.—For purposes of this paragraph, the term 'third-party advertising vendor' includes, but is not limited to, any third-party advertising vendor network, advertising agency, advertiser, or third-party advertisement serving company that buys and sells advertisement space on behalf of unaffiliated third-party websites, search engines, digital applications, or social media sites.

''(5) COVERED FOREIGN NATIONAL.—

''(A) IN GENERAL.—The term 'covered foreign national' means—

''(i) a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)) that is a government of a foreign country or a foreign political party;

''(ii) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal described in clause (i) or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal described in clause (i); or

''(iii) any person included in the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to authorities relating to the imposition of sanctions relating to the conduct of a foreign principal described in clause (i).

''(B) CLARIFICATION REGARDING APPLICATION TO CITIZENS OF THE UNITED STATES.—In the case of a citizen of the United States, clause (ii) of subparagraph (A) applies only to the extent that the person involved acts within the scope of that person's status as the agent of a foreign principal described clause (i) of subparagraph (A).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of the enactment of this Act.

SEC. 106. PROHIBITING ESTABLISHMENT OF CORPORATION TO CONCEAL ELECTION CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS.

(a) PROHIBITION.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following:

''§ 612. Establishment of corporation to conceal election contributions and donations by foreign nationals

''(a) OFFENSE.—It shall be unlawful for an owner, officer, attorney, or incorporation agent of a corporation, company, or other entity to establish or use the corporation, company, or other entity with the intent to conceal an activity of a foreign national (as defined in section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121)) prohibited under such section 319.

''(b) PENALTY.—Any person who violates subsection (a) shall be imprisoned for not more than 5 years, fined under this title, or both.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 18, United States Code, is amended by inserting after the item relating to section 611 the following:

''612. Establishment of corporation to conceal election contributions and donations by foreign nationals.''.

TITLE II—REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS

SEC. 201. REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS.

(a) DISCLOSURE REQUIREMENTS FOR CORPORATIONS, LABOR ORGANIZATIONS, AND CERTAIN OTHER ENTITIES.—

(1) IN GENERAL.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126) is amended to read as follows:

''SEC. 324. DISCLOSURE OF CAMPAIGN-RELATED DISBURSEMENTS BY COVERED ORGANIZATIONS.

''(a) DISCLOSURE STATEMENT.—

''(1) IN GENERAL.—Any covered organization that makes campaign-related disbursements aggregating more than $10,000 in an election reporting cycle shall, not later than 24 hours after each disclosure date, file a statement with the Commission made under penalty of perjury that contains the information described in paragraph (2)—

''(A) in the case of the first statement filed under this subsection, for the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the first such disclosure date) and ending on the first such disclosure date; and

''(B) in the case of any subsequent statement filed under this subsection, for the period beginning on the previous disclosure date and ending on such disclosure date.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph is as follows:

''(A) The name of the covered organization and the principal place of business of such organization and, in the case of a covered organization that is a corporation (other than a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d))) or an entity described in subsection (e)(2), a list of the beneficial owners (as defined in paragraph (4)(A)) of the entity that—

''(i) identifies each beneficial owner by name and current residential or business street address; and

''(ii) if any beneficial owner exercises control over the entity through another legal entity, such as a corporation, partnership, limited liability company, or trust, identifies each such other legal entity and each such beneficial owner who will use that other entity to exercise control over the entity.

''(B) The amount of each campaign-related disbursement made by such organization during the period covered by the statement of more than $1,000, and the name and address of the person to whom the disbursement was made.

''(C) In the case of a campaign-related disbursement that is not a covered transfer, the election to which the campaign-related disbursement pertains and if the disbursement is made for a public communication, the name of any candidate identified in such

communication and whether such communication is in support of or in opposition to a candidate.

''(D) A certification by the chief executive officer or person who is the head of the covered organization that the campaign-related disbursement is not made in cooperation, consultation, or concert with or at the request or suggestion of a candidate, authorized committee, or agent of a candidate, political party, or agent of a political party.

''(E)(i) If the covered organization makes campaign-related disbursements using exclusively funds in a segregated bank account consisting of funds that were paid directly to such account by persons other than the covered organization that controls the account, for each such payment to the account—

''(I) the name and address of each person who made such payment during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the account in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2022, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be calendar year 2022.

''(F)(i) If the covered organization makes campaign-related disbursements using funds other than funds in a segregated bank account described in subparagraph (E), for each payment to the covered organization—

''(I) the name and address of each person who made such payment during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the covered organization in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2022, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be calendar year 2022.

''(G) Such other information as required in rules established by the Commission to promote the purposes of this section.

''(3) EXCEPTIONS.—

''(A) AMOUNTS RECEIVED IN ORDINARY COURSE OF BUSINESS.—The requirement to include in a statement filed under paragraph (1) the information described in paragraph (2) shall not apply to amounts received by the covered organization in commercial transactions in the ordinary course of any trade or business conducted by the covered organization or in the form of investments (other than investments by the principal shareholder in a limited liability corporation) in the covered organization. For purposes of this subparagraph, amounts received by a covered organization as remittances from an employee to the employee's collective bargaining representative shall be treated as amounts received in commercial transactions in the ordinary course of the business conducted by the covered organization.

''(B) DONOR RESTRICTION ON USE OF FUNDS.—The requirement to include in a statement submitted under paragraph (1) the information described in subparagraph (F) of paragraph (2) shall not apply if—

''(i) the person described in such subparagraph prohibited, in writing, the use of the payment made by such person for campaign-related disbursements; and

''(ii) the covered organization agreed to follow the prohibition and deposited the payment in an account which is segregated from any account used to make campaign-related disbursements.

''(C) THREAT OF HARASSMENT OR REPRISAL.—The requirement to include any information relating to the name or address of any person (other than a candidate) in a statement submitted under paragraph (1) shall not apply if the inclusion of the information would subject the person to serious threats, harassment, or reprisals.

''(4) OTHER DEFINITIONS.—For purposes of this section:

''(A) BENEFICIAL OWNER DEFINED.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'beneficial owner' means, with respect to any entity, a natural person who, directly or indirectly—

''(I) exercises substantial control over an entity through ownership, voting rights, agreement, or otherwise; or

''(II) has a substantial interest in or receives substantial economic benefits from the assets of an entity.

''(ii) EXCEPTIONS.—The term 'beneficial owner' shall not include—

''(I) a minor child;

''(II) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(III) a person acting solely as an employee of an entity and whose control over or economic benefits from the entity derives solely from the employment status of the person;

''(IV) a person whose only interest in an entity is through a right of inheritance, unless the person also meets the requirements of clause (i); or

''(V) a creditor of an entity, unless the creditor also meets the requirements of clause (i).

''(iii) ANTI-ABUSE RULE.—The exceptions under clause (ii) shall not apply if used for the purpose of evading, circumventing, or abusing the provisions of clause (i) or paragraph (2)(A).

''(B) DISCLOSURE DATE.—The term 'disclosure date' means—

''(i) the first date during any election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000; and

''(ii) any other date during such election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000 since the most recent disclosure date for such election reporting cycle.

''(C) ELECTION REPORTING CYCLE.—The term 'election reporting cycle' means the 2-year period beginning on the date of the most recent general election for Federal office, except that in the case of a campaign-related disbursement for a Federal judicial nomination communication, such term means any calendar year in which the campaign-related disbursement is made.

''(D) PAYMENT.—The term 'payment' includes any contribution, donation, transfer, payment of dues, or other payment.

''(b) COORDINATION WITH OTHER PROVISIONS.—

''(1) OTHER REPORTS FILED WITH THE COMMISSION.—Information included in a statement filed under this section may be excluded from statements and reports filed under section 304.

''(2) TREATMENT AS SEPARATE SEGREGATED FUND.—A segregated bank account referred to in subsection (a)(2)(E) may be treated as a separate segregated fund for purposes of section 527(f)(3) of the Internal Revenue Code of 1986.

''(c) FILING.—Statements required to be filed under subsection (a) shall be subject to the requirements of section 304(d) to the same extent and in the same manner as if such reports had been required under subsection (c) or (g) of section 304.

''(d) CAMPAIGN-RELATED DISBURSEMENT DEFINED.—

''(1) IN GENERAL.—In this section, the term 'campaign-related disbursement' means a disbursement by a covered organization for any of the following:

''(A) An independent expenditure which expressly advocates the election or defeat of a clearly identified candidate for election for Federal office, or is the functional equivalent of express advocacy because, when taken as a whole, it can be interpreted by a reasonable person only as advocating the election or defeat of a candidate for election for Federal office.

''(B) An applicable public communication.

''(C) An electioneering communication, as defined in section 304(f)(3).

''(D) A Federal judicial nomination communication.

''(E) A covered transfer.

''(2) APPLICABLE PUBLIC COMMUNICATIONS.—

''(A) IN GENERAL.—The term 'applicable public communication' means any public communication that refers to a clearly identified candidate for election for Federal office and which promotes or supports the election of a candidate for that office, or attacks or opposes the election of a candidate for that office, without regard to whether the communication expressly advocates a vote for or against a candidate for that office.

''(B) EXCEPTION.—Such term shall not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, publication, or periodical, unless such facilities are owned or controlled by any political party, political committee, or candidate.

''(3) FEDERAL JUDICIAL NOMINATION COMMUNICATION.—

''(A) IN GENERAL.—The term 'Federal judicial nomination communication' means any communication—

''(i) that is by means of any broadcast, cable, or satellite, paid internet, or paid digital communication, paid promotion, newspaper, magazine, outdoor advertising facility, mass mailing, telephone bank, telephone messaging effort of more than 500 substantially similar calls or electronic messages within a 30-day period, or any other form of general public political advertising; and

''(ii) which promotes, supports, attacks, or opposes the nomination or Senate confirmation of an individual as a Federal judge or justice.

''(B) EXCEPTION.—Such term shall not include any news story, commentary, or editorial distributed through the facilities of

any broadcasting station or any print, online, or digital newspaper, magazine, publication, or periodical, unless such facilities are owned or controlled by any political party, political committee, or candidate.

''(4) INTENT NOT REQUIRED.—A disbursement for an item described in subparagraph (A), (B), (C), (D), or (E) of paragraph (1) shall be treated as a campaign-related disbursement regardless of the intent of the person making the disbursement.

''(e) COVERED ORGANIZATION DEFINED.—In this section, the term 'covered organization' means any of the following:

''(1) A corporation (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(2) A limited liability corporation that is not otherwise treated as a corporation for purposes of this Act (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(3) An organization described in section 501(c) of such Code and exempt from taxation under section 501(a) of such Code (other than an organization described in section 501(c)(3) of such Code).

''(4) A labor organization (as defined in section 316(b)).

''(5) Any political organization under section 527 of the Internal Revenue Code of 1986, other than a political committee under this Act (except as provided in paragraph (6)).

''(6) A political committee with an account that accepts donations or contributions that do not comply with the contribution limits or source prohibitions under this Act, but only with respect to such accounts.

''(f) COVERED TRANSFER DEFINED.—

''(1) IN GENERAL.—In this section, the term 'covered transfer' means any transfer or payment of funds by a covered organization to another person if the covered organization—

''(A) designates, requests, or suggests that the amounts be used for—

''(i) campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(B) made such transfer or payment in response to a solicitation or other request for a donation or payment for—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(C) engaged in discussions with the recipient of the transfer or payment regarding—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) donating or transferring any amount of such transfer or payment to another person for the purpose of making or paying for such campaign-related disbursements;

''(D) made campaign-related disbursements (other than a covered transfer) in an aggregate amount of $50,000 or more during the 2-year period ending on the date of the transfer or payment, or knew or had reason to know that the person receiving the transfer or payment made such disbursements in such an aggregate amount during that 2-year period; or

''(E) knew or had reason to know that the person receiving the transfer or payment would make campaign-related disbursements in an aggregate amount of $50,000 or more during the 2-year period beginning on the date of the transfer or payment.

''(2) EXCLUSIONS.—The term 'covered transfer' does not include any of the following:

''(A) A disbursement made by a covered organization in a commercial transaction in the ordinary course of any trade or business conducted by the covered organization or in the form of investments made by the covered organization.

''(B) A disbursement made by a covered organization if—

''(i) the covered organization prohibited, in writing, the use of such disbursement for campaign-related disbursements; and

''(ii) the recipient of the disbursement agreed to follow the prohibition and deposited the disbursement in an account which is segregated from any account used to make campaign-related disbursements.

''(3) SPECIAL RULE REGARDING TRANSFERS AMONG AFFILIATES.—

''(A) SPECIAL RULE.—A transfer of an amount by one covered organization to another covered organization which is treated as a transfer between affiliates under subparagraph (C) shall be considered a covered transfer by the covered organization which transfers the amount only if the aggregate amount transferred during the year by such covered organization to that same covered organization is equal to or greater than $50,000.

''(B) DETERMINATION OF AMOUNT OF CERTAIN PAYMENTS AMONG AFFILIATES.—In determining the amount of a transfer between affiliates for purposes of subparagraph (A), to the extent that the transfer consists of funds attributable to dues, fees, or assessments which are paid by individuals on a regular, periodic basis in accordance with a per-individual calculation which is made on a regular basis, the transfer shall be attributed to the individuals paying the dues, fees, or assessments and shall not be attributed to the covered organization.

''(C) DESCRIPTION OF TRANSFERS BETWEEN AFFILIATES.—A transfer of amounts from one covered organization to another covered organization shall be treated as a transfer between affiliates if—

''(i) one of the organizations is an affiliate of the other organization; or

''(ii) each of the organizations is an affiliate of the same organization,

except that the transfer shall not be treated as a transfer between affiliates if one of the organizations is established for the purpose of making campaign-related disbursements.

''(D) DETERMINATION OF AFFILIATE STATUS.—For purposes of subparagraph (C), a covered organization is an affiliate of another covered organization if—

''(i) the governing instrument of the organization requires it to be bound by decisions of the other organization;

''(ii) the governing board of the organization includes persons who are specifically designated representatives of the other organization or are members of the governing board, officers, or paid executive staff members of the other organization, or whose service on the governing board is contingent upon the approval of the other organization; or

''(iii) the organization is chartered by the other organization.

''(E) COVERAGE OF TRANSFERS TO AFFILIATED SECTION 501(c)(3) ORGANIZATIONS.—This paragraph shall apply with respect to an amount transferred by a covered organization to an organization described in paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code in the same manner as this paragraph applies to an amount transferred by a covered organization to another covered organization.

''(g) NO EFFECT ON OTHER REPORTING REQUIREMENTS.—Nothing in this section shall be construed to waive or otherwise affect any other requirement of this Act which relates to the reporting of campaign-related disbursements.''.

(2) CONFORMING AMENDMENT.—Section 304(f)(6) of such Act (52 U.S.C. 30104) is amended by striking ''Any requirement'' and inserting ''Except as provided in section 324(b), any requirement''.

(b) COORDINATION WITH FINCEN.—

(1) IN GENERAL.—The Director of the Financial Crimes Enforcement Network of the Department of the Treasury shall provide the Federal Election Commission with such information as necessary to assist in administering and enforcing section 324 of the Federal Election Campaign Act of 1971, as amended by this section.

(2) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Chairman of the Federal Election Commission, in consultation with the Director of the Financial Crimes Enforcement Network of the Department of the Treasury, shall submit to Congress a report with recommendations for providing further legislative authority to assist in the administration and enforcement of such section 324.

SEC. 202. APPLICATION OF FOREIGN MONEY BAN TO DISBURSEMENTS FOR CAMPAIGN-RELATED DISBURSEMENTS CONSISTING OF COVERED TRANSFERS.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)), as amended by section 102, is amended—

(1) by striking ''includes any disbursement'' and inserting ''includes—

''(A) any disbursement'';

(2) by striking the period at the end and inserting ''; and'', and

(3) by adding at the end the following new subparagraph:

''(B) any disbursement, other than a disbursement described in section 324(a)(3)(A), to another person who made a campaign-related disbursement consisting of a covered transfer (as described in section 324) during the 2-year period ending on the date of the disbursement.''.

SEC. 203. EFFECTIVE DATE.

The amendments made by this title shall apply with respect to disbursements made on or after January 1, 2022, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

TITLE III—OTHER ADMINISTRATIVE REFORMS

SEC. 301. PETITION FOR CERTIORARI.

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30107(a)(6)) is amended by inserting ''(including a proceeding before the Supreme Court on certiorari)'' after ''appeal''.

SEC. 302. JUDICIAL REVIEW OF ACTIONS RELATED TO CAMPAIGN FINANCE LAWS.

(a) IN GENERAL.—Title IV of the Federal Election Campaign Act of 1971 (52 U.S.C. 30141 et seq.) is amended by inserting after section 406 the following new section:

''SEC. 407. JUDICIAL REVIEW.

''(a) IN GENERAL.—If any action is brought for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality or lawfulness of any provision of this Act or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the following rules shall apply:

''(1) The action shall be filed in the United States District Court for the District of Columbia and an appeal from the decision of the district court may be taken to the Court of Appeals for the District of Columbia Circuit.

''(2) In the case of an action relating to declaratory or injunctive relief to challenge

the constitutionality of a provision, the party filing the action shall concurrently deliver a copy of the complaint to the Clerk of the House of Representatives and the Secretary of the Senate.

''(3) It shall be the duty of the United States District Court for the District of Columbia and the Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

''(b) CLARIFYING SCOPE OF JURISDICTION.—If an action at the time of its commencement is not subject to subsection (a), but an amendment, counterclaim, cross-claim, affirmative defense, or any other pleading or motion is filed challenging, whether facially or as-applied, the constitutionality or lawfulness of this Act or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the district court shall transfer the action to the District Court for the District of Columbia, and the action shall thereafter be conducted pursuant to subsection (a).

''(c) INTERVENTION BY MEMBERS OF CONGRESS.—In any action described in subsection (a) relating to declaratory or injunctive relief to challenge the constitutionality of a provision, any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require interveners taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

''(d) CHALLENGE BY MEMBERS OF CONGRESS.—Any Member of Congress may bring an action, subject to the special rules described in subsection (a), for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality of any provision of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 9011 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9011. JUDICIAL REVIEW.

''For provisions relating to judicial review of certifications, determinations, and actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(2) Section 9041 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9041. JUDICIAL REVIEW.

''For provisions relating to judicial review of actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(3) Section 310 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30110) is repealed.

(4) Section 403 of the Bipartisan Campaign Reform Act of 2002 (52 U.S.C. 30110 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to actions brought on or after January 1, 2021.

TITLE IV—SEVERABILITY

SEC. 401. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 338—DESIGNATING SEPTEMBER 2021 AS NATIONAL DEMOCRACY MONTH AS A TIME TO REFLECT ON THE CONTRIBUTIONS OF THE SYSTEM OF GOVERNMENT OF THE UNITED STATES TO A MORE FREE AND STABLE WORLD

Mr. DURBIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 338

Whereas, 2,000 years after the ancient Greeks laid the groundwork for democracy, the founders of the United States built an even greater system of government, a democratic republic, propelling the United States to become the most advanced nation in human history;

Whereas the model of government of the United States has been reproduced around the world;

Whereas, according to Freedom House, more than 1 in 3 people in the world do not live in states considered free;

Whereas the Constitution of the United States and the Bill of Rights, including the addition of the Reconstruction Era amendments, enshrine the rights and civil liberties of citizens of the United States, including the right to vote in free and fair elections;

Whereas the perpetuation of the ideals of democracy does not happen on its own and can be stalled or reversed;

Whereas surveys show that citizens of the United States are losing faith in the democratic system;

Whereas former Supreme Court Justice Sandra Day O'Connor said, ''The practice of democracy is not passed down through the gene pool. It must be taught and learned anew by each generation of citizens.'';

Whereas President John F. Kennedy said, ''Democracy is never a final achievement. It is a call to untiring effort, to continual sacrifice and to the willingness, if necessary, to die in its defense.'';

Whereas President Ronald Reagan said, ''Democracy is worth dying for, because it's the most deeply honorable form of government ever devised by man.'';

Whereas Congressman John R. Lewis said, in his final words to the United States, ''Democracy is not a state. It is an act, and each generation must do its part to help build what we called the Beloved Community, a nation and world society at peace with itself.'';

Whereas World War II demonstrated the fragility of democracy and the civilized life that accompanies democracy;

Whereas British Prime Minister Winston Churchill observed that, ''Indeed it has been said that democracy is the worst form of Government except for all those other forms that have been tried from time to time . . .'';

Whereas President George Washington said the United States must recognize the immense value of the national Union and work towards preservation of that Union with ''jealous anxiety'' and wrote that the security of a free Constitution may be accomplished by ''teaching the people themselves to know and to value their own rights'';

Whereas President Thomas Jefferson wrote, ''Educate and inform the whole mass of the people . . . They are the only sure reliance for the preservation of our liberty.''; and

Whereas the Government of the United States must teach and educate the people by taking appropriate actions to highlight and emphasize the importance of democratic principles and the essential role of democratic principles in the freedoms and way of life enjoyed by the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2021 as ''National Democracy Month'';

(2) encourages States and local governments to designate September 2021 as ''National Democracy Month'';

(3) recognizes the celebration of ''National Democracy Month'' as a time to reflect on the contributions of the system of government of the United States to a more free and stable world; and

(4) encourages the people of the United States to observe ''National Democracy Month'' with appropriate ceremonies and activities that—

(A) provide appreciation for the system of government of the United States; and

(B) demonstrate that the people of the United States shall never forget the sacrifices made by past generations of people of the United States to preserve the freedoms and principles of the United States.

SENATE RESOLUTION 339—EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 25, 2021, AS ''NATIONAL ATAXIA AWARENESS DAY'', AND RAISING AWARENESS OF ATAXIA, ATAXIA RESEARCH, AND THE SEARCH FOR A CURE

Mr. MURPHY (for himself and Mrs. HYDE-SMITH) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 339

Whereas ataxia is a clinical manifestation indicating degeneration or dysfunction of the brain that negatively affects the coordination, precision, and accurate timing of physical movements;

Whereas ataxia can strike individuals of all ages, including children;

Whereas the term ''ataxia'' is used to classify a group of rare, inherited neurodegenerative diseases including—

(1) ataxia telangiectasia;

(2) episodic ataxia;

(3) Friedreich's ataxia; and

(4) spinocerebellar ataxia;

Whereas there are many known types of genetic ataxia, but the genetic basis for ataxia in some patients is still unknown;

Whereas all inherited ataxias affect fewer than 200,000 individuals and, therefore, are recognized as rare diseases under the Orphan Drug Act (Public Law 97–414; 96 Stat. 2049);

Whereas some genetic ataxias are inherited in an autosomal dominant manner, while others are inherited in an autosomal recessive manner;

Whereas ataxia symptoms can also be caused by noninherited health conditions and other factors, including stroke, tumor, cerebral palsy, head trauma, multiple sclerosis, alcohol abuse, and certain medications;

Whereas ataxia can present physical, psychological, and financial challenges for patients and their families;

Whereas symptoms and outcomes of ataxia progress at different rates and include—

(1) lack of coordination;
(2) slurred speech;
(3) cardiomyopathy;
(4) scoliosis;
(5) eye movement abnormalities;
(6) difficulty walking;
(7) tremors;
(8) trouble eating and swallowing;
(9) difficulties with other activities that require fine motor skills; and
(10) death;

Whereas most patients with ataxia require the use of assistive devices, such as wheelchairs and walkers, to aid in their mobility, and many individuals may need physical and occupational therapy;

Whereas there is no treatment or cure approved by the Food and Drug Administration for ataxia; and

Whereas clinical research to develop safe and effective treatments for ataxia is ongoing: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the need for greater public awareness of ataxia;

(2) expresses support for the designation of September 25, 2021, as ''National Ataxia Awareness Day'';

(3) supports the goals of National Ataxia Awareness Day, which are—

(A) to raise awareness of the causes and symptoms of ataxia among the general public and health care professionals;

(B) to improve diagnosis of ataxia and access to care for patients affected by ataxia; and

(C) to accelerate ataxia research, including on safe and effective treatment options and, ultimately, a cure;

(4) acknowledges the challenges facing individuals in the United States who have ataxia and the families of those individuals; and

(5) encourages States, territories, and localities to support the goals of National Ataxia Awareness Day.

SENATE RESOLUTION 340—OPPOSING LEGISLATION MANDATING THE REGISTRATION OF WOMEN FOR THE SELECTIVE SERVICE SYSTEM

Mr. LEE (for himself, Mr. RUBIO, Mr. LANKFORD, Mr. HAWLEY, Mr. DAINES, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 340

Whereas clause 12 of section 8 of article I of the Constitution of the United States empowers Congress with the responsibility to ''raise and support Armies'';

Whereas the Military Selective Service Act (50 U.S.C. 3801 et seq.) provides authority to the President to require the registration of male citizens of the United States, between the ages of 18 and 26, for the Selective Service System;

Whereas, when a draft for training and service in the Armed Forces has commenced under the Military Selective Service Act, the primary function for drafted men is to replace front line combatants after casualty losses;

Whereas, in Rostker v. Goldberg, 453 U.S. 57 (1981), the Supreme Court of the United States upheld the all-male draft as constitutional and held that Congress had ''determined that any future draft, which would be facilitated by the registration scheme, would be characterized by a need for combat troops'';

Whereas, in 2015, nearly all combat positions in the all-volunteer force within the Armed Forces became open to any woman as long as the woman could meet certain physical fitness requirements;

Whereas only a small subset of women are able to meet the physical fitness requirements for combat roles, and physical disadvantages between men and women often result in excessive fatigue and more frequent injuries to women;

Whereas the Ground Combat Element Integrated Task Force within the United States Marine Corps found that the musculoskeletal rate of injury for a woman was nearly twice the rate of injury for a man, and research at the Infantry Training Battalion found that the rate of injury for an enlisted women was 6 times the rate of injury for a man;

Whereas the results of United States Marine Corps research led General Joseph F. Dunford, Jr., a former commandant of the United States Marine Corps, to seek an exemption to ensure certain Marine combat roles were only available to men;

Whereas all members of Congress should have the opportunity to review the rationale provided by General Dunford for requesting the exemption;

Whereas, in 2018, the United States Army replaced the gender-separate Army Physical Fitness Test with the gender-neutral Army Combat Fitness Test;

Whereas United States Army data has demonstrated a fail rate ranging between 65 percent and 84 percent for women and between 10 percent and 30 percent for men on the Army Combat Fitness Test since its inception; and

Whereas mandating the registration of women for Selective Service System has the potential to unduly increase the fatality and injury risks of women in the United States and hinder combat unit readiness in battle: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Senate should not pass legislation mandating the registration of women for Selective Service System.

SENATE CONCURRENT RESOLUTION 13—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2022 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR THE FISCAL YEARS 2023 THROUGH 2031

Mr. PAUL submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 13

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2022.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2022 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2022 through 2030.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Subtitle A—Budgetary Levels in Both Houses

SEC. 1101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2022 through 2031:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2022: $3,401,000,000,000.
Fiscal year 2023: $3,513,000,000,000.
Fiscal year 2024: $3,542,000,000,000.
Fiscal year 2025: $3,566,000,000,000.
Fiscal year 2026: $3,773,000,000,000.
Fiscal year 2027: $3,995,000,000,000.
Fiscal year 2028: $4,091,000,000,000.
Fiscal year 2029: $4,218,000,000,000.
Fiscal year 2030: $4,352,000,000,000.
Fiscal year 2031: $4,506,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2022: $0.
Fiscal year 2023: $0.
Fiscal year 2024: $0.
Fiscal year 2025: $0.
Fiscal year 2026: $0.
Fiscal year 2027: $0.
Fiscal year 2028: $0.
Fiscal year 2020: $0.
Fiscal year 2030: $0.
Fiscal year 2031: $0.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2022: $5,200,000,000,000.
Fiscal year 2023: $4,545,670,000,000.
Fiscal year 2024: $4,010,610,000,000.
Fiscal year 2025: $3,740,420,000,000.
Fiscal year 2026: $3,511,470,000,000.
Fiscal year 2027: $3,651,280,000,000.
Fiscal year 2028: $3,751,530,000,000.

Fiscal year 2029: $3,832,240,000,000.
Fiscal year 2030: $3,908,440,000,000.
Fiscal year 2031: $3,985,170,000,000.
(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:
Fiscal year 2022: $4,469,000,000,000.
Fiscal year 2023: $4,227,670,000,000.
Fiscal year 2024: $4,003,610,000,000.
Fiscal year 2025: $3,791,420,000,000.
Fiscal year 2026: $3,590,470,000,000.
Fiscal year 2027: $3,662,280,000,000.
Fiscal year 2028: $3,735,530,000,000.
Fiscal year 2029: $3,810,240,000,000.
Fiscal year 2030: $3,886,440,000,000.
Fiscal year 2031: $3,964,170,000,000.
(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:
Fiscal year 2022: −$1,154,000,000,000.
Fiscal year 2023: −$785,670,000,000.
Fiscal year 2024: −$564,610,000,000.
Fiscal year 2025: −$370,420,000,000.
Fiscal year 2026: $2,530,000,000.
Fiscal year 2027: $114,720,000,000.
Fiscal year 2028: $90,470,000,000.
Fiscal year 2029: $94,760,000,000.
Fiscal year 2030: $99,560,000,000.
Fiscal year 2031: $119,830,000,000.
(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974 (2 U.S.C. 632(a)(5)), the appropriate levels of the public debt are as follows:
Fiscal year 2022: $29,387,000,000,000.
Fiscal year 2023: $29,042,000,000,000.
Fiscal year 2024: $28,913,000,000,000.
Fiscal year 2025: $28,976,000,000,000.
Fiscal year 2026: $29,413,000,000,000.
Fiscal year 2027: $29,969,000,000,000.
Fiscal year 2028: $30,509,000,000,000.
Fiscal year 2029: $31,062,000,000,000.
Fiscal year 2030: $31,627000,000,000.
Fiscal year 2031: $32,221,000,000,000.
(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:
Fiscal year 2022: $24,392,000,000,000.
Fiscal year 2023: $23,972,000,000,000.
Fiscal year 2024: $23,767,000,000,000.
Fiscal year 2025: $23,754,000,000,000.
Fiscal year 2026: $24,112,000,000,000.
Fiscal year 2027: $24,589,000,000,000.
Fiscal year 2028: $25,048,000,000,000.
Fiscal year 2029: $25,519,000,000,000.
Fiscal year 2030: $26,001,000,000,000.
Fiscal year 2031: $26,511,000,000,000.

SEC. 1102. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2022 through 2030 for each major functional category are:
(1) National Defense (050):
Fiscal year 2022:
(A) New budget authority, $775,191,000,000.
(B) Outlays, $763,670,000,000.
Fiscal year 2023:
(A) New budget authority, $794,934,000,000.
(B) Outlays, $775,589,000,000.
Fiscal year 2024:
(A) New budget authority, $815,803,000,000.
(B) Outlays, $787,646,000,000.
Fiscal year 2025:
(A) New budget authority, $836,515,000,000.
(B) Outlays, $811,267,000,000.
Fiscal year 2026:
(A) New budget authority, $857,383,000,000.
(B) Outlays, $830,513,000,000.
Fiscal year 2027:
(A) New budget authority, $878,917,000,000.
(B) Outlays, $850,787,000,000.
Fiscal year 2028:
(A) New budget authority, $900,787,000,000.
(B) Outlays, $877,902,000,000.
Fiscal year 2029:
(A) New budget authority, $923,187,000,000.
(B) Outlays, $887,719,000,000.
Fiscal year 2030:
(A) New budget authority, $945,927,000,000.
(B) Outlays, $915,724,000,000.
Fiscal year 2031:
(A) New budget authority, $970,212,000,000.
(B) Outlays, $939,413,000,000.
(2) International Affairs (150):
Fiscal year 2022:
(A) New budget authority, $69,012,000,000.
(B) Outlays, $63,917,000,000.
Fiscal year 2023:
(A) New budget authority, $65,549,000,000.
(B) Outlays, $65,371,000,000.
Fiscal year 2024:
(A) New budget authority, $67,126,000,000.
(B) Outlays, $66,047,000,000.
Fiscal year 2025:
(A) New budget authority, $68,690,000,000.
(B) Outlays, $66,464,000,000.
Fiscal year 2026:
(A) New budget authority, $70,275,000,000.
(B) Outlays, $67,340,000,000.
Fiscal year 2027:
(A) New budget authority, $72,001,000,000.
(B) Outlays, $68,745,000,000.
Fiscal year 2028:
(A) New budget authority, $73,729,000,000.
(B) Outlays, $70,046,000,000.
Fiscal year 2029:
(A) New budget authority, $75,490,000,000.
(B) Outlays, $71,694,000,000.
Fiscal year 2030:
(A) New budget authority, $77,232,000,000.
(B) Outlays, $73,280,000,000.
Fiscal year 2031:
(A) New budget authority, $78,975,000,000.
(B) Outlays, $74,902,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2022:
(A) New budget authority, $38,998,000,000.
(B) Outlays, $37,354,000,000.
Fiscal year 2023:
(A) New budget authority, $39,902,000,000.
(B) Outlays, $39,205,000,000.
Fiscal year 2024:
(A) New budget authority, $40,845,000,000.
(B) Outlays, $40,090,000,000.
Fiscal year 2025:
(A) New budget authority, $41,785,000,000.
(B) Outlays, $40,931,000,000.
Fiscal year 2026:
(A) New budget authority, $42,730,000,000.
(B) Outlays, $41,742,000,000.
Fiscal year 2027:
(A) New budget authority, $43,709,000,000.
(B) Outlays, $42,631,000,000.
Fiscal year 2028:
(A) New budget authority, $44,695,000,000.
(B) Outlays, $43,586,000,000.
Fiscal year 2029:
(A) New budget authority, $45,715,000,000.
(B) Outlays, $44,579,000,000.
Fiscal year 2030:
(A) New budget authority, $46,745,000,000.
(B) Outlays, $45,590,000,000.
Fiscal year 2031:
(A) New budget authority, $47,791,000,000.
(B) Outlays, $46,617,000,000.
(4) Energy (270):
Fiscal year 2022:
(A) New budget authority, $5,534,000,000.
(B) Outlays, $5,035,000,000.
Fiscal year 2023:
(A) New budget authority, $5,153,000,000.
(B) Outlays, $4,901,000,000.
Fiscal year 2024:
(A) New budget authority, $5,666,000,000.
(B) Outlays, $5,331,000,000.
Fiscal year 2025:
(A) New budget authority, $5,847,000,000.
(B) Outlays, $5,495,000,000.
Fiscal year 2026:
(A) New budget authority, $5,606,000,000.
(B) Outlays, $5,670,000,000.
Fiscal year 2027:
(A) New budget authority, $5,702,000,000.
(B) Outlays, $5,776,000,000.
Fiscal year 2028:
(A) New budget authority, $8,515,000,000.
(B) Outlays, $8,375,000,000.
Fiscal year 2029:
(A) New budget authority, $9,205,000,000.
(B) Outlays, $8,949,000,000.
Fiscal year 2030:
(A) New budget authority, $9,731,000,000.
(B) Outlays, $9,438,000,000.
Fiscal year 2031:
(A) New budget authority, $10,035,000,000.
(B) Outlays, $9,665,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2022:
(A) New budget authority, $50,744,000,000.
(B) Outlays, $47,297,000,000.
Fiscal year 2023:
(A) New budget authority, $52,294,000,000.
(B) Outlays, $49,999,000,000.
Fiscal year 2024:
(A) New budget authority, $53,614,000,000.
(B) Outlays, $52,178,000,000.
Fiscal year 2025:
(A) New budget authority, $55,000,000,000.
(B) Outlays, $54,076,000,000.
Fiscal year 2026:
(A) New budget authority, $54,642,000,000.
(B) Outlays, $55,956,000,000.
Fiscal year 2027:
(A) New budget authority, $55,986,000,000.
(B) Outlays, $57,413,000,000.
Fiscal year 2028:
(A) New budget authority, $57,300,000,000.
(B) Outlays, $58,394,000,000.
Fiscal year 2029:
(A) New budget authority, $58,677,000,000.
(B) Outlays, $59,369,000,000.
Fiscal year 2030:
(A) New budget authority, $59,945,000,000.
(B) Outlays, $60,344,000,000.
Fiscal year 2031:
(A) New budget authority, $61,770,000,000.
(B) Outlays, $61,480,000,000.
(6) Agriculture (350):
Fiscal year 2022:
(A) New budget authority, $22,243,000,000.
(B) Outlays, $24,769,000,000.
Fiscal year 2023:
(A) New budget authority, $20,406,000,000.
(B) Outlays, $21,556,000,000.
Fiscal year 2024:
(A) New budget authority, $18,208,000,000.
(B) Outlays, $22,246,000,000.
Fiscal year 2025:
(A) New budget authority, $20,791,000,000.
(B) Outlays, $23,586,000,000.
Fiscal year 2026:
(A) New budget authority, $22,735,000,000.
(B) Outlays, $24,134,000,000.
Fiscal year 2027:
(A) New budget authority, $24,610,000,000.
(B) Outlays, $25,590,000,000.
Fiscal year 2028:
(A) New budget authority, $25,485,000,000.
(B) Outlays, $25,808,000,000.
Fiscal year 2029:
(A) New budget authority, $25,012,000,000.
(B) Outlays, $25,268,000,000.
Fiscal year 2030:
(A) New budget authority, $24,607,000,000.
(B) Outlays, $25,446,000,000.
Fiscal year 2031:
(A) New budget authority, $27,999,000,000.
(B) Outlays, $25,779,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2022:
(A) New budget authority, $10,330,000,000.
(B) Outlays, $38,343,000,000.
Fiscal year 2023:
(A) New budget authority, $13,064,000,000.
(B) Outlays, $23,562,000,000.
Fiscal year 2024:
(A) New budget authority, $17,915,000,000.
(B) Outlays, $14,280,000,000.
Fiscal year 2025:
(A) New budget authority, $20,495,000,000.
(B) Outlays, $13,373,000,000.

Fiscal year 2026:
(A) New budget authority, $20,262,000,000.
(B) Outlays, $9,622,000,000.
Fiscal year 2027:
(A) New budget authority, $20,492,000,000.
(B) Outlays, $7,750,000,000.
Fiscal year 2028:
(A) New budget authority, $20,392,000,000.
(B) Outlays, $7,659,000,000.
Fiscal year 2029:
(A) New budget authority, $19,868,000,000.
(B) Outlays, $5,677,000,000.
Fiscal year 2030:
(A) New budget authority, $19,463,000,000.
(B) Outlays, $3,877,000,000.
Fiscal year 2031:
(A) New budget authority, $19,903,000,000.
(B) Outlays, $3,592,000,000.
(8) Transportation (400):
Fiscal year 2022:
(A) New budget authority, $106,038,000,000.
(B) Outlays, $131,061,000,000.
Fiscal year 2023:
(A) New budget authority, $106,982,000,000.
(B) Outlays, $116,109,000,000.
Fiscal year 2024:
(A) New budget authority, $108,033,000,000.
(B) Outlays, $109,445,000,000.
Fiscal year 2025:
(A) New budget authority, $108,731,000,000.
(B) Outlays, $111,808,000,000.
Fiscal year 2026:
(A) New budget authority, $109,777,000,000.
(B) Outlays, $114,366,000,000.
Fiscal year 2027:
(A) New budget authority, $111,245,000,000.
(B) Outlays, $117,300,000,000.
Fiscal year 2028:
(A) New budget authority, $112,407,000,000.
(B) Outlays, $119,639,000,000.
Fiscal year 2029:
(A) New budget authority, $113,389,000,000.
(B) Outlays, $122,392,000,000.
Fiscal year 2030:
(A) New budget authority, $108,979,000,000.
(B) Outlays, $119,310,000,000.
Fiscal year 2031:
(A) New budget authority, $110,360,000,000.
(B) Outlays, $121,968,000,000.
(9) Community and Regional Development (450):
Fiscal year 2022:
(A) New budget authority, $32,216,000,000.
(B) Outlays, $43,972,000,000.
Fiscal year 2023:
(A) New budget authority, $33,050,000,000.
(B) Outlays, $33,158,000,000.
Fiscal year 2024:
(A) New budget authority, $33,812,000,000.
(B) Outlays, $33,180,000,000.
Fiscal year 2025:
(A) New budget authority, $34,584,000,000.
(B) Outlays, $34,172,000,000.
Fiscal year 2026:
(A) New budget authority, $35,362,000,000.
(B) Outlays, $34,571,000,000.
Fiscal year 2027:
(A) New budget authority, $36,164,000,000.
(B) Outlays, $34,733,000,000.
Fiscal year 2028:
(A) New budget authority, $36,967,000,000.
(B) Outlays, $34,903,000,000.
Fiscal year 2029:
(A) New budget authority, $37,805,000,000.
(B) Outlays, $35,312,000,000.
Fiscal year 2030:
(A) New budget authority, $38,645,000,000.
(B) Outlays, $35,668,000,000.
Fiscal year 2031:
(A) New budget authority, $43,558,000,000.
(B) Outlays, $37,341,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2022:
(A) New budget authority, $120,064,000,000.
(B) Outlays, $203,102,000,000.
Fiscal year 2023:
(A) New budget authority, $121,532,000,000.
(B) Outlays, $194,653,000,000.
Fiscal year 2024:
(A) New budget authority, $124,464,000,000.
(B) Outlays, $168,395,000,000.
Fiscal year 2025:
(A) New budget authority, $127,779,000,000.
(B) Outlays, $153,513,000,000.
Fiscal year 2026:
(A) New budget authority, $130,695,000,000.
(B) Outlays, $141,176,000,000.
Fiscal year 2027:
(A) New budget authority, $133,549,000,000.
(B) Outlays, $136,026,000,000.
Fiscal year 2028:
(A) New budget authority, $136,491,000,000.
(B) Outlays, $135,619,000,000.
Fiscal year 2029:
(A) New budget authority, $139,749,000,000.
(B) Outlays, $137,006,000,000.
Fiscal year 2030:
(A) New budget authority, $142,599,000,000.
(B) Outlays, $139,941,000,000.
Fiscal year 2031:
(A) New budget authority, $146,439,000,000.
(B) Outlays, $143,416,000,000.
(11) Health (550):
Fiscal year 2022:
(A) New budget authority, $803,123,000,000.
(B) Outlays, $892,772,000,000.
Fiscal year 2023:
(A) New budget authority, $719,711,000,000.
(B) Outlays, $747,528,000,000.
Fiscal year 2024:
(A) New budget authority, $715,862,000,000.
(B) Outlays, $724,580,000,000.
Fiscal year 2025:
(A) New budget authority, $745,885,000,000.
(B) Outlays, $744,704,000,000.
Fiscal year 2026:
(A) New budget authority, $781,074,000,000.
(B) Outlays, $775,126,000,000.
Fiscal year 2027:
(A) New budget authority, $817,914,000,000.
(B) Outlays, $812,027,000,000.
Fiscal year 2028:
(A) New budget authority, $854,544,000,000.
(B) Outlays, $854,097,000,000.
Fiscal year 2029:
(A) New budget authority, $897,505,000,000.
(B) Outlays, $897,625,000,000.
Fiscal year 2030:
(A) New budget authority, $951,394,000,000.
(B) Outlays, $942,078,000,000.
Fiscal year 2031:
(A) New budget authority, $989,898,000,000.
(B) Outlays, $990,582,000,000.
(12) Medicare (570):
Fiscal year 2022:
(A) New budget authority, $749,532,000,000.
(B) Outlays, $749,276,000,000.
Fiscal year 2023:
(A) New budget authority, $847,396,000,000.
(B) Outlays, $847,121,000,000.
Fiscal year 2024:
(A) New budget authority, $866,248,000,000.
(B) Outlays, $865,998,000,000.
Fiscal year 2025:
(A) New budget authority, $981,723,000,000.
(B) Outlays, $981,421,000,000.
Fiscal year 2026:
(A) New budget authority, $1,053,221,000,000.
(B) Outlays, $1,052,875,000,000.
Fiscal year 2027:
(A) New budget authority, $1,129,828,000,000.
(B) Outlays, $1,129,433,000,000.
Fiscal year 2028:
(A) New budget authority, $1,286,243,000,000.
(B) Outlays, $1,285,802,000,000.
Fiscal year 2029:
(A) New budget authority, $1,221,175,000,000.
(B) Outlays, $1,220,705,000,000.
Fiscal year 2030:
(A) New budget authority, $1,382,805,000,000.
(B) Outlays, $1,382,292,000,000.
Fiscal year 2031:
(A) New budget authority, $1,465,522,000,000.
(B) Outlays, $1,464,994,000,000.
(13) Income Security (600):
Fiscal year 2022:
(A) New budget authority, $738,458,000,000.
(B) Outlays, $782,233,000,000.
Fiscal year 2023:
(A) New budget authority, $622,062,000,000.
(B) Outlays, $642,283,000,000.
Fiscal year 2024:
(A) New budget authority, $600,150,000,000.
(B) Outlays, $592,542,000,000.
Fiscal year 2025:
(A) New budget authority, $611,536,000,000.
(B) Outlays, $602,444,000,000.
Fiscal year 2026:
(A) New budget authority, $624,520,000,000.
(B) Outlays, $622,243,000,000.
Fiscal year 2027:
(A) New budget authority, $621,528,000,000.
(B) Outlays, $614,688,000,000.
Fiscal year 2028:
(A) New budget authority, $638,790,000,000.
(B) Outlays, $637,520,000,000.
Fiscal year 2029:
(A) New budget authority, $640,262,000,000.
(B) Outlays, $626,505,000,000.
Fiscal year 2030:
(A) New budget authority, $658,829,000,000.
(B) Outlays, $650,669,000,000.
Fiscal year 2031:
(A) New budget authority, $671,857,000,000.
(B) Outlays, $663,268,000,000.
(14) Social Security (650):
Fiscal year 2022:
(A) New budget authority, $47,020,000,000.
(B) Outlays, $47,020,000,000.
Fiscal year 2023:
(A) New budget authority, $50,129,000,000.
(B) Outlays, $50,129,000,000.
Fiscal year 2024:
(A) New budget authority, $53,591,000,000.
(B) Outlays, $53,591,000,000.
Fiscal year 2025:
(A) New budget authority, $57,355,000,000.
(B) Outlays, $57,355,000,000.
Fiscal year 2026:
(A) New budget authority, $67,932,000,000.
(B) Outlays, $67,932,000,000.
Fiscal year 2027:
(A) New budget authority, $74,299,000,000.
(B) Outlays, $74,299,000,000.
Fiscal year 2028:
(A) New budget authority, $79,053,000,000.
(B) Outlays, $79,053,000,000.
Fiscal year 2029:
(A) New budget authority, $84,191,000,000.
(B) Outlays, $84,191,000,000.
Fiscal year 2030:
(A) New budget authority, $89,406,000,000.
(B) Outlays, $89,406,000,000.
Fiscal year 2031:
(A) New budget authority, $93,932,000,000.
(B) Outlays, $93,932,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2022:
(A) New budget authority, $254,702,000,000.
(B) Outlays, $279,701,000,000.
Fiscal year 2023:
(A) New budget authority, $264,053,000,000.
(B) Outlays, $265,009,000,000.
Fiscal year 2024:
(A) New budget authority, $279,656,000,000.
(B) Outlays, $260,824,000,000.
Fiscal year 2025:
(A) New budget authority, $282,773,000,000.
(B) Outlays, $281,357,000,000.
Fiscal year 2026:
(A) New budget authority, $291,314,000,000.
(B) Outlays, $289,733,000,000.
Fiscal year 2027:
(A) New budget authority, $300,372,000,000.
(B) Outlays, $298,708,000,000.
Fiscal year 2028:
(A) New budget authority, $309,505,000,000.
(B) Outlays, $322,256,000,000.
Fiscal year 2029:
(A) New budget authority, $319,356,000,000.
(B) Outlays, $303,026,000,000.
Fiscal year 2030:
(A) New budget authority, $329,247,000,000.

(B) Outlays, $327,342,000,000.
Fiscal year 2031:
(A) New budget authority, $340,320,000,000.
(B) Outlays, $338,352,000,000.
(16) Administration of Justice (750):
Fiscal year 2022:
(A) New budget authority, $76,203,000,000.
(B) Outlays, $75,436,000,000.
Fiscal year 2023:
(A) New budget authority, $75,878,000,000.
(B) Outlays, $75,870,000,000.
Fiscal year 2024:
(A) New budget authority, $78,091,000,000.
(B) Outlays, $77,845,000,000.
Fiscal year 2025:
(A) New budget authority, $79,494,000,000.
(B) Outlays, $78,932,000,000.
Fiscal year 2026:
(A) New budget authority, $81,767,000,000.
(B) Outlays, $81,072,000,000.
Fiscal year 2027:
(A) New budget authority, $84,100,000,000.
(B) Outlays, $83,116,000,000.
Fiscal year 2028:
(A) New budget authority, $86,459,000,000.
(B) Outlays, $85,180,000,000.
Fiscal year 2029:
(A) New budget authority, $88,880,000,000.
(B) Outlays, $87,521,000,000.
Fiscal year 2030:
(A) New budget authority, $91,348,000,000.
(B) Outlays, $89,895,000,000.
Fiscal year 2031:
(A) New budget authority, $100,807,000,000.
(B) Outlays, $98,591,000,000.
(17) General Government (800):
Fiscal year 2022:
(A) New budget authority, $24,545,000,000.
(B) Outlays, $102,914,000,000.
Fiscal year 2023:
(A) New budget authority, $25,224,000,000.
(B) Outlays, $26,973,000,000.
Fiscal year 2024:
(A) New budget authority, $25,888,000,000.
(B) Outlays, $26,008,000,000.
Fiscal year 2025:
(A) New budget authority, $26,582,000,000.
(B) Outlays, $26,382,000,000.
Fiscal year 2026:
(A) New budget authority, $27,320,000,000.
(B) Outlays, $26,854,000,000.
Fiscal year 2027:
(A) New budget authority, $28,085,000,000.
(B) Outlays, $27,614,000,000.
Fiscal year 2028:
(A) New budget authority, $38,862,000,000.
(B) Outlays, $28,378,000,000.
Fiscal year 2029:
(A) New budget authority, $29,647,000,000.
(B) Outlays, $29,154,000,000.
Fiscal year 2030:
(A) New budget authority, $30,490,000,000.
(B) Outlays, $29,988,000,000.
Fiscal year 2031:
(A) New budget authority, $31,684,000,000.
(B) Outlays, $31,171,000,000.
(18) Net Interest (900):
Fiscal year 2022:
(A) New budget authority, $372,256,000,000.
(B) Outlays, $372,256,000,000.
Fiscal year 2023:
(A) New budget authority, $375,438,000,000.
(B) Outlays, $375,438,000,000.
Fiscal year 2024:
(A) New budget authority, $399,625,000,000.
(B) Outlays, $399,625,000,000.
Fiscal year 2025:
(A) New budget authority, $447,802,000,000.
(B) Outlays, $447,802,000,000.
Fiscal year 2026:
(A) New budget authority, $514,427,000,000.
(B) Outlays, $514,427,000,000.
Fiscal year 2027:
(A) New budget authority, $585,789,000,000.
(B) Outlays, $585,789,000,000.
Fiscal year 2028:
(A) New budget authority, $668,043,000,000.
(B) Outlays, $668,043,000,000.
Fiscal year 2029:
(A) New budget authority, $746,852,000,000.
(B) Outlays, $746,852,000,000.
Fiscal year 2030:
(A) New budget authority, $836,294,000,000.
(B) Outlays, $836,294,000,000.
Fiscal year 2031:
(A) New budget authority, $929,537,000,000.
(B) Outlays, $929,537,000,000.
(19) Allowances (920):
Fiscal year 2022:
(A) New budget authority, −$33,311,000,000.
(B) Outlays, −$18,432,000,000.
Fiscal year 2023:
(A) New budget authority, −$33,933,000,000.
(B) Outlays, −$27,630,000,000.
Fiscal year 2024:
(A) New budget authority, −$34,688,000,000.
(B) Outlays, −$31,377,000,000.
Fiscal year 2025:
(A) New budget authority, −$35,497,000,000.
(B) Outlays, −$33,382,000,000.
Fiscal year 2026:
(A) New budget authority, −$36,367,000,000.
(B) Outlays, −$34,807,000,000.
Fiscal year 2027:
(A) New budget authority, −$37,240,000,000.
(B) Outlays, −$35,938,000,000.
Fiscal year 2028:
(A) New budget authority, −$38,152,000,000.
(B) Outlays, −$36,942,000,000.
Fiscal year 2029:
(A) New budget authority, −$38,991,000,000.
(B) Outlays, −$37,890,000,000.
Fiscal year 2030:
(A) New budget authority, −$39,927,000,000.
(B) Outlays, −$38,847,000,000.
Fiscal year 2031:
(A) New budget authority, −$40,906,000,000.
(B) Outlays, −$39,817,000,000.
(20) New Efficiencies, Consolidations, and Other Savings (930):
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2023:
(A) New budget authority, −$3,280,000,000.
(B) Outlays, −$2,790,000,000.
Fiscal year 2024:
(A) New budget authority, −$184,960,000,000.
(B) Outlays, −$157,480,000,000.
Fiscal year 2025:
(A) New budget authority, −$619,060,000,000.
(B) Outlays, −$541,100,000,000.
Fiscal year 2026:
(A) New budget authority, −$1,038,910,000,000.
(B) Outlays, −$938,210,000,000.
Fiscal year 2027:
(A) New budget authority, −$1,176,230,000,000.
(B) Outlays, −$1,105,210,000,000.
Fiscal year 2028:
(A) New budget authority, −$1,465,660,000,000.
(B) Outlays, −$1,385,310,000,000.
Fiscal year 2029:
(A) New budget authority, −$1,434,440,000,000.
(B) Outlays, −$1,398,780,000,000.
Fiscal year 2030:
(A) New budget authority, −$1,727,110,000,000.
(B) Outlays, −$1,660,680,000,000.
Fiscal year 2031:
(A) New budget authority, −$1,933,360,000,000.
(B) Outlays, −$1,865,630,000,000.
(21) Undistributed Offsetting Receipts (950):
Fiscal year 2022:
(A) New budget authority, −$183,885,000,000.
(B) Outlays, −$191,270,000,000.
Fiscal year 2023:
(A) New budget authority, −$116,355,000,000.
(B) Outlays, −$123,615,000,000.
Fiscal year 2024:
(A) New budget authority, −$109,511,000,000.
(B) Outlays, −$109,116,000,000.
Fiscal year 2025:
(A) New budget authority, −$111,761,000,000.
(B) Outlays, −$116,941,000,000.
Fiscal year 2026:
(A) New budget authority, −$115,184,000,000.
(B) Outlays, −$113,634,000,000.
Fiscal year 2027:
(A) New budget authority, −$118,981,000,000.
(B) Outlays, −$117,431,000,000.
Fiscal year 2028:
(A) New budget authority, −$122,423,000,000.
(B) Outlays, −$120,603,000,000.
Fiscal year 2029:
(A) New budget authority, −$126,990,000,000.
(B) Outlays, −$125,170,000,000.
Fiscal year 2030:
(A) New budget authority, −$131,662,000,000.
(B) Outlays, −$130,112,000,000.
Fiscal year 2031:
(A) New budget authority, −$136,520,000,000.
(B) Outlays, −$135,110,000,000.

Subtitle B—Levels and Amounts in the Senate

SEC. 1201. SOCIAL SECURITY IN THE SENATE.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
Fiscal year 2022: $989,000,000,000.
Fiscal year 2023: $1,085,000,000,000.
Fiscal year 2024: $1,128,000,000,000.
Fiscal year 2025: $1,168,000,000,000.
Fiscal year 2026: $1,211,000,000,000.
Fiscal year 2027: $1,258,000,000,000.
Fiscal year 2028: $1,306,000,000,000.
Fiscal year 2029: $1,354,000,000,000.
Fiscal year 2030: $1,402,000,000,000.
Fiscal year 2031: $1,451,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:
Fiscal year 2022: $1,162,020,000,000.
Fiscal year 2023: $1,236,893,000,000.
Fiscal year 2024: $1,310,836,000,000.
Fiscal year 2025: $1,388,512,000,000.
Fiscal year 2026: $1,462,455,000,000.
Fiscal year 2027: $1,542,731,000,000.
Fiscal year 2028: $1,634,255,000,000.
Fiscal year 2029: $1,726,819,000,000
Fiscal year 2030: $1,822,220,000,000.
Fiscal year 2031: $1,919,593,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:
Fiscal year 2022:
(A) New budget authority, $3,434,000,000.
(B) Outlays, $3,418,000,000.
Fiscal year 2023:
(A) New budget authority, $3,544,000,000.
(B) Outlays, $3,517,000,000.
Fiscal year 2024:
(A) New budget authority, $3,661,000,000.
(B) Outlays, $3,630,000,000.

Fiscal year 2025:
(A) New budget authority, $3,777,000,000.
(B) Outlays, $3,746,000,000.
Fiscal year 2026:
(A) New budget authority, $3,894,000,000.
(B) Outlays, $3,863,000,000.
Fiscal year 2027:
(A) New budget authority, $4,014,000,000.
(B) Outlays, $3,892,000,000.
Fiscal year 2028:
(A) New budget authority, $4,137,000,000.
(B) Outlays, $4,104,000,000.
Fiscal year 2029:
(A) New budget authority, $4,262,000,000.
(B) Outlays, $4,229,000,000.
Fiscal year 2030:
(A) New budget authority, $4,391,000,000.
(B) Outlays, $4,357,000,000.
Fiscal year 2031:
(A) New budget authority, $4,524,000,000.
(B) Outlays, $4,489,000,000.

SEC. 1202. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES IN THE SENATE.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:
Fiscal year 2022:
(A) New budget authority, −$1,332,000,000.
(B) Outlays, $1,478,000,000.
Fiscal year 2023:
(A) New budget authority, −$903,000,000.
(B) Outlays, $1,787,000,000.
Fiscal year 2024:
(A) New budget authority, $40,000,000.
(B) Outlays, $1,398,000,000.
Fiscal year 2025:
(A) New budget authority, $1,410,000,000.
(B) Outlays, $1,410,000,000.
Fiscal year 2026:
(A) New budget authority, $2,271,000,000.
(B) Outlays, $2,270,000,000.
Fiscal year 2027:
(A) New budget authority, $3,032,000,000.
(B) Outlays, $3,032,000,000.
Fiscal year 2028:
(A) New budget authority, $3,644,000,000.
(B) Outlays, $3,643,000,000.
Fiscal year 2029:
(A) New budget authority, $4,106,000,000.
(B) Outlays, $4,105,000,000.
Fiscal year 2030:
(A) New budget authority, $4,468,000,000.
(B) Outlays, $4,467,000,000.
Fiscal year 2031:
(A) New budget authority, $3,881,000,000.
(B) Outlays, $3,880,000,000.

TITLE II—RECONCILIATION

SEC. 2001. RECONCILIATION IN THE SENATE.

(a) BANKING, HOUSING, AND URBAN AFFAIRS.—The Committee on Banking, Housing, and Urban Affairs of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $600,000,000,000 for the period of fiscal years 2022 through 2031.

(b) ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $600,000,000,000 for the period of fiscal years 2022 through 2031.

(c) ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $600,000,000,000 for the period of fiscal years 2022 through 2031.

(d) FINANCE.—The Committee on Finance of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,400,000,000,000 for the period of fiscal years 2022 through 2031.

(e) HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,400,000,000,000 for the period of fiscal years 2022 through 2031.

(f) HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.—The Committee on Homeland Security and Governmental Affairs of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $900,000,000,000 for the period of fiscal years 2022 through 2031.

(g) INDIAN AFFAIRS.—The Committee on Indian Affairs of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $75,000,000,000 for the period of fiscal years 2022 through 2031.

(h) INTELLIGENCE.—The Select Committee on Intelligence of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $75,000,000,000 for the period of fiscal years 2022 through 2031.

(i) JUDICIARY.—The Committee on the Judiciary of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $150,000,000,000 for the period of fiscal years 2022 through 2031.

(j) RULES AND ADMINISTRATION.—The Committee on Rules and Administration of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $1,000,000,000 for the period of fiscal years 2022 through 2031.

(k) VETERANS AFFAIRS.—The Committee on Veterans Affairs of the Senate shall report changes in laws within its jurisdiction to reduce the deficit by not less than $300,000,000,000 for the period of fiscal years 2022 through 2031.

(l) SUBMISSIONS.—In the Senate, not later than December 31, 2021, the committees named in subsections (a) through (k) shall submit their recommendations to the Committee on the Budget of the Senate. Upon receiving such recommendations, the Committee on the Budget of the Senate shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

TITLE III—RESERVE FUNDS

SEC. 3001. DEFICIT REDUCTION FUND FOR EFFICIENCIES, CONSOLIDATIONS, AND OTHER SAVINGS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to efficiencies, consolidations, and other savings by the amounts provided in such legislation for those purposes, provided that such legislation would reduce the deficit over the period of the total of fiscal years 2022 through 2026 and the period of the total of fiscal years 2022 through 2031.

SEC. 3002. RESERVE FUND RELATING TO HEALTH SAVINGS ACCOUNTS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution, and make adjustments to the pay-as-you-go ledger, for one or more bills, joint resolutions, amendments, amendments between the Houses, motions, or conference reports relating to health savings accounts by the amounts provided in such legislation for those purposes.

TITLE IV—BUDGET PROCESS

SEC. 4001. VOTING THRESHOLD FOR POINTS OF ORDER.

(a) DEFINITION.—In this section, the term ''covered point of order'' means a point of order—

(1) under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.), the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.), or a concurrent resolution on the budget; and

(2) which, but for subsection (b), may be waived only by the affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn.

(b) VOTING THRESHOLD.—In the Senate—

(1) a covered point of order may be waived only by the affirmative vote of five-eighths of the Members, duly chosen and sworn; and

(2) an affirmative vote of five-eighths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a covered point of order.

SEC. 4002. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement, by an affirmative vote of five-eighths of the Members, duly chosen and sworn, in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, amendment between the Houses, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974 (2 U.S.C. 633 and 642), section 4106 of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, section 3101 of S. Con. Res. 11 (114th Congress), the concurrent resolution on the budget for fiscal year 2016, and sections 401 and 404 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010. Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 (2 U.S.C. 632(b)(7)) for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' mean any provision of a bill, joint resolution, amendment, motion, amendment between the Houses, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, amendment between the Houses, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of five-eighths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of five-eighths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974 (2 U.S.C. 644(e)).

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to paragraph (2), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 4112 of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018, shall no longer apply.

SEC. 4003. ENFORCEMENT OF ALLOCATIONS, AGGREGATES, AND OTHER LEVELS.

(a) POINT OF ORDER.—During each of fiscal years 2022 through 2031, it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that would cause the amount of new budget authority, outlays, or deficits to be more than, or would cause the amount of revenues to be less than, the amount set forth under any allocation, aggregate, or other level established under this resolution.

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of five-eighths of the Members, duly chosen and sworn. An affirmative vote of five-eighths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 4004. POINT OF ORDER AGAINST LEGISLATION PROVIDING FUNDING WITHIN MORE THAN 3 SUBALLOCATIONS UNDER SECTION 302(b).

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that appropriates amounts that are within more than 3 of the suballocations under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of five-eighths of the Members, duly chosen and sworn. An affirmative vote of five-eighths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 4005. DUPLICATION DETERMINATIONS BY THE CONGRESSIONAL BUDGET OFFICE.

(a) DEFINITION.—In this section—

(1) the term ''covered bill or joint resolution'' means a bill or joint resolution of a public character reported by any committee of Congress (including the Committee on Appropriations and the Committee on the Budget of either House);

(2) the term ''Director'' means the Director of the Congressional Budget Office;

(3) the term ''existing duplicative or overlapping feature'' means an element of the Federal Government previously identified as an area of duplication, overlap, or fragmentation in a GAO duplication and overlap report;

(4) the term ''GAO duplication and overlap report'' means each annual report prepared by the Comptroller General under section 21 of Public Law 111–139 (31 U.S.C. 712 note); and

(5) the term ''new duplicative or overlapping feature'' means a new Federal program, office, or initiative created under a covered bill or joint resolution that would duplicate or overlap with an existing duplicative or overlapping feature.

(b) DUPLICATION DETERMINATIONS.—For each covered bill or joint resolution—

(1) the Comptroller General of the United States shall, to the extent practicable—

(A) determine the extent to which the covered bill or joint resolution creates a risk of a new duplicative or overlapping feature and, if the risk so warrants, identify—

(i) the name of the new Federal program, office, or initiative;

(ii) the section of the covered bill or joint resolution at which the new duplicative or overlapping feature is established; and

(iii) the GAO duplication and overlap report in which the existing duplicative or overlapping feature is identified; and

(B) submit the information described in subparagraph (A) to the Director and the committee that reported the covered bill or joint resolution; and

(C) publish the information prepared under subparagraph (A) on the website of the Government Accountability Office; and

(2) subject to subsection (c), the Director may include the information submitted by the Comptroller General under paragraph (1)(B) as a supplement to the estimate for the covered bill or joint resolution to which the information pertains submitted by the Director under section 402 of the Congressional Budget Act of 1974 (2 U.S.C. 653).

(c) ESTIMATE BY DIRECTOR.—If the Comptroller General of the United States has not submitted to the Director the information for a covered bill or joint resolution under subsection (b)(1)(B) on the date on which the Director submits the estimate for the covered bill or joint resolution to which the information pertains under section 402 of the Congressional Budget Act of 1974 (2 U.S.C. 653), the Director may, on the date on which the Comptroller General submits the information to the Director, prepare and submit to each applicable committee the information as a supplement to the estimate for the covered bill or joint resolution.

SEC. 4006. BREAKDOWN OF COST ESTIMATES BY BUDGET FUNCTION.

Any cost estimate prepared by the Congressional Budget Office shall specify the percentage of the estimated cost that is within each budget function.

SEC. 4007. SENSE OF THE SENATE ON TREATMENT OF REDUCTION OF APPROPRIATIONS LEVELS TO ACHIEVE SAVINGS.

(a) FINDINGS.—Congress finds the following:

(1) H. Con. Res. 448 (96th Congress), the concurrent resolution on the budget for fiscal year 1981, gave authorizing committees reconciliation instructions which amounted to approximately two-thirds of the savings required under reconciliation.

(2) The language in H. Con. Res. 448 resulted in a debate about how reconciling discretionary spending programs could be in order given that authorizations of appropriations for programs did not actually change spending and the programs authorized would be funded through later annual appropriation. The staff of the Committee on the Budget of the Senate and the counsel to the Majority Leader advised that upon consultation with the Parliamentarian, the original instructions on discretionary spending would be out of order because of the phrase, ''to modify programs''. This was seen as too broad and programs could be modified without resulting in changes to their future appropriations.

(3) To rectify this violation, the Committee on the Budget of the Senate reported S. Con. Res. 9 (97th Congress), revising the congressional budget for the United States Government for fiscal years 1981, 1982, and 1983, to include reconciliation, which revised the language in the reconciliation instructions to change entitlement law and ''to report changes in laws within the jurisdiction of that committee sufficient to reduce appropriations levels so as to achieve savings''.

(4) This was understood to mean changes in authorization language of discretionary programs would be permissible under reconciliation procedures provided such changes in law would have the result in affecting a change in later outlays derived from future appropriations. Further it was understood that a change in authorization language that caused a change in later outlays was considered to be a change in outlays for the purpose of reconciliation.

(5) On April 2, 1981, the Senate voted 88 to 10 to approve S. Con. Res. 9 with the modified reconciliation language.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that committees reporting changes in laws within the jurisdiction of that committee sufficient to reduce appropriations levels so as to achieve savings shall be considered to be changes in outlays for the purpose of enforcing the prohibition on extraneous matters in reconciliation bills.

SEC. 4008. PROHIBITION ON PREEMPTIVE WAIVERS.

In the Senate, it shall not be in order to move to waive or suspend a point of order under the Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) or any concurrent resolution on the budget with respect to a bill, joint resolution, motion, amendment,

amendment between the Houses, or conference report unless the point of order has been specifically raised by a Senator.

SEC. 4009. ADJUSTMENTS FOR LEGISLATION REDUCING APPROPRIATIONS.

The Chairman of the Committee on the Budget of the Senate may revise the allocations in effect under section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)) and the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for any bill or joint resolution considered pursuant to section 2001 containing the recommendations of one or more committees, or for one or more amendments to, a conference report on, or an amendment between the Houses in relation to such a bill or joint resolution, by the amounts necessary to accommodate the reduction in the amount of discretionary appropriations for a fiscal year caused by the measure.

SEC. 4010. ADJUSTMENTS TO REFLECT LEGISLATION NOT INCLUDED IN THE BASELINE.

The Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution to reflect legislation enacted before the date on which this resolution is agreed to by Congress that is not incorporated in the baseline underlying the Congressional Budget Office's September 2020 update to the Budget and Economic Outlook: 2020 to 2030.

SEC. 4011. AUTHORITY.

Congress adopts this title under the authority under section 301(b)(4) of the Congressional Budget Act of 1974 (2 U.S.C. 632(b)(4)).

SEC. 4012. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2574. Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, and Mr. SCHATZ) 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.

SA 2575. Mr. CORNYN (for himself 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 2576. Mr. HAWLEY (for himself, Mr. BLUNT, 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 2577. 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 2578. Mr. WHITEHOUSE (for himself and Mr. GRAHAM) 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 2579. Mr. PADILLA (for himself and 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 2580. 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 2581. Mr. PADILLA (for himself and 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 2582. 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 2583. 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 2584. Mr. CORNYN (for himself 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 2585. 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 2586. Mr. SULLIVAN (for himself, Ms. MURKOWSKI, Ms. HIRONO, and Mr. SCHATZ) 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 2587. 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. 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 2588. 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. 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 2589. 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. 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 2590. 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 2591. 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, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2592. Mr. HEINRICH (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, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2593. Mr. MARKEY 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 2594. Mr. REED (for himself and Mr. SULLIVAN) 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 2595. Mr. KELLY (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, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2596. Mr. MARKEY (for himself and 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, 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 2597. 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, supra; which was ordered to lie on the table.

SA 2598. 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, supra; which was ordered to lie on the table.

SA 2599. Mr. DAINES (for himself and Ms. LUMMIS) 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 2600. Mr. BLUMENTHAL (for himself 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. 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 2601. Ms. DUCKWORTH (for herself and Ms. LUMMIS) 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 2602. Mr. CORNYN (for himself, Mr. PADILLA, Mr. LUJÁN, Ms. HASSAN, Ms. BALDWIN, Mr. WICKER, Mr. KELLY, Ms. CORTEZ MASTO, Ms. LUMMIS, Mrs. MURRAY, Mr. TILLIS, Mr. CASEY, Ms. CANTWELL, Mr. KENNEDY, and Mr. YOUNG) 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 2603. Mr. WYDEN (for himself, Mr. CRAPO, Mr. SCHATZ, Mr. RISCH, Mr. MERKLEY, Ms. MURKOWSKI, and Mr. SULLIVAN) 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 2604. Mr. GRASSLEY (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, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2605. Mrs. HYDE-SMITH (for herself, Mr. LEAHY, Ms. BALDWIN, Ms. LUMMIS, 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 2606. Mrs. HYDE-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, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2607. Mrs. HYDE-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, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2608. 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 2609. Mr. KELLY (for himself and Ms. LUMMIS) 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 2610. Mr. OSSOFF (for himself and Mr. WHITEHOUSE) 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 2611. Mr. HEINRICH 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 2612. Mr. BENNET (for himself and Mr. HICKENLOOPER) 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 2613. Mr. VAN HOLLEN (for himself, Mr. CARDIN, Mr. KAINE, Mr. WARNER, Mr. REED, Ms. WARREN, 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, supra; which was ordered to lie on the table.

SA 2614. Mr. MENENDEZ (for himself, Mr. KENNEDY, Mrs. HYDE-SMITH, Mr. CASSIDY, and 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. 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 2615. Mr. KELLY (for himself and Ms. LUMMIS) 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 2616. Ms. KLOBUCHAR (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 2617. Mr. WARNER (for himself, Mr. PORTMAN, and Ms. SINEMA) 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 2618. 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 2619. Mr. WYDEN (for himself, Ms. LUMMIS, and Mr. TOOMEY) 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 2620. Ms. SINEMA 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 2621. 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. 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 2622. Mr. SCHATZ (for Mrs. MURRAY (for herself and Mr. BURR)) proposed an amendment to the bill S. 610, to address behavioral health and well-being among health care professionals.

SA 2623. 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, 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.

SA 2624. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2623 submitted by Mr. SCHUMER and intended to be proposed to the

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 2625. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2626. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2625 submitted by Mr. SCHUMER and intended to be proposed to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2627. Mr. WARNER (for himself, Mr. PORTMAN, and Ms. SINEMA) 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.

TEXT OF AMENDMENTS

SA 2574. Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, and Mr. SCHATZ) 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 1200, strike line 9, and all that follows through page 1202, line 10, and insert the following:

Subtitle B—Cannabidiol and Marihuana Research Expansion

SEC. 25101. SHORT TITLE.

This subtitle may be cited as the ''Cannabidiol and Marihuana Research Expansion Act''.

SEC. 25102. DEFINITIONS.

In this subtitle—

(1) the term ''appropriately registered'' means that an individual or entity is registered under the Controlled Substances Act (21 U.S.C. 801 et seq.) to engage in the type of activity that is carried out by the individual or entity with respect to a controlled substance on the schedule that is applicable to cannabidiol or marihuana, as applicable;

(2) the term ''cannabidiol'' means—

(A) the substance, cannabidiol, as derived from marihuana that has a delta-9-tetrahydrocannabinol level that is greater than 0.3 percent; and

(B) the synthetic equivalent of the substance described in subparagraph (A);

(3) the terms ''controlled substance'', ''dispense'', ''distribute'', ''manufacture'', ''marihuana'', and ''practitioner'' have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802), as amended by this subtitle;

(4) the term ''covered institution of higher education'' means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—

(A)(i) has highest or higher research activity, as defined by the Carnegie Classification of Institutions of Higher Education; or

(ii) is an accredited medical school or an accredited school of osteopathic medicine; and

(B) is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.);

(5) the term ''drug'' has the meaning given the term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1));

(6) the term ''medical research for drug development'' means medical research that is—

(A) a preclinical study or clinical investigation conducted in accordance with section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or otherwise permitted by the Department of Health and Human Services to determine the potential medical benefits of marihuana or cannabidiol as a drug; and

(B) conducted by a covered institution of higher education, practitioner, or manufacturer that is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.); and

(7) the term ''State'' means any State of the United States, the District of Columbia, and any territory of the United States.

CHAPTER 1—REGISTRATIONS FOR MARIHUANA RESEARCH

SEC. 25121. MARIHUANA RESEARCH APPLICATIONS.

Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by striking ''(f) The Attorney General'' and inserting ''(f)(1) The Attorney General'';

(3) by striking ''Registration applications'' and inserting the following:

''(2)(A) Registration applications'';

(4) by striking ''Article 7'' and inserting the following:

''(3) Article 7''; and

(5) by inserting after paragraph (2)(A), as so designated, the following:

''(B)(i) The Attorney General shall register a practitioner to conduct research with marihuana if—

''(I) the applicant's research protocol—

''(aa) has been reviewed and allowed—

''(AA) by the Secretary of Health and Human Services under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i));

''(BB) by the National Institutes of Health or another Federal agency that funds scientific research; or

''(CC) pursuant to sections 1301.18 and 1301.32 of title 21, Code of Federal Regulations, or any successors thereto; and

''(II) the applicant has demonstrated to the Attorney General that there are effective procedures in place to adequately safeguard against diversion of the controlled substance for legitimate medical or scientific use pursuant to section 25125 of the Cannabidiol and Marihuana Research Expansion Act, including demonstrating that the security measures are adequate for storing the quantity of marihuana the applicant would be authorized to possess.

''(ii) The Attorney General may deny an application for registration under this subparagraph only if the Attorney General determines that the issuance of the registration would be inconsistent with the public interest. In determining the public interest, the Attorney General shall consider the factors listed in—

''(I) subparagraphs (B) through (E) of paragraph (1); and

''(II) subparagraph (A) of paragraph (1), if the applicable State requires practitioners conducting research to register with a board or authority described in such subparagraph (A).

''(iii)(I) Not later than 60 days after the date on which the Attorney General receives a complete application for registration under this subparagraph, the Attorney General shall—

''(aa) approve the application; or

''(bb) request supplemental information.

''(II) For purposes of subclause (I), an application shall be deemed complete when the applicant has submitted documentation showing that the requirements under clause (i) are satisfied.

''(iv) Not later than 30 days after the date on which the Attorney General receives supplemental information as described in clause (iii)(I)(bb) in connection with an application described in this subparagraph, the Attorney General shall approve or deny the application.

''(v) If an application described in this subparagraph is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.''.

SEC. 25122. RESEARCH PROTOCOLS.

(a) IN GENERAL.—Paragraph (2)(B) of section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)), as amended by section 25121 of this Act, is further amended by adding at the end the following:

''(vi)(I) If the Attorney General grants an application for registration under clause (i), the registrant may amend or supplement the research protocol without reapplying if the registrant does not change—

''(aa) the quantity or type of drug;

''(bb) the source of the drug; or

''(cc) the conditions under which the drug is stored, tracked, or administered.

''(II)(aa) If a registrant under clause (i) seeks to change the type of drug, the source of the drug, or conditions under which the drug is stored, tracked, or administered, the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

''(bb) A registrant may proceed with an amended or supplemental research protocol described in item (aa) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (aa).

''(cc) The Attorney General may only object to an amended or supplemental research protocol under this subclause if additional security measures are needed to safeguard against diversion or abuse.

''(dd) If a registrant under clause (i) seeks to address additional security measures identified by the Attorney General under item (cc), the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

''(ee) A registrant may proceed with an amended or supplemental research protocol described in item (dd) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (dd).

''(III)(aa) If a registrant under clause (i) seeks to change the quantity of marihuana needed for research and the change in quantity does not impact the factors described in item (bb) or (cc) of subclause (I) of this clause, the registrant shall notify the Attorney General via registered mail or using an electronic means permitted by the Attorney General.

''(bb) A notification under item (aa) shall include—

''(AA) the Drug Enforcement Administration registration number of the registrant;

''(BB) the quantity of marihuana already obtained;

''(CC) the quantity of additional marihuana needed to complete the research; and

''(DD) an attestation that the change in quantity does not impact the source of the drug or the conditions under which the drug is stored, tracked, or administered.

''(cc) The Attorney General shall ensure that—

''(AA) any registered mail return receipt with respect to a notification under item (aa) is submitted for delivery to the registrant providing the notification not later than 3 days after receipt of the notification by the Attorney General; and

''(BB) notice of receipt of a notification using an electronic means permitted under item (aa) is provided to the registrant providing the notification not later than 3 days after receipt of the notification by the Attorney General.

''(dd)(AA) On and after the date described in subitem (BB), a registrant that submits a notification in accordance with item (aa) may proceed with the research as if the change in quantity has been approved on such date, unless the Attorney General notifies the registrant of an objection described in item (ee).

''(BB) The date described in this subitem is the date on which a registrant submitting a notification under item (aa) receives the registered mail return receipt with respect to the notification or the date on which the registrant receives notice that the notification using an electronic means permitted under item (aa) was received by the Attorney General, as the case may be.

''(ee) A notification submitted under item (aa) shall be deemed to be approved unless the Attorney General, not later than 10 days after receiving the notification, explicitly objects based on a finding that the change in quantity—

''(AA) does impact the source of the drug or the conditions under which the drug is stored, tracked, or administered; or

''(BB) necessitates that the registrant implement additional security measures to safeguard against diversion or abuse.

''(IV) Nothing in this clause shall limit the authority of the Secretary of Health and Human Services over requirements related to research protocols, including changes in—

''(aa) the method of administration of marihuana;

''(bb) the dosing of marihuana; and

''(cc) the number of individuals or patients involved in research.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this section.

SEC. 25123. APPLICATIONS TO MANUFACTURE MARIHUANA FOR RESEARCH.

(a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsections (c) through (k) as subsections (d) through (l), respectively;

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

''(c)(1)(A) As it relates to applications to manufacture marihuana for research purposes, if the Attorney General places a notice in the Federal Register to increase the number of entities registered under this Act to manufacture marihuana to supply appropriately registered researchers in the United States, the Attorney General shall, not later than 60 days after the date on which the Attorney General receives a completed application—

''(i) approve the application; or

''(ii) request supplemental information.

''(B) For purposes of subparagraph (A), an application shall be deemed complete when the applicant has submitted documentation showing each of the following:

''(i) The requirements designated in the notice in the Federal Register are satisfied.

''(ii) The requirements under this Act are satisfied.

''(iii) The applicant will limit the transfer and sale of any marihuana manufactured under this subsection—

''(I) to researchers who are registered under this Act to conduct research with controlled substances in schedule I; and

''(II) for purposes of use in preclinical research or in a clinical investigation pursuant to an investigational new drug exemption under 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)).

''(iv) The applicant will transfer or sell any marihuana manufactured under this subsection only with prior, written consent for the transfer or sale by the Attorney General.

''(v) The applicant has completed the application and review process under subsection (a) for the bulk manufacture of controlled substances in schedule I.

''(vi) The applicant has established and begun operation of a process for storage and handling of controlled substances in schedule I, including for inventory control and monitoring security in accordance with section 25125 of the Cannabidiol and Marihuana Research Expansion Act.

''(vii) The applicant is licensed by each State in which the applicant will conduct operations under this subsection, to manufacture marihuana, if that State requires such a license.

''(C) Not later than 30 days after the date on which the Attorney General receives supplemental information requested under subparagraph (A)(ii) with respect to an application, the Attorney General shall approve or deny the application.

''(2) If an application described in this subsection is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.'';

(3) in subsection (h)(2), as so redesignated, by striking ''subsection (f)'' each place it appears and inserting ''subsection (g)'';

(4) in subsection (j)(1), as so redesignated, by striking ''subsection (d)'' and inserting ''subsection (e)''; and

(5) in subsection (k), as so redesignated, by striking ''subsection (f)'' each place it appears and inserting ''subsection (g)''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(A) in section 102 (21 U.S.C. 802)—

(i) in paragraph (16)(B)—

(I) in clause (i), by striking ''or'' at the end;

(II) by redesignating clause (ii) as (iii); and

(III) by inserting after clause (i) the following:

''(ii) the synthetic equivalent of hemp-derived cannabidiol that contains less than 0.3 percent tetrahydrocannabinol; or'';

(ii) in paragraph (52)(B)—

(I) by striking ''303(f)'' each place it appears and inserting ''303(g)''; and

(II) in clause (i), by striking ''(d), or (e)'' and inserting ''(e), or (f)''; and

(iii) in paragraph (54), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(B) in section 302(g)(5)(A)(iii)(I)(bb) (21 U.S.C. 822(g)(5)(A)(iii)(I)(bb)), by striking ''303(f)'' and inserting ''303(g)'';

(C) in section 304 (21 U.S.C. 824), by striking ''303(g)(1)'' each place it appears and inserting ''303(h)(1)'';

(D) in section 307(d)(2) (21 U.S.C. 827(d)(2)), by striking ''303(f)'' and inserting ''303(g)'';

(E) in section 309A(a)(2) (21 U.S.C. 829a(a)(2)), in the matter preceding subparagraph (A), by striking ''303(g)(2)'' and inserting ''303(h)(2)'';

(F) in section 311(h) (21 U.S.C. 831(h)), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(G) in section 401(h)(2) (21 U.S.C. 841(h)(2)), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(H) in section 403(c)(2)(B) (21 U.S.C. 843(c)(2)(B)), by striking ''303(f)'' and inserting ''303(g)''; and

(I) in section 512(c)(1) (21 U.S.C. 882(c)(1)) by striking ''303(f)'' and inserting ''303(g)''.

(2) Section 1008(c) of the Controlled Substances Import and Export Act (21 U.S.C. 958(c)) is amended—

(A) in paragraph (1), by striking ''303(d)'' and inserting ''303(e)''; and

(B) in paragraph (2)(B), by striking ''303(h)'' and inserting ''303(i)''.

(3) Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended—

(A) in section 520E–4(c) (42 U.S.C. 290bb–36d(c)), by striking ''303(g)(2)(B)'' and inserting ''303(h)(2)(B)''; and

(B) in section 544(a)(3) (42 U.S.C. 290dd–3(a)(3)), by striking ''303(g)'' and inserting ''303(h)''.

(4) Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended—

(A) in section 1833(bb)(3)(B) (42 U.S.C. 13951(bb)(3)(B)), by striking ''303(g)'' and inserting ''303(h)'';

(B) in section 1834(o)(3)(C)(ii) (42 U.S.C. 1395m(o)(3)(C)(ii)), by striking ''303(g)'' and inserting ''303(h)''; and

(C) in section 1866F(c)(3)(C) (42 U.S.C. 1395cc–6(c)(3)(C)), by striking ''303(g)'' and inserting ''303(h)''.

(5) Section 1903(aa)(2)(C)(ii) of the Social Security Act (42 U.S.C. 1396b(aa)(2)(C)(ii)) is amended by striking ''303(g)'' each place it appears and inserting ''303(h)''.

SEC. 25124. ADEQUATE AND UNINTERRUPTED SUPPLY.

On an annual basis, the Attorney General shall assess whether there is an adequate and uninterrupted supply of marihuana, including of specific strains, for research purposes.

SEC. 25125. SECURITY REQUIREMENTS.

(a) IN GENERAL.—An individual or entity engaged in researching marihuana or its components shall store it in a securely locked, substantially constructed cabinet.

(b) REQUIREMENTS FOR OTHER MEASURES.—Any other security measures required by the Attorney General to safeguard against diversion shall be consistent with those required for practitioners conducting research on other controlled substances in schedules I and II in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) that have a similar risk of diversion and abuse.

SEC. 25126. PROHIBITION AGAINST REINSTATING INTERDISCIPLINARY REVIEW PROCESS FOR NON-NIH-FUNDED RESEARCHERS.

The Secretary of Health and Human Services may not—

(1) reinstate the Public Health Service interdisciplinary review process described in the guidance entitled ''Guidance on Procedures for the Provision of Marijuana for Medical Research'' (issued on May 21, 1999); or

(2) require another review of scientific protocols that is applicable only to research on marihuana or its components.

CHAPTER 2—DEVELOPMENT OF FDA-APPROVED DRUGS USING CANNABIDIOL AND MARIHUANA

SEC. 25141. MEDICAL RESEARCH ON CANNABIDIOL.

Notwithstanding any provision of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), chapter 81 of title 41, United States Code, or any other Federal law, an appropriately registered covered institution of higher education, a practitioner, or a manufacturer may manufacture, distribute, dispense, or possess marihuana or cannabidiol if the marihuana or cannabidiol is manufactured, distributed, dispensed, or possessed, respectively, for purposes of medical research for drug development or subsequent commercial production in accordance with section 25142.

SEC. 25142. REGISTRATION FOR THE COMMERCIAL PRODUCTION AND DISTRIBUTION OF FOOD AND DRUG ADMINISTRATION-APPROVED DRUGS.

The Attorney General shall register an applicant to manufacture or distribute cannabidiol or marihuana for the purpose of commercial production of a drug containing or derived from marihuana that is approved by the Secretary of Health and Human Services under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), in accordance with the applicable requirements under subsection (a) or (b) of section 303 of the Controlled Substances Act (21 U.S.C. 823).

SEC. 25143. IMPORTATION OF CANNABIDIOL FOR RESEARCH PURPOSES.

The Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) is amended—

(1) in section 1002(a) (21 U.S.C. 952(a))—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2)(C), by inserting ''and'' after ''uses,''; and

(C) inserting before the undesignated matter following paragraph (2)(C) the following:

''(3) such amounts of marihuana or cannabidiol (as defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act) as are—

''(A) approved for medical research for drug development (as such terms are defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act), or

''(B) necessary for registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.),''; and

(2) in section 1007 (21 U.S.C. 957), by amending subsection (a) to read as follows:

''(a)(1) Except as provided in paragraph (2), no person may—

''(A) import into the customs territory of the United States from any place outside thereof (but within the United States), or import into the United States from any place outside thereof, any controlled substance or list I chemical, or

''(B) export from the United States any controlled substance or list I chemical,

unless there is in effect with respect to such person a registration issued by the Attorney General under section 1008, or unless such person is exempt from registration under subsection (b).

''(2) Paragraph (1) shall not apply to the import or export of marihuana or cannabidiol (as defined in section 25102 of the Cannabidiol and Marihuana Research Expansion Act) that has been approved for—

''(A) medical research for drug development authorized under section 25141 of the Cannabidiol and Marihuana Research Expansion Act; or

''(B) use by registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).''.

CHAPTER 3—DOCTOR-PATIENT RELATIONSHIP

SEC. 25161. DOCTOR-PATIENT RELATIONSHIP.

It shall not be a violation of the Controlled Substances Act (21 U.S.C. 801 et seq.) for a State-licensed physician to discuss—

(1) the currently known potential harms and benefits of marihuana derivatives, including cannabidiol, as a treatment with the legal guardian of the patient of the physician if the patient is a child; or

(2) the currently known potential harms and benefits of marihuana and marihuana derivatives, including cannabidiol, as a treatment with the patient or the legal guardian of the patient of the physician if the patient is a legal adult.

CHAPTER 4—FEDERAL RESEARCH

SEC. 25181. FEDERAL RESEARCH.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the Director of the National Institutes of Health and the heads of other relevant Federal agencies, shall submit to the Caucus on International Narcotics Control, the Committee on the Judiciary, and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on the Judiciary of the House of Representatives a report on—

(1) the potential therapeutic effects of cannabidiol or marihuana on serious medical conditions, including intractable epilepsy;

(2) the potential effects of marihuana, including—

(A) the effect of increasing delta-9-tetrahydrocannabinol levels on the human body and developing adolescent brains; and

(B) the effect of various delta-9-tetrahydrocannabinol levels on cognitive abilities, such as those that are required to operate motor vehicles or other heavy equipment; and

(3) the barriers associated with researching marihuana or cannabidiol in States that have legalized the use of such substances, which shall include—

(A) recommendations as to how such barriers might be overcome, including whether public-private partnerships or Federal-State research partnerships may or should be implemented to provide researchers with access to additional strains of marihuana and cannabidiol; and

(B) recommendations as to what safeguards must be in place to verify—

(i) the levels of tetrahydrocannabinol, cannabidiol, or other cannabinoids contained in products obtained from such States is accurate; and

(ii) that such products do not contain harmful or toxic components.

(b) ACTIVITIES.—To the extent practicable, the Secretary of Health and Human Services, either directly or through awarding grants, contacts, or cooperative agreements, shall expand and coordinate the activities of the National Institutes of Health and other relevant Federal agencies to better determine the effects of cannabidiol and marihuana, as outlined in the report submitted under paragraphs (1) and (2) of subsection (a).

Subtitle C—GAO Study

SEC. 25201. GAO STUDY ON IMPROVING THE EFFICIENCY OF TRAFFIC SYSTEMS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall carry out, and submit to Congress a report describing the results of, a study on the potential societal benefits of improving the efficiency of traffic systems.

SA 2575. Mr. CORNYN (for himself 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, 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. ___. AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended—

(1) in section 602—

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

(B) in subsection (c)—

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

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

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

''(A) IN GENERAL.—Subject to subparagraph (C), 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 projects described in subparagraph (B), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, section 5309 or 6701 of title 49, United States Code, or section 3005(b) of the FAST Act (49 U.S.C. 5309 note; Public Law 114-94), to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

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

''(i) A project that receives a grant under section 117 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 124 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

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

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

''(viii) A project eligible under section 151 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

''(xi) A project eligible under section 173 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xii) A project eligible under section 175 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiii) A project eligible under section 176 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

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

''(xvii) 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').

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

''(xix) A project that furthers the completion of a designated route of the Appalachian Development Highway System under section 14501 of title 40, United States Code.

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

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

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

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

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

''(xxv) A project that receives a grant under section 6703 of title 49, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xxvi) 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.).

''(xxvii) A project eligible under the bridge replacement, rehabilitation, preservation, protection, and construction program under paragraph (1) under the heading 'HIGHWAY INFRASTRUCTURE PROGRAM' under the heading 'FEDERAL HIGHWAY ADMINISTRATION' under the heading 'DEPARTMENT OF TRANSPORTATION' under title VIII of division J of the Infrastructure Investment and Jobs Act.

''(C) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—Subject to clause (ii), the total amount that a State, territory, or Tribal government may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

''(aa) ⟦$10,000,000⟧; and

''(bb) ⟦25⟧ percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1)(D), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) WAIVER OF LIMITATION.—At the request of a State, territory, or Tribal government, the Secretary may allow the State, territory, or Tribal government to use up to 50 percent of a payment made under this section for a use described in subparagraph (A) if any of the following criteria are met (as determined by the Secretary):

''(I) The projects involved are of significant economic importance to the State, territory, or Tribal government.

''(II) The projects involved would enhance employment opportunities for the State, territory, or Tribal government.

''(III) The projects involved would enhance the health and safety of the public.

''(IV) The projects involved would enhance protections for the environment.

''(V) The projects involved would enhance the capacity of the metropolitan city, State, territory, or Tribal government to respond to the COVID–19 crisis.

''(VI) The State, territory, or Tribal government suffered a reduction in revenue (as determined under the interim final rule issued by the Secretary on May 17, 2021, entitled 'Coronavirus State and Local Fiscal Recovery Funds' (86 Fed. Reg. 26786)) of greater than 10 percent in calendar year 2020.

''(iii) 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 (xx) through (xxiv) of subparagraph (B).

''(iv) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) 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 pursuant to subparagraph (A) for a project described in clause (xxvi) of subparagraph (B) that relates to broadband infrastructure;

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in subparagraph (B); and

''(III) a State government receiving a payment under this section may use funds provided under such payment for projects described in clause (i) of subparagraph (B) that—

''(aa) demonstrate progress in achieving a state of good repair as required by the State's asset management plan under section 119(e) of title 23, United States Code; and

''(bb) support the achievement of 1 or more performance targets of the State established under section 150 of title 23, United States Code.

''(v) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iv) to the appropriate Federal agency.

''(D) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''; and

(2) in subsection 603—

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

(B) in subsection (c)—

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

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

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

''(A) IN GENERAL.—Subject to subparagraph (B), notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B) of section 602(c)(4), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, section 5309 or 6701 of title 49, United States Code, or section 3005(b) of the FAST Act (49 U.S.C. 5309 note; Public Law 114-94), to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—Subject to clause (ii), the total amount that a metropolitan city, nonentitlement unit of local government, or county may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

''(aa) ⟦$10,000,000⟧; and

''(bb) ⟦25 percent⟧ of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1)(D), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) WAIVER OF LIMITATION.—At the request of a metropolitan city, nonentitlement unit of local government, or county, the Secretary may allow the metropolitan city, nonentitlement unit of local government, or county to use up to 50 percent of a payment made under this section for uses described in subparagraph (A) if any of the following criteria are met (as determined by the Secretary):

''(I) The projects involved are of significant economic importance to the metropolitan city, nonentitlement unit of local government, or county.

''(II) The projects involved would enhance employment opportunities for the metropolitan city, nonentitlement unit of local government, or county.

''(III) The projects involved would enhance the health and safety of the public.

''(IV) The projects involved would enhance protections for the environment.

''(V) The projects involved would enhance the capacity of the metropolitan city, nonentitlement unit of local government, or county to respond to the COVID–19 crisis.

''(VI) The metropolitan city, nonentitlement unit of local government, or county suffered a reduction in revenue (as determined under the interim final rule issued by the Secretary on May 17, 2021, entitled 'Coronavirus State and Local Fiscal Recovery Funds' (86 Fed. Reg. 26786)) of greater than 10 percent in calendar year 2020.

''(iii) 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 (xx) through (xxiv) of section 602(c)(4)(B).

''(iv) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) 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 pursuant to subparagraph (A) for a project described in clause (xxvi) of section 602(c)(4)(B) that relates to broadband infrastructure; and

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section

that are used for projects described in section 602(c)(4)(B).

''(v) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iv) to the appropriate Federal agency.

''(C) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''.

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

(c) GUIDANCE AND EFFECTIVE DATE.—

(1) GUIDANCE OR RULE.—Within 60 days of the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Transportation, shall issue guidance or promulgate a rule to carry out this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the issuance of guidance or the promulgation of a rule described in paragraph (1).

(d) DEPARTMENT OF THE TREASURY ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this subsection as the ''Secretary'') for administrative expenses pursuant to the provisions specified in paragraph (2) shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for any administrative expenses of the Department of the Treasury determined by the Secretary to be necessary to respond to the coronavirus emergency, including any expenses necessary to implement any provision of—

(A) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136);

(B) division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(C) the American Rescue Plan Act (Public Law 117–2); or

(D) title VI of the Social Security Act (42 U.S.C. 801 et seq.).

(2) PROVISIONS SPECIFIED.—The provisions specified in this paragraph are the following:

(A) Sections 4003(f) and 4112(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(B) Section 421(f)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(C) Sections 3201(a)(2)(B), 3206(d)(1)(A), and 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117–2).

(D) Section 602(a)(2) of the Social Security Act (42 U.S.C. 802(a)(2)).

SA 2576. Mr. HAWLEY (for himself, Mr. BLUNT, 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 division I, add the following:

SEC. 90009. SAFETY REQUIREMENTS FOR AMPHIBIOUS PASSENGER VESSELS.

(a) SAFETY IMPROVEMENTS.—

(1) BUOYANCY REQUIREMENTS.—Not later than 1 year after the date of completion of a Coast Guard contracted assessment by the National Academies of Sciences, Engineering, and Medicine of the technical feasibility, practicality, and safety benefits of providing reserve buoyancy through passive means on amphibious passenger vessels, the Secretary of the department in which the Coast Guard is operating may initiate a rulemaking to prescribe in regulations that operators of amphibious passenger vessels provide reserve buoyancy for such vessels through passive means, including watertight compartmentalization, built-in flotation, or such other means as the Secretary may specify in the regulations, in order to ensure that such vessels remain afloat and upright in the event of flooding, including when carrying a full complement of passengers and crew.

(2) INTERIM REQUIREMENTS.—Not later than 90 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall initiate a rulemaking to implement interim safety policies or other measures to require that operators of amphibious passenger vessels operating in waters subject to the jurisdiction of the United States, as defined in section 2.38 of title 33, Code of Federal Regulations (or a successor regulation) comply with the following:

(A) Remove the canopies of such vessels for waterborne operations, or install in such vessels a canopy that does not restrict either horizontal or vertical escape by passengers in the event of flooding or sinking.

(B) If the canopy is removed from such vessel pursuant to subparagraph (A), require that all passengers don a Coast Guard type-approved personal flotation device before the onset of waterborne operations of such vessel.

(C) Install in such vessels at least one independently powered electric bilge pump that is capable of dewatering such vessels at the volume of the largest remaining penetration in order to supplement the vessel's existing bilge pump required under section 182.520 of title 46, Code of Federal Regulations (or a successor regulation).

(D) Verify the watertight integrity of such vessel in the water at the outset of each waterborne departure of such vessel.

(b) REGULATIONS REQUIRED.—Not later than 2 years after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall initiate a rulemaking for amphibious passenger vessels operating in waters subject to the jurisdiction of the United States, as defined in section 2.38 of title 33, Code of Federal Regulations (or a successor regulation). The regulations shall include, at a minimum, the following:

(1) SEVERE WEATHER EMERGENCY PREPAREDNESS.—Requirements that an operator of an amphibious passenger vessel—

(A) check and notate in the vessel's logbook the National Weather Service forecast before getting underway and periodically while underway;

(B) in the case of a watch or warning issued for wind speeds exceeding the wind speed equivalent used to certify the stability of an amphibious passenger vessel, proceed to the nearest harbor or safe refuge; and

(C) maintain and monitor a weather monitor radio receiver at the operator station that may be automatically activated by the warning alarm device of the National Weather Service.

(2) PASSENGER SAFETY.—Requirements—

(A) concerning whether personal flotation devices should be required for the duration of an amphibious passenger vessel's waterborne transit, which shall be considered and determined by the Secretary;

(B) that operators of amphibious passenger vessels inform passengers that seat belts may not be worn during waterborne operations;

(C) that before the commencement of waterborne operations, a crew member visually check that each passenger has unbuckled the passenger's seatbelt; and

(D) that operators or crew maintain a log recording the actions described in subparagraphs (B) and (C).

(3) TRAINING.—Requirement for annual training for operators and crew of amphibious passengers vessels, including—

(A) training for personal flotation and seat belt requirements, verifying the integrity of the vessel at the onset of each waterborne departure, identification of weather hazards, and use of National Weather Service resources prior to operation; and

(B) training for crewmembers to respond to emergency situations, including flooding, engine compartment fires, man overboard situations, and in water emergency egress procedures.

(4) RECOMMENDATIONS FROM REPORTS.—Requirements to address recommendations from the following reports, as practicable and to the extent that such recommendations are under the jurisdiction of the Coast Guard:

(A) The National Transportation Safety Board's Safety Recommendation Reports on the Amphibious Passenger Vessel incidents in Table Rock, Missouri, Hot Springs, Arkansas, and Seattle, Washington.

(B) The Coast Guard's Marine Investigation Board reports on the Stretch Duck 7 sinkings at Table Rock, Missouri, and the Miss Majestic sinking near Hot Springs, Arkansas.

(5) INTERIM REQUIREMENTS.—The interim requirements described in subsection (a)(2), as appropriate.

(c) PROHIBITION ON OPERATION OF NONCOMPLIANT VESSELS.—Commencing as of the date specified by the Secretary of the department in which the Coast Guard is operating pursuant to subsection (d), any amphibious passenger vessel whose configuration or operation does not comply with the requirements under subsection (a)(2) (or subsection (a)(1), if prescribed) may not operate in waters subject to the jurisdiction of the United States, as defined in section 2.38 of title 33, Code of Federal Regulations (or a successor regulation).

(d) DEADLINE FOR COMPLIANCE.—The regulations and interim requirements described in subsections (a) and (b) shall require compliance with the requirements in the regulations not later than 2 years after the date of enactment of this Act, as the Secretary of the department in which the Coast Guard is operating may specify in the regulations.

(e) REPORT.—Not later than 180 days after the promulgation of the regulations required under subsection (a), the Commandant of the Coast Guard shall provide a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives regarding the status of the implementation of the requirements included in such regulations.

SA 2577. 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, 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 D, add the following:

TITLE XIII—ENERGY AND RESILIENCY FOR FEDERAL BUILDINGS

SEC. 41301. SHORT TITLE.

This title may be cited as the ''GSA Resilient, Energy Efficient, and Net-Zero Building Jobs Act of 2021'' or the ''GREEN Building Jobs Act of 2021''.

SEC. 41302. FEDERAL BUILDING LEASING.

(a) IN GENERAL.—Section 435 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17091) is amended to read as follows:

''SEC. 435. LEASING.

''(a) DEFINITION OF LESSOR.—In this section, the term 'lessor' means any individual, firm, partnership, limited liability company, trust, association, State, unit of local government, or legal entity that is the rightful owner of a property leased to the Federal Government.

''(b) LEASING REQUIREMENTS.—

''(1) IN GENERAL.—Except as provided in subsection (c), effective beginning on the date that is 1 year after the date of enactment of the GREEN Building Jobs Act of 2021, no Federal agency shall enter into a contract to lease space unless—

''(A) the space is for a building or space in a building that—

''(i) in the most recent year, has earned the Energy Star label under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a); and

''(ii) has obtained or will obtain as a required performance specification a green building certification consistent with recommendations of the Administrator based on the review of high-performance building certification systems carried out by the Administrator pursuant to section 436(h); and

''(B) the contract includes—

''(i) a requirement for the lessor of the building to disclose data on consumption of utilities (energy and water)—

''(I) for the portion of the building occupied by the agency; and

''(II) that is provided by the lessor through submetering or an alternative method identified by the Administrator for buildings lacking submeters; and

''(ii) 1 or more mechanisms to ensure that the lessor of the building takes reasonable steps to maintain the requirements of the building described in subparagraph (A).

''(2) LOCATION.—In determining the geographic location of a space to lease under paragraph (1), the Administrator shall not use as a criterion the presence or absence of buildings in that location that have an Energy Star label described in paragraph (1)(A)(i) or a green building certification described in paragraph (1)(A)(ii).

''(c) WAIVER.—

''(1) IN GENERAL.—Subject to paragraph (2), a Federal agency may enter into a contract to lease space that does not meet a requirement described in clause (i) or (ii) of subsection (b)(1)(A) if—

''(A) no other space is available that can meet that requirement within a reasonable period and meet the functional requirements of the agency, including locational needs;

''(B) the agency proposes to remain in a building or a space in a building—

''(i) that the agency has occupied previously; and

''(ii) less than 50 percent of the leasable space of which is leased by the Federal Government;

''(C) the agency proposes to lease a building or space in a building of historical, architectural, or cultural significance (as defined in section 3306(a) of title 40, United States Code); or

''(D) the lease is for not more than 10,000 gross square feet of space in a building less than 50 percent of the leasable space of which is leased by the Federal Government.

''(2) WAIVER APPROVAL.—

''(A) IN GENERAL.—A Federal agency may enter into a contract under paragraph (1) if—

''(i)(I) the agency submits a request to the Federal Director of the Office of Federal High-Performance Green Buildings indicating the basis for the request under paragraph (1); and

''(II) the Federal Director of that Office approves the request; and

''(ii) in the case of a waiver under subparagraph (A), (B), or (C) of paragraph (1), the contract includes the requirements described in subparagraph (B)(ii), which—

''(I) in the case of a waiver under subparagraph (A) of that paragraph, shall be required to be implemented prior to occupancy of the building or space in the building by the Federal agency; and

''(II) in the case of a waiver under subparagraph (B) or (C) of that paragraph, shall be required to be implemented not later than 1 year after the Federal agency signs the contract.

''(B) CONTRACT REQUIREMENTS.—

''(i) DEFINITION OF NONBENCHMARKED SPACE.—In this subparagraph, the term 'nonbenchmarked space' means a building or space in a building for which owners cannot access whole building utility consumption data, including buildings—

''(I) that are located in States that do not require utilities to provide, and utilities do not provide, such aggregated information to multitenant building owners; and

''(II) the tenants of which do not provide energy consumption information to the commercial building owner in response to a request from that owner.

''(ii) REQUIREMENTS.—The requirements referred to in subparagraph (A)(ii) are the following:

''(I) The building or space in a building—

''(aa) meets the requirement described in subsection (b)(1)(A)(i); or

''(bb) is renovated for all feasible energy efficiency and conservation improvements that will be cost effective over the life of the lease (including any optional and reasonably anticipated extensions or renewals of the lease), including improvements in lighting, windows, heating, ventilation, and air conditioning systems and controls.

''(II) The building or space in a building is—

''(aa) benchmarked under a nationally recognized, online, and free benchmarking program, and the benchmark is publicly disclosed; or

''(bb) a nonbenchmarked space.

''(III) In the case of a building or space in a building that is a nonbenchmarked space, the Federal agency provides to the building owner, or authorizes the owner to obtain from the utility, the energy consumption data of the space to enable benchmarking of the building.

''(C) INCORPORATION OF ASSISTANCE INTO LEASE.—In the case of a contract to lease space that receives a waiver under paragraph (1)(A), the Administrator may—

''(i) include in the relevant lease procurement documents a statement about the availability of financial incentives and technical assistance under the pilot program established under subsection (g); or

''(ii)(I) incorporate into the terms of the lease with the lessor any financial incentive or technical assistance provided to that lessor under that pilot program; and

''(II) if subclause (I) is carried out, extend the deadline required under subparagraph (A)(ii)(I).

''(d) REVISION OF FEDERAL REGULATIONS.—Not later than 1 year after the date of enactment of the GREEN Building Jobs Act of 2021, the Administrator shall revise Part 102-73(c) of the Federal Management Regulation and Part 570 of the General Services Administration Acquisition Manual, as appropriate, to reflect the requirements of this section.

''(e) REPORT.—The Administrator shall annually publish on the website of the General Services Administration a report on the aggregate compliance of all leased buildings and spaces in buildings held by the General Services Administration with the most recent version of the Guiding Principles for Sustainable Federal Buildings.

''(f) COMPLIANCE IMPROVEMENT.—Not later than 180 days after the date of enactment of the GREEN Building Jobs Act of 2021, the Administrator shall develop and implement a policy to improve lessor compliance with energy efficiency provisions of leases, including by considering a variety of approaches.

''(g) INCENTIVE PILOT PROGRAM.—

''(1) IN GENERAL.—The Administrator shall establish a pilot program to provide financial incentives for lessors to achieve an Energy Star label under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a) in a building—

''(A) in which space is leased to a Federal agency; and

''(B)(i) in which the total space leased by the Federal Government is less than 50 percent of the leasable space of the building;

''(ii) that is of historical, architectural, or cultural significance (as defined in section 3306(a) of title 40, United States Code); or

''(iii) for which a waiver is granted under subsection (c)(1)(A).

''(2) DIVERSITY.—In carrying out the pilot program established under paragraph (1), the Administrator shall ensure—

''(A) a diversity in the buildings and spaces owned by lessors provided financial assistance under that paragraph, including buildings with multiple, separate leases that individually do not trigger requirements under this Act; and

''(B) geographical diversity, including the representation of rural areas.

''(3) TECHNICAL ASSISTANCE.—As part of the pilot program established under paragraph (1), the Administrator may provide technical assistance, directly or through contracts, to lessors receiving financial assistance under that pilot program.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $50,000,000 to carry out this subsection, to remain available until expended.''.

(b) REPORT ON REALTY SERVICES.—Section 102(b) of the Better Buildings Act of 2015 (42 U.S.C. 17062(b)) is amended by adding at the end the following:

''(5) REPORT.—Not later than 90 days after the date of enactment of the GREEN Building Jobs Act of 2021, the Administrator shall submit to Congress, and make publicly available on the website of the General Services Administration, a report on the implementation of paragraph (3), including—

''(A) the results of the policies and practices described in that paragraph, including the number of leases implementing the measures described in that paragraph;

''(B) a description of any barriers to achieving greater energy and water efficiency; and

''(C) recommendations to address those barriers.''.

SEC. 41303. ENERGY AND WATER EFFICIENCY, NET-ZERO, AND ZERO EMISSION VEHICLE INFRASTRUCTURE GOALS.

(a) IN GENERAL.—Subtitle C of title IV of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1607) is amended by adding at the end the following:

"SEC. 442. ENERGY AND WATER EFFICIENCY GOALS.

''(a) ESTABLISHMENT.—Subject to subsections (b), (c), and (d), the Administrator shall, for each of fiscal years 2021 through 2030—

''(1) reduce average building energy intensity (as measured in British thermal units per gross square foot) at GSA facilities by 2.5 percent each fiscal year so that the average building energy intensity of GSA facilities is reduced by 25 percent or greater by 2030, relative to the average building energy intensity of GSA facilities in fiscal year 2018;

''(2) improve water use efficiency and management at GSA facilities by reducing average potable water consumption intensity (as measured in gallons per gross square foot)—

''(A) by 54 percent by fiscal year 2030, relative to the average water consumption of GSA facilities in fiscal year 2007; and

''(B) through reductions of 2 percent each fiscal year;

''(3) reduce industrial, landscaping, and agricultural water consumption at GSA facilities (as measured in gallons)—

''(A) by 20 percent by fiscal year 2030, relative to the industrial, landscaping, and agricultural water consumption of GSA facilities in fiscal year 2018; and

''(B) through reductions of 2 percent each fiscal year; and

''(4) to the maximum extent practicable, carry out paragraphs (1) through (3) in a manner that is lifecycle cost effective.

''(b) ENERGY AND WATER INTENSIVE FACILITY EXCLUSIONS.—

''(1) IN GENERAL.—The Administrator may exclude from the requirements under paragraph (1) or (2) of subsection (a), as applicable, any GSA facility in which energy- or water-intensive activities are carried out.

''(2) REPORT.—The Administrator shall include in the report submitted to the Secretary under section 548(a) of the National Energy Conservation Policy Act (42 U.S.C. 8258(a)) a list identifying each GSA facility excluded under paragraph (1) and a statement of whether the exclusion is on the basis of energy-intensive activities, water-intensive activities, or both energy- and water-intensive activities.

''(c) ALTERNATIVE METRIC FOR MEASURING POTABLE WATER CONSUMPTION INTENSITY.—

''(1) IN GENERAL.—The Administrator may develop an alternative metric for measuring potable water consumption intensity under subsection (a)(2), including by using occupancy, building use type, or other attributes relevant to potable water use and potential for efficiency.

''(2) ORIGINAL METRIC.—If the Administrator develops an alternative metric under paragraph (1), the Administrator shall not cease tracking and reporting potable water consumption intensity in gallons per gross square foot.

''(d) STRINGENT GOALS.—In the case of a conflict between a goal established under subsection (a) and a Federal energy or water intensity goal established pursuant to any other Federal law with respect to GSA facilities, the Administrator shall apply the more stringent goal.

''(e) PRIVATE SECTOR FINANCING PRIORITY.—

''(1) IN GENERAL.—In carrying out this section, the Administrator shall prioritize projects in which Federal funds will be used to leverage private sector financing using public-private partnerships, including through energy savings performance contracts and other mechanisms.

''(2) ANALYSIS.—The Administrator shall select priority projects under paragraph (1) on the basis of analysis that ensures a maximum beneficial use of private finance for the project.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $500,000,000 to carry out this section and section 443, to remain available until expended, including—

''(1) to supplement project budgets beyond cost-effective and minimum efficiency requirements;

''(2) for onsite or community renewable energy and energy storage and other approaches to reduce total carbon footprints of GSA facilities;

''(3) to achieve embodied carbon reductions on new construction and major renovation projects; and

''(4) for pilot testing of new construction and retrofit technologies that may help achieve net-zero energy and net-zero carbon (as those terms are defined in section 443(a)).

"SEC. 443. NET-ZERO GOALS.

''(a) DEFINITIONS.—In this section:

''(1) ALLOWED CARBON OFFSET.—The term 'allowed carbon offset' means an allowed carbon offset as defined by the Federal Director of the Office of Federal High-Performance Green Buildings in consultation with the Administrator of the Environmental Protection Agency.

''(2) ALLOWED OFFSITE RENEWABLE ENERGY SOURCE.—The term 'allowed offsite renewable energy source' means an allowed offsite renewable energy source as defined by the Federal Director of the Office of Federal High-Performance Green Buildings in consultation with the Administrator of the Environmental Protection Agency—

''(A) including requirements for district energy systems, community sources, and purchase options; and

''(B) taking into consideration an efficiency-first strategy, optimization of carbon impact, and ensuring accountability.

''(3) NET-ZERO CARBON.—

''(A) IN GENERAL.—The term 'net-zero carbon' means, with respect to a highly energy-efficient building (as determined by the Administrator in consultation with the Administrator of the Environmental Protection Agency) or group of highly energy-efficient buildings, a building or group of buildings of which, for not less than 1 year, the carbon emissions resulting from building operations, as described in subparagraph (B), are equal to or less than the carbon emissions reduced or offset, as described in subparagraph (C).

''(B) CARBON EMISSIONS FROM BUILDING OPERATIONS.—Carbon emissions resulting from building operations—

''(i) shall include carbon related to energy consumption from onsite and offsite sources; and

''(ii) may include other sources of emissions, such as occupant transportation, water, waste, refrigerants, and embodied carbon of materials.

''(C) CARBON EMISSIONS REDUCED OR OFFSET.—Carbon emissions reduced or offset—

''(i) shall include carbon—

''(I) associated with exports of renewable energy generated on site; and

''(II) substantiated with ownership of renewable energy certificates; and

''(ii) may include—

''(I) allowed offsite renewable energy sources substantiated with renewable energy certificates; and

''(II) allowed carbon offsets.

''(4) NET-ZERO ENERGY.—

''(A) IN GENERAL.—The term 'net-zero energy' means, with respect to a highly energy-efficient building (as determined by the Administrator in consultation with the Administrator of the Environmental Protection Agency), a building for which, on a source energy basis, the annual delivered energy is less than or equal to the sum obtained by adding the onsite renewable exported energy and the allowed offsite renewable energy sources, as substantiated with renewable energy certificates.

''(B) INCLUSION.—A highly energy-efficient building is net-zero energy if it is located within a group of buildings for which, when treated as a unit, on a source energy basis, the annual delivered energy is less than or equal to the sum obtained by adding the onsite renewable exported energy and the allowed offsite renewable energy sources, as substantiated with renewable energy certificates.

''(5) NET-ZERO WASTE BUILDING.—Unless otherwise defined by the Federal Director of the Office of Federal High-Performance Green Buildings, the term 'net-zero waste building' means a building operated to reduce, reuse, recycle, compost, or recover solid waste streams that result in zero waste disposal to landfills or incinerators (except for hazardous and medical waste).

''(6) NET-ZERO WATER BUILDING.—

''(A) IN GENERAL.—Unless otherwise defined by the Federal Director of the Office of Federal High-Performance Green Buildings, the term 'net-zero water building' means a building that—

''(i) maximizes alternative water sources;

''(ii) minimizes wastewater discharge; and

''(iii) returns water to the original water source such that, for a 1-year period, the water consumption volume is equivalent to the sum obtained by adding the volume of alternative water use and the water returned to the original source during that 1-year period.

''(B) INCLUSION.—A building is a net-zero water building if it is located within a group of buildings that, when treated as a unit, meet the requirements described in clauses (i) through (iii) of subparagraph (A).

''(7) SCOPE 1 GREENHOUSE GAS EMISSIONS.—The term 'scope 1 greenhouse gas emissions' means direct emissions from sources that are owned or controlled by a Federal agency, including—

''(A) emissions from generation of electricity;

''(B) emissions from combustion of fuel for heating, cooling, or steam;

''(C) emissions from mobile sources;

''(D) fugitive emissions; and

''(E) process emissions.

''(8) SCOPE 2 GREENHOUSE GAS EMISSIONS.—The term 'scope 2 greenhouse gas emissions' means indirect emissions resulting from the generation of electricity, heat, or steam purchased by a Federal agency.

''(b) ESTABLISHMENT.—Subject to subsection (c), the Administrator shall—

''(1) for each of fiscal years 2021 through 2030, reduce aggregate portfolio-wide scope 1 greenhouse gas emissions and scope 2 greenhouse gas emissions (as measured in MTCO2-equivalents) at GSA facilities by at least 4 percent each fiscal year, so that the aggregate portfolio-wide scope 1 greenhouse gas emissions and scope 2 greenhouse gas emissions are reduced by not less than 40 percent by fiscal year 2030 relative to the aggregate portfolio-wide scope 1 greenhouse gas emissions and scope 2 greenhouse gas emissions at GSA facilities in fiscal year 2018; and

''(2) ensure that, in the case of the construction of a new GSA facility with more than 10,000 gross square feet—

''(A) for which a prospectus is submitted during the period of fiscal years 2021 through 2025, not less than 50 percent of cumulative gross floor area and not less than 25 percent

of cumulative building projects are designed to perform as net-zero energy buildings in operation, and, if feasible, net-zero carbon buildings, net-zero water buildings, and net-zero waste buildings;

''(B) for which a prospectus is submitted during the period of fiscal years 2026 through 2030, not less than 90 percent of cumulative gross floor area and not less than 45 percent of cumulative building projects are designed to perform as net-zero energy buildings in operation and, if feasible, net-zero carbon buildings, net-zero water buildings, and net-zero waste buildings; and

''(C) for which a prospectus is submitted in fiscal year 2031 or any fiscal year thereafter, not less than 100 percent of cumulative gross floor area and not less than 100 percent of cumulative building projects are designed to perform as net-zero energy buildings in operation and, if feasible, net-zero carbon buildings, net-zero water buildings, and net-zero waste buildings.

''(c) BUILDING EXCLUSION.—

''(1) IN GENERAL.—The Administrator may exclude from the requirements of subsection (b)(1) any new GSA facility for which net-zero energy is technically infeasible.

''(2) REPORT.—The Administrator shall include in the report submitted to the Secretary under section 548(a) of the National Energy Conservation Policy Act (42 U.S.C. 8258(a)) a list identifying each GSA facility excluded under paragraph (1).

''(d) INNOVATIVE BUILDING TECHNOLOGIES.—In carrying out subsection (b), the Administrator may use lifecycle cost effective (including the cost of carbon) innovative building technologies, including onsite energy storage, all-electric buildings, building-grid integration technologies, electric construction vehicles, and other technologies.

''(e) PRIVATE SECTOR FINANCING PRIORITY.—In carrying out renovation projects under this section, the Administrator shall prioritize projects in which Federal funds will be used to leverage private sector financing using public-private partnerships, including through energy savings performance contracts and other mechanisms.

''(f) FUNDS.—The Administrator shall use a portion of the funds made available under section 442(f) to carry out this section.

''SEC. 444. ZERO EMISSION VEHICLE INFRASTRUCTURE GOALS.

''(a) ANNUAL GOALS.—The Administrator shall—

''(1) develop annual goals for deployment of zero emission vehicle infrastructure, including electric vehicle supply equipment, at GSA facilities such that by December 31, 2030, at least 50 percent of GSA facilities with 200 or more daily employees and visitors offer zero emission vehicle charging or fueling; and

''(2) develop guidance to ensure progress towards those annual goals.

''(b) PLAN.—The Administrator shall prepare a detailed plan—

''(1) to achieve the goals described in subsection (a)(1); and

''(2) that—

''(A) identifies particular GSA facilities or campuses as priority facilities or campuses, as applicable, at which to achieve those goals, including by considering demand for zero emission vehicle charging and fueling, locations of zero emission vehicle fleets of the General Services Administration and tenant Federal agencies, locations relevant to State zero emission vehicle charging and fueling needs, geographical gaps in zero emission vehicle charging infrastructure, availability of incentives, and other factors; and

''(B) includes a requirement that all applicable electric vehicle supply equipment is certified under the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a).

''(c) INCLUSION IN PROJECTS.—The Administrator shall, to the maximum extent practicable, ensure that appropriate zero emission vehicle infrastructure, including electric vehicle supply equipment and electric vehicle infrastructure, are included in, with respect to a GSA facility—

''(1) any prospectus for a construction, alteration, or lease project;

''(2) any prospectus for an alteration of a leased building;

''(3) any contract for parking lot paving or repaving; and

''(4) any other appropriate project.

''(d) PRIVATE SECTOR FINANCING.—In carrying out this section, the Administrator is encouraged to use funds to leverage private sector financing if doing so is advantageous to the General Services Administration.

''(e) REPORT.—Not later than 2 years after the date of enactment of this section, the Administrator shall submit to Congress a report describing the progress made in meeting the goals described in subsection (a)(1).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $50,000,000—

''(1) to achieve the zero emission vehicle infrastructure goals developed under subsection (a)(1), including through projects in support of those goals; and

''(2) for the cost of any additional employees, contractors, and training needed to support those goals.

''SEC. 445. DEEP ENERGY RETROFIT GOALS.

''(a) DEFINITION OF DEEP ENERGY RETROFIT PROJECT.—In this section, the term 'deep energy retrofit project' means a project that—

''(1) reduces the energy consumption of a GSA facility by not less than 35 percent as compared to the energy consumption of the GSA facility before the project;

''(2) moves a facility toward net-zero energy (as defined in section 443(a)); and

''(3) may include water efficiency and distributed energy resources.

''(b) ESTABLISHMENT.—Subject to the availability of appropriated funds, the Administrator shall, for each of fiscal years 2021 through 2030, obligate funds for deep energy retrofit projects that, in total, are carried out at not less than 3 percent of GSA facilities, which shall represent not less than 5 percent of the total square footage of all GSA facilities.

''(c) RENOVATIONS.—The Administrator shall—

''(1) seek to coordinate deep energy retrofit projects with other building renovations and capital projects; and

''(2) in conducting preplanning for a prospective capital project, evaluate the appropriateness, and the costs and benefits, of including a deep energy retrofit project.

''(d) PRIVATE SECTOR FINANCING PRIORITY.—

''(1) IN GENERAL.—In carrying out this section, the Administrator shall prioritize projects in which Federal funds will be used to leverage private sector financing using public-private partnerships, including through energy savings performance contracts and other mechanisms.

''(2) ANALYSIS.—The Administrator shall select priority projects under paragraph (1) on the basis of analysis that ensures a maximum beneficial use of private finance for the project.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) is amended by adding after the item relating to section 441 the following:

''Sec. 442. Energy and water efficiency goals.
''Sec. 443. Net-zero goals.
''Sec. 444. Zero emission vehicle infrastructure goals.
''Sec. 445. Deep energy retrofit goals.''.

SEC. 41304. RESILIENT AND HEALTHY BUILDINGS.

(a) IN GENERAL.—Subtitle C of title IV of the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1607) (as amended by section 41303(a)) is amended by adding at the end the following:

''SEC. 446. RESILIENT AND HEALTHY BUILDINGS.

''(a) DEFINITIONS.—In this section:

''(1) FLOOD RISK AREA.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'flood risk area' means—

''(i) an area delineated by an elevation of 2 feet above the 100-year floodplain; and

''(ii) an area delineated by an elevation equal to the 500-year floodplain.

''(B) CLIMATE SCIENCE.—In applying the definition of the term 'flood risk area' for purposes of carrying out this section, the Administrator shall consider current climate science in identifying the elevation of the 100-year and 500-year floodplain.

''(2) RESILIENCE.—The term 'resilience' means the ability to adapt to changing conditions and withstand and rapidly recover from disruption due to an emergency.

''(b) FLOOD PROTECTION.—For any construction or rehabilitation project administered by the Administrator, the Administrator shall—

''(1) determine whether there is a flood risk area in the location of the project; and

''(2) in the case of a positive determination under paragraph (1)—

''(A) to the extent possible, avoid new construction in the flood risk area; and

''(B) if new construction cannot be avoided under subparagraph (A)—

''(i) ensure that the new construction will—

''(I) raise all essential services 5 feet above the applicable floodplain; and

''(II) include a design for quick recovery in a flooding event;

''(ii) rehabilitate existing buildings located in the flood risk area to better withstand flood risk; and

''(iii) develop a flood vulnerability assessment and mitigation plan to protect life and property.

''(c) RESILIENCE METRICS.—The Administrator shall—

''(1) pilot test metrics to measure and improve the resilience of GSA facilities, including the physical aspects of the facilities, the health and wellness of occupants of the facilities, and communities and systems serving or served by the facilities; and

''(2) in carrying out paragraph (1), consider emerging resilience tools and rating systems for resilience, including building-grid optimization.

''(d) GREEN INFRASTRUCTURE.—The Administrator shall prioritize the use of appropriate green infrastructure features on federally owned property—

''(1) to improve stormwater and wastewater management;

''(2) to alleviate onsite and offsite flooding and water quality impacts; and

''(3) to reduce and mitigate risks of climate change to GSA facilities and proximate communities.

''(e) OPERATING BUILDINGS FOR HEALTH.—

''(1) METRICS AND DATA.—The Administrator shall—

''(A) implement human-centric metrics and measurement tools to improve the indoor environmental qualities, including air and water quality, that support improved health and wellness of Federal employees; and

''(B) collect, manage, and analyze the data generated by the metrics and tools implemented under subparagraph (A).

''(2) STRATEGIC PLAN.—Not later than 1 year after the date of enactment of the GREEN Building Jobs Act of 2021, the Administrator shall develop and make publicly available a strategic plan for the design, construction, and operation of GSA facilities that—

''(A) is based on the data described in paragraph (1)(B);

''(B) provides for implementation of priority practices by the end of fiscal year 2022; and

''(C) may provide for phased implementation of additional effective practices.

''(3) ADMINISTRATION.—In carrying out paragraphs (1) and (2), the Administrator shall—

''(A) consider emerging occupant-centric environmental health monitoring tools and building control systems for improved health and wellness, including approaches such as measurement of accumulated daily circadian light dosage, surveys of occupant satisfaction and perceptions, assessments of physical activity, social interaction, and mobility, and measurement of reduced exposure to contaminants in air and drinking water;

''(B) incorporate strategies to reduce risk of transmission of viruses and other pathogens; and

''(C)(i) benchmark health and well-being management performance to leadership standards; and

''(ii) include in certification activities the strategies and performance measures considered and used under this subsection as tools to monitor and improve outcomes.

''(f) GUIDANCE; TRAINING.—The Administrator, acting through the Federal Director of the Office of Federal High-Performance Green Buildings, may issue guidance and provide training to implement this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $300,000,000 to carry out this section, to remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Energy Independence and Security Act of 2007 (Public Law 110–140; 121 Stat. 1494) (as amended by section 41303(b)) is amended by adding after the item relating to section 445 the following:

''Sec. 446. Resilient and healthy buildings.''.

SEC. 41305. FEDERAL BUILDING IMPROVEMENTS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) GSA FACILITY.—The term ''GSA facility'' has the meaning given the term in section 401 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17061).

(b) ENERGY EFFICIENCY IMPROVEMENTS.—

(1) IN GENERAL.—The Administrator shall carry out energy efficiency improvements to GSA facilities, including—

(A) actionable energy projects—

(i) identified in the most recent energy and water evaluation for a facility conducted—

(I) under section 543(f)(3) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(3)); and

(II) prior to 2020; and

(ii) that are life-cycle cost-effective;

(B) additional measures to support the goals of each of sections 442 through 444 of the Energy Independence and Security Act of 2007 (Public Law 110–140);

(C) additional measures to support activities under section 445 of the Energy Independence and Security Act of 2007 (Public Law 110–140); and

(D) combining projects to reduce cost, administration, or implementation time, or otherwise add value.

(2) LEVERAGING PRIVATE SECTOR FUNDS.—

(A) IN GENERAL.—In carrying out improvements under paragraph (1) in a fiscal-year period, the Administrator shall, to the maximum extent practicable, use not less than the amount made available under paragraph (3) for that fiscal year to leverage private sector financing using public-private partnerships, including through energy savings performance contracts and other mechanisms.

(B) PERFORMANCE REQUIREMENT.—Any public-private partnership entered into pursuant to subparagraph (A) shall include a performance component that ensures effective use of funds, lasting energy and cost savings, and job creation.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this subsection $1,000,000,000, to remain available until expended.

SEC. 41306. LONG-TERM CONTRACTS FOR RENEWABLE ENERGY.

(a) DEFINITIONS.—In this section:

(1) COGENERATION FACILITY.—The term ''cogeneration facility'' has the meaning given the term in section 3 of the Federal Power Act (16 U.S.C. 796).

(2) RENEWABLE ENERGY SOURCE.—The term ''renewable energy source'' has the meaning given the term ''renewable energy'' in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

(b) CONTRACTS.—

(1) IN GENERAL.—The Administrator of General Services may enter into a contract for the acquisition of energy generated from renewable energy sources or from cogeneration facilities.

(2) RENEWABLE ENERGY CERTIFICATES.—In entering into a contract under paragraph (1), the Administrator of General Services shall—

(A) include in the contract the acquisition of renewable energy certificates; or

(B) secure by other means renewable energy certificates of equal term and quantity to the term and quantity of energy procured under the contract.

(3) TERM OF CONTRACT.—Notwithstanding section 501(b)(1)(B) of title 40, United States Code, the term of a contract entered into under this subsection shall be not more than 30 years.

SEC. 41307. RECOMMENDATIONS.

(a) DEFINITION OF ADMINISTRATOR.—In this section, the term ''Administrator'' means the Administrator of General Services, acting through the Federal Director of the Office of High-Performance Green Buildings.

(b) SUSTAINABILITY AND RESILIENCE.—The Administrator, in consultation with the Secretary of Health and Human Services, the Secretary of Homeland Security, the Administrator of the Federal Emergency Management Agency, the Secretary of Veterans Affairs, the Administrator of the Environmental Protection Agency, the Secretary, and the Chair of the Council on Environmental Quality, shall develop recommendations for sustainability and resilience at hospitals and health care facilities, including by—

(1) incorporating building and health sciences research related to health and wellness;

(2) identifying relevant metrics;

(3) prioritizing proven strategies;

(4) referencing, as appropriate, criteria in the Guiding Principles for Sustainable Federal Buildings; and

(5) developing corresponding recommended contract provisions and other templates for use in procurement.

(c) COMPLIANCE WITH GUIDING PRINCIPLES FOR SUSTAINABLE FEDERAL BUILDINGS.—The Administrator, in consultation with the Administrator of the Environmental Protection Agency, the Director of the Federal Energy Management Program, and the Chair of the Council on Environmental Quality, shall develop recommendations for systems, including customized Energy Star Portfolio Manager fields and dashboards, for use by Federal facilities in tracking compliance and progress of new and existing buildings with the Guiding Principles for Sustainable Federal Buildings, including by considering—

(1) campus, installation, and portfolio approaches;

(2) suggested targets; and

(3) relevant metrics.

SEC. 41308. STUDY ON FEDERAL BUILDINGS FUND LENDING PROGRAM.

Not later than 1 year after the date of enactment of this Act, the Administrator of General Services, acting through the Federal Director of the Office of High-Performance Green Buildings (referred to in this section as the ''Administrator''), shall make publicly available a report that evaluates and describes the potential efficacy, costs, and benefits of a program under which the Administrator would—

(1) borrow funds from the Federal Buildings Fund for building energy and water efficiency and resilience retrofits, including through projects that use funds to leverage private sector financing, including through energy savings performance contracts; and

(2) repay the Federal Buildings Fund from utility savings.

SEC. 41309. ANNUAL REPORTING ON LEVERAGED PRIVATE FINANCING.

(a) IN GENERAL.—For each of fiscal years 2021 through 2030, the Administrator of General Services, acting through the Federal Director of the Office of High-Performance Green Buildings (referred to in this section as the ''Administrator''), shall include the information described in subsection (b)—

(1) in the annual report submitted to the Secretary pursuant to section 548(a) of the National Energy Conservation Policy Act (42 U.S.C. 8258(a));

(2) as a summary in the annual report prepared by the Administrator pursuant to section 527 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17143); and

(3) as a summary in the annual General Services Administration Sustainability Report and Implementation Plan.

(b) INFORMATION.—The information referred to in subsection (a) is, with respect to the fiscal year covered by a report—

(1) the investment value and number of energy savings performance contracts entered into by the Administrator;

(2) the investment value and number of other forms of public-private partnerships that leverage private sector financing entered into by the Administrator for energy efficiency projects;

(3) for each of the 2 fiscal years following the fiscal year covered by the report, the projected value and number described in each of paragraphs (1) and (2);

(4) the total estimated implementation costs and estimated lifecycle cost savings of outstanding energy conservation measures at facilities that meet the criteria described in section 543(f)(2)(B) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(2)(B)); and

(5) recommendations to increase the aggregate benefits and value provided to the General Services Administration through public-private partnerships with respect to energy efficiency, renewable energy, and energy resilience.

SEC. 41310. COORDINATION WITH STATES.

The Administrator of General Services, acting through the Federal Director of the Office of High-Performance Green Buildings,

is encouraged to carry out this title and the amendments made by this title in coordination with States, including by—

(1) sharing resources and providing technical advice to States regarding net-zero buildings and carbon reducing technologies;

(2) coordinating with multistate organizations on charging infrastructure technology, procurement, and strategic locations relating to zero-emission vehicles;

(3) allowing State officials to participate in appropriate training opportunities; and

(4) coordinating with States on renewable energy procurement benefitting a Federal facility and local communities.

SA 2578. Mr. WHITEHOUSE (for himself and Mr. GRAHAM) 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:

SEC. _____. PREVENTING INTERNATIONAL CYBERCRIME.

(a) PREDICATE OFFENSES.—Part I of title 18, United States Code, is amended—

(1) in section 1956(c)(7)(D)—

(A) by striking ''or section 2339D'' and inserting ''section 2339D''; and

(B) by striking ''of this title, section 46502'' and inserting '', or section 2512 (relating to the manufacture, distribution, possession, and advertising of wire, oral, or electronic communication intercepting devices) of this title, section 46502''; and

(2) in section 1961(1), by inserting ''section 1030 (relating to fraud and related activity in connection with computers) if the act indictable under section 1030 is felonious,'' before ''section 1084''.

(b) FORFEITURE.—

(1) IN GENERAL.—Section 2513 of title 18, United States Code, is amended to read as follows:

''§ 2513. Confiscation of wire, oral, or electronic communication intercepting devices and other property

''(a) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation of section 2511 or 2512, or convicted of conspiracy to violate section 2511 or 2512, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

''(1) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of a violation of section 2511 or 2512; and

''(2) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained or retained directly or indirectly as a result of a violation of section 2511 or 2512.

''(b) FORFEITURE PROCEDURES.—Pursuant to section 2461(c) of title 28, the procedures of section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) thereof, shall apply to criminal forfeitures under this section.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 119 is amended by striking the item relating to section 2513 and inserting the following:

''2513. Confiscation of wire, oral, or electronic communication intercepting devices and other property.''.

(c) SHUTTING DOWN BOTNETS.—

(1) AMENDMENT.—Section 1345 of title 18, United States Code, is amended—

(A) in the heading, by inserting ''**and abuse**'' after ''**fraud**'';

(B) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (B), by striking ''or'' at the end;

(II) in subparagraph (C), by inserting ''or'' after the semicolon; and

(III) by inserting after subparagraph (C) the following:

''(D) violating or about to violate section 1030(a)(5) of this title where such conduct has caused or would cause damage (as defined in section 1030) without authorization to 100 or more protected computers (as defined in section 1030) during any 1-year period, including by—

''(i) impairing the availability or integrity of the protected computers without authorization; or

''(ii) installing or maintaining control over malicious software on the protected computers that, without authorization, has caused or would cause damage to the protected computers;''; and

(ii) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', a violation described in subsection (a)(1)(D),'' before ''or a Federal''; and

(C) by adding at the end the following:

''(c) A restraining order, prohibition, or other action by a court described in subsection (b), if issued in circumstances described in subsection (a)(1)(D), may, upon application of the Attorney General—

''(1) specify that no cause of action shall lie in any court against a person for complying with the restraining order, prohibition, or other action by a court; and

''(2) provide that the United States shall pay to such person a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in complying with the restraining order, prohibition, or other action by a court.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by striking the item relating to section 1345 and inserting the following:

''1345. Injunctions against fraud and abuse.''.

(d) AGGRAVATED DAMAGE TO COMPUTERS USED TO OPERATE OR ACCESS CRITICAL SYSTEMS AND ASSETS.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting after section 1030 the following:

''§ 1030A. Aggravated damage to computers used to operate or access critical systems and assets

''(a) OFFENSE.—It shall be unlawful, during and in relation to a felony violation of section 1030, to knowingly cause or attempt to cause damage to a computer used to operate or access critical systems and assets, if such damage results in (or, in the case of an attempted offense, would, if completed, have resulted in) the substantial impairment—

''(1) of the operation of the computer; or

''(2) of the critical systems and assets associated with such computer.

''(b) PENALTY.—Any person who violates subsection (a) shall, in addition to the term of punishment provided for the felony violation of section 1030, be fined under this title, imprisoned for not more than 20 years, or both.

''(c) PROHIBITION ON PROBATION.—Notwithstanding any other provision of law, a court shall not place any person convicted of a violation of this section on probation;

''(d) DEFINITIONS.—In this section—

''(1) the terms 'computer' and 'damage' have the meanings given the terms in section 1030; and

''(2) the term 'critical systems and assets' means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have catastrophic regional or national effects on public health or safety, economic security, or national security, including voter registration databases, voting machines, and other communications systems that manage the election process or report and display results on behalf of State and local governments.''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1030 the following:

''1030A. Aggravated damage to computers used to operate or access critical systems and assets.''.

(e) STOPPING DEALING IN BOTNETS; FORFEITURE.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by adding ''or'' at the end; and

(B) by inserting after paragraph (7) the following:

''(8) intentionally deals in the means of access to a protected computer, if—

''(A) the dealer knows or has reason to know the protected computer has been damaged in a manner prohibited by this section; and

''(B) the promise or agreement to pay for the means of access is made by, or on behalf of, a person the dealer knows or has reason to know intends to use the means of access to—

''(i) damage a protected computer in a manner prohibited by this section; or

''(ii) violate section 1037 or 1343;'';

(2) in subsection (c)(3)—

(A) in subparagraph (A), by striking ''(a)(4) or (a)(7)'' and inserting ''(a)(4), (a)(7), or (a)(8)''; and

(B) in subparagraph (B), by striking ''(a)(4), or (a)(7)'' and inserting ''(a)(4), (a)(7), or (a)(8)''; and

(3) in subsection (e)—

(A) in paragraph (13), by striking ''and'' at the end;

(B) in paragraph (14), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(15) the term 'deal' means transfer, or otherwise dispose of, to another as consideration for the receipt of, or as consideration for a promise or agreement to pay, anything of pecuniary value.'';

(4) in subsection (g), in the first sentence, by inserting '', except for a violation of subsection (a)(8),'' after ''of this section''; and

(5) by striking subsection (i) and inserting the following:

''(i) CRIMINAL FORFEITURE.—

''(1) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation of this section, or convicted of conspiracy to violate this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

''(A) such person's interest in any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

''(B) any property, real or personal, constituting or derived from any gross proceeds, or any property traceable to such property, that such person obtained, directly or indirectly, as a result of such violation.

''(2) APPLICABLE PROVISIONS.—The criminal forfeiture of property under this subsection,

including any seizure and disposition of the property, and any related judicial proceeding, shall be governed by the procedures of section 413 of the Controlled Substances Act (21 U.S.C. 853), except subsection (d) of that section.''.

SA 2579. Mr. PADILLA (for himself and 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, 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 63, line 17, strike ''and''.

On page 65, line 24, strike the period at the end and insert ''; and''.

On page 65, after line 24, insert the following:

(4) by adding at the end the following:

''(h) IMPOSITION OF DEADLINE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may not require any project funded under this section to advance to the construction obligation stage before the date that is the last day of the sixth fiscal year after the later of—

''(A) the date on which the Governor declared the emergency, as described in subsection (d)(1)(A); and

''(B) the date on which the President declared the emergency to be a major disaster, as described in that subsection.

''(2) EXTENSION OF DEADLINE.—If the Secretary imposes a deadline for advancement to the construction obligation stage pursuant to paragraph (1), the Secretary may—

''(A) on the request of the Governor of the State, issue an extension of not more than 1 year to complete the advancement; and

''(B) issue additional extensions after the expiration of any extension, if the Secretary determines the Governor of the State has provided suitable justification to warrant such an extension.''.

On page 1266, strike lines 4 and 5 and insert the following:

has insurance required under State law for all structures related to the grant application.

''(g) IMPOSITION OF DEADLINE.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may not require any project funded pursuant to this section to advance to the construction obligation stage before the date that is the last day of the sixth fiscal year after the later of—

''(A) the date on which the Governor declared the emergency, as described in subsection (a)(1); or

''(B) the date on which the President declared the emergency to be a major disaster, as described in that subsection.

''(2) EXTENSION OF DEADLINE.—If the Secretary imposes a deadline for advancement to the construction obligation stage pursuant to paragraph (1), the Secretary may—

''(A) on the request of the Governor of the State, issue an extension of not more than 1 year to complete the advancement, and

''(B) issue additional extensions after the expiration of any extension, if the Secretary determines the Governor of the State has provided suitable justification to warrant such an extension.''.

SA 2580. 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, 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 50, lines 20 and 21, strike ''(32), (33), (34), (35), and (36)'' and insert ''(33), (34), (35), (36), and (37)''.

On page 52, strike lines 7 through 9 and insert the following:

natural disasters.'';

(5) by inserting after paragraph (31) (as so redesignated) the following:

''(32) TRANSPORTATION DEMAND MANAGEMENT.—The term 'transportation demand management' means the use of strategies to inform and encourage travelers to maximize the efficiency of a transportation system, leading to improved mobility, reduced congestion, and lower vehicle emissions, including strategies that use planning, programs, policies, marketing, communications, incentives, pricing, data, and technology.''; and

(6) in subparagraph (A) of paragraph (33) (as

On page 126, line 17, strike ''or''.

On page 127, strike line 3 and insert the following:

a national ambient air quality standard; or

''(12) if the project or program shifts traffic demand through the use of transportation demand management strategies.'';

On page 242, line 22, strike ''and''.

On page 242, between lines 23 and 24, insert the following:

(iv) travel demand impacts from State and local transportation demand management strategies; and

On page 341, line 17, strike ''and''.

On page 341, strike line 21 and insert the following:

nonpeak periods; and

''(E) transportation demand management strategies.

SA 2581. Mr. PADILLA (for himself and 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, 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 1253, strike line 23 and insert the following:

(1) in subsection (a)(1)—

(A) by striking ''means a State'' and inserting the following: ''means—

''(A) a State'';

(B) by striking ''Government.'' and inserting ''Government; or''; and

(C) by adding at the end the following:

''(B) a State or local governmental entity that operates a public transportation service and receives and administers Federal transit program grant funds for both rural and urban areas.'';

(2) in subsection (c)—

On page 1254, line 23, strike ''(2)'' and insert ''(3)''.

SA 2582. 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:

On page 2486, line 12, insert ''*Provided further*, That in allocating funds under the previous proviso, the Secretary of the Army shall prioritize ship channel deepening projects:'' after ''322):''.

SA 2583. 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 end of title VIII of division D, add the following:

SEC. 408_____. TREATMENT OF CERTAIN LAND AND RESOURCE MANAGEMENT PLANS AND LAND USE PLANS.

(a) NATIONAL FOREST SYSTEM LAND AND RESOURCE MANAGEMENT PLAN.—Section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) is amended by adding at the end the following:

''(n) COMPLETED FEDERAL ACTION.—A land and resource management plan for a unit of the National Forest System approved, amended, or revised under this section shall not—

''(1) be considered to be a continuing Federal agency action; or

''(2) constitute a discretionary Federal involvement or control for a distinct Federal purpose.''.

(b) BUREAU OF LAND MANAGEMENT LAND USE PLANS.—Section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) is amended by adding at the end the following:

''(g) COMPLETED FEDERAL ACTION.—A land management plan approved, amended, or revised under this section shall not—

''(1) be considered to be a continuing Federal agency action; or

''(2) constitute a discretionary Federal involvement or control for a distinct Federal purpose.''.

SA 2584. Mr. CORNYN (for himself 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, 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. ___. AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended—

(1) in section 602—

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

(B) in subsection (c)—

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

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

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

''(A) IN GENERAL.—Subject to subparagraph (C), 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 projects described in subparagraph (B), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, section 5309 or 6701 of title 49, United States Code, or section 3005(b) of the FAST Act (49 U.S.C. 5309 note; Public Law 114-94), to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

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

''(i) A project that receives a grant under section 117 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 124 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

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

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

''(viii) A project eligible under section 151 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

''(xi) A project eligible under section 173 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xii) A project eligible under section 175 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiii) A project eligible under section 176 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

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

''(xvii) 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').

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

''(xix) A project that furthers the completion of a designated route of the Appalachian Development Highway System under section 14501 of title 40, United States Code.

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

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

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

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

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

''(xxv) A project that receives a grant under section 6703 of title 49, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xxvi) 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.).

''(xxvii) A project eligible under the bridge replacement, rehabilitation, preservation, protection, and construction program under paragraph (1) under the heading 'HIGHWAY INFRASTRUCTURE PROGRAM' under the heading 'FEDERAL HIGHWAY ADMINISTRATION' under the heading 'DEPARTMENT OF TRANSPORTATION' under title VIII of division J of the Infrastructure Investment and Jobs Act.

''(C) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—The total amount that a State, territory, or Tribal government may use from a payment made under this section for uses described in subparagraph (A) shall not exceed 30 percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1)(D), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) 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 (xx) through (xxiv) of subparagraph (B).

''(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) 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 pursuant to subparagraph (A) for a project described in clause (xxvi) of subparagraph (B) that relates to broadband infrastructure;

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in subparagraph (B); and

''(III) a State government receiving a payment under this section may use funds provided under such payment for projects described in clause (i) of subparagraph (B) that—

''(aa) demonstrate progress in achieving a state of good repair as required by the State's asset management plan under section 119(e) of title 23, United States Code; and

''(bb) support the achievement of 1 or more performance targets of the State established under section 150 of title 23, United States Code.

''(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

''(D) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''; and

(2) in subsection 603—

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

(B) in subsection (c)—

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

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

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

''(A) IN GENERAL.—Subject to subparagraph (B), notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B) of section 602(c)(4), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, section 5309 or 6701 of title 49, United States Code, or section 3005(b) of the FAST Act (49 U.S.C. 5309 note; Public Law 114-94), to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—The total amount that a metropolitan city, nonentitlement unit of local government, or county may use from a payment made under this section for uses described in subparagraph (A) shall not exceed 30 percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1)(D), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) 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 (xx) through (xxiv) of section 602(c)(4)(B).

''(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) 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 pursuant to subparagraph (A) for a project described in clause (xxvi) of section 602(c)(4)(B) that relates to broadband infrastructure; and

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section

that are used for projects described in section 602(c)(4)(B).

''(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

''(C) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''.

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

(c) GUIDANCE AND EFFECTIVE DATE.—

(1) GUIDANCE OR RULE.—Within 60 days of the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Transportation, shall issue guidance or promulgate a rule to carry out this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the issuance of guidance or the promulgation of a rule described in paragraph (1).

(d) DEPARTMENT OF THE TREASURY ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this subsection as the ''Secretary'') for administrative expenses pursuant to the provisions specified in paragraph (2) shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for any administrative expenses of the Department of the Treasury determined by the Secretary to be necessary to respond to the coronavirus emergency, including any expenses necessary to implement any provision of—

(A) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136);

(B) division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(C) the American Rescue Plan Act (Public Law 117–2); or

(D) title VI of the Social Security Act (42 U.S.C. 801 et seq.).

(2) PROVISIONS SPECIFIED.—The provisions specified in this paragraph are the following:

(A) Sections 4003(f) and 4112(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(B) Section 421(f)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(C) Sections 3201(a)(2)(B), 3206(d)(1)(A), and 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117–2).

(D) Section 602(a)(2) of the Social Security Act (42 U.S.C. 802(a)(2)).

SA 2585. 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 end of division I, add the following:

SEC. 90009. CBO ANALYSIS OF ECONOMIC EFFECTS.

The Congressional Budget Office shall submit to Congress a report that provides an analysis of the economic effects of this Act and the amendments made by this Act with respect to each of fiscal years 2021 through 2031, which shall include an analysis of the effects on the gross domestic product of, employment in, wages in, and inflation in the United States.

SA 2586. Mr. SULLIVAN (for himself, Ms. MURKOWSKI, Ms. HIRONO, and Mr. SCHATZ) 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. ___. EXTENSION OF COVERAGE OF CORONAVIRUS RELIEF FUND PAYMENTS TO TRIBAL GOVERNMENTS.

Section 601(d)(3) of the Social Security Act (42 U.S.C. 801(d)(3)) is amended by inserting ''(or, in the case of a Tribal government, December 31, 2022)'' after ''December 31, 2021''.

SA 2587. 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. 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 40113 of division D, add the following:

(e) CROSS BORDER FLOOD PROTECTION.—

(1) DEFINITIONS.—In this subsection:

(A) ASSISTANT SECRETARY.—The term ''Assistant Secretary'' means the Assistant Secretary of the Army for Civil Works.

(B) COLUMBIA RIVER TREATY.—The term ''Columbia River Treaty'' means the Treaty Relating to Cooperative Development of the Water Resources of the Columbia River Basin, signed at Washington January 17, 1961 (15 UST 1555; TIAS 5638).

(2) AUTHORIZATION.—To maintain and ensure the current level of domestic flood protection provided under the Columbia River Treaty, the Assistant Secretary may make expenditures for the purpose of—

(A) constructing, enhancing, or maintaining Columbia River Basin flood risk management projects in the United States; and

(B) acquiring flood risk management services from the Province of British Columbia, or a crown corporation owned by the Province of British Columbia.

(3) CRITERIA.—Expenditures authorized under paragraph (2) shall—

(A) take into account changing water cycles and the likelihood of more frequent and intense severe weather events;

(B) be included in the annual budget for civil works submitted by the Assistant Secretary to Congress; and

(C) occur after September 16, 2024.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Assistant Secretary to carry out this subsection $800,000,000 for the period of fiscal years 2022 through 2026, to remain available until expended.

SA 2588. 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. 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 1379, line 6, strike ''and''.

Beginning on page 1379, strike line 7 and all that follows through page 1380, line 2, and insert the following:

(B) establish financial performance metrics; and

(C) comply with all applicable Federal laws and applicable Federal Tribal trust and treaty responsibilities.

(3) ENGAGEMENT.—Prior to issuing the updated financial plan required under paragraph (1), the Administrator shall, in a manner determined by the Administrator—

(A) engage with Indian Tribes, power and transmission customers, and other stakeholders with respect to a draft of the updated plan; and

(B) consider as a relevant factor any recommendations from Indian Tribes, power and transmission customers, and other stakeholders regarding prioritization of asset investments.

(c) CONSULTATION.—The Administrator shall, in a manner determined by the Administrator, use periodic program reviews to engage with Indian Tribes, power and transmission customers, and other stakeholders with respect to the financial and cost management efforts of the Administrator.

(d) USE OF FUNDS.—In using funds derived from the borrowing authority made available by subsection (a), the Administrator shall, in a manner determined by the Administrator and consistent with all applicable laws, implement policies that are consistent with—

(1) applicable Tribal trust and treaty responsibilities;

(2) obtaining the widest possible diversified use of electric energy at the lowest possible power and transmission rates consistent with sound business principles; and

(3) protecting, mitigating, and enhancing the fish and wildlife, including related spawning grounds and habitat, of the Columbia River and its tributaries, particularly anadromous fish.

On page 1380, line 3, strike ''(d)'' and insert ''(e)''.

On page 1385, line 21, insert '', affected Indian Tribes,'' after ''Canada''.

On page 1386, line 14, strike ''and''.

On page 1386, line 19, strike the period and insert a semicolon.

On page 1386, between lines 19 and 20, insert the following:

(E) to mitigate impacts to fish resources and water quality resulting from the rehabilitation and enhancement under this subsection; and

(F) to avoid or alternatively minimize any reduction in the payments required by—

(i) section 4(b) of the Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act (Public Law 103–436; 108 Stat. 4578); and

(ii) section 5 of the Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act (Public Law 116–100; 133 Stat. 3258).

On page 1387, line 24, strike ''and''.

On page 1388, line 3, strike the period and insert the following: ''; and''.

On page 1388, between lines 3 and 4, insert the following:

(E) affected Indian Tribes.

SA 2589. 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. 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 1463, line 3, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1463, line 6, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1463, lines 9 and 10, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1548, line 18, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1548, line 23, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1549, line 3, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1549, line 6, strike ''maritime'' and insert ''recreational or commercial marine''.

On page 1549, line 25, strike ''maritime'' and insert ''recreational or commercial marine''.

On page1621, line 19, strike ''maritime'' and insert ''recreational or commercial marine''.

SA 2590. 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. 90009. DESIGNATION OF CERTAIN AIRPORTS AS PORTS OF ENTRY.

(a) IN GENERAL.—The President shall—

(1) pursuant to the Act of August 1, 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) AIRPORTS DESCRIBED.—An airport described in this subsection is an airport that—

(1) is a primary airport (as defined in section 47102 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, including a valid contract or governmental ordinance, with a land border crossing or a seaport not more than 30 miles from the airport; and

(4) through such 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 86–14 (51 Fed. Reg. 4559) and 87–65 (52 Fed. Reg. 16328); or

(B) any successor guidance or regulation.

On page 443, lines 4 and 5, strike ''in the first sentence by striking'' and insert the following: ''in the first sentence—

(1)by inserting ''clauses (i) and (iv) of subsection (c)(38)(A),'' after ''subsection (c)(37),''; and

(2) by striking

SA 2591. 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, 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 A of title I of division D, add the following:

SEC. 40114. SOUTHWESTERN POWER ADMINISTRATION FUND.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Southwestern Power Administration.

(2) FUND.—The term ''Fund'' means the Southwestern Power Administration Fund established by subsection (b).

(b) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a fund, to be known as the ''Southwestern Power Administration Fund'', consisting of—

(1) all receipts, collections, and recoveries of the Southwestern Power Administration, including trust funds;

(2) appropriations to the Fund; and

(3) amounts transferred to the Fund under subsection (c); and

(4) amounts deposited in the Fund under the first proviso in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''DEPARTMENT OF ENERGY'' in title III of the Energy and Water Development Appropriations Act, 2005 (118 Stat. 2956; 16 U.S.C. 825s–4).

(c) TRANSFERS TO FUND.—There are transferred to the Fund—

(1) unexpended balances in the continuing fund pursuant to the 11th paragraph under the heading ''OFFICE OF THE SECRETARY'' in title I of the Act of October 12, 1949 (63 Stat. 767, chapter 680; 16 U.S.C. 825s–1);

(2) unexpended balances in the advanced payment fund pursuant to the first proviso in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''Department of Energy'' in title III of the Energy and Water Development Appropriations Act, 2005 (118 Stat. 2956; 16 U.S.C. 825s–4); and

(3) unexpended balances in the offsetting collections fund pursuant to the fourth and fifth provisos in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''DEPARTMENT OF ENERGY'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2869; 16 U.S.C. 825s–7) (as in effect on the day before the date of enactment of this Act).

(d) AVAILABILITY.—Amounts in the Fund shall remain available until expended.

(e) USE.—Amounts in the Fund shall be used by the Secretary, acting through the Administrator, for expenses necessary for—

(1) operation and maintenance of power transmission facilities;

(2) marketing electric power and energy;

(3) construction and acquisition of transmission lines, substations, and appurtenant facilities; and

(4) administrative expenses in carrying out the duties of the Secretary under—

(A) section 5 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 890, chapter 665; 16 U.S.C. 825s); and

(B) section 1232 of the Energy Policy Act of 2005 (42 U.S.C.16431).

(f) OBLIGATIONS.—The Secretary, acting through the Administrator, may incur obligations for authorized purposes in advance of appropriations to be liquidated by the Fund.

(g) EXCESS FUNDS.—Annually, the Secretary, acting through the Administrator, shall transfer excess amounts in the Fund to the Treasury of the United States as miscellaneous receipts.

(h) APPLICABLE LAW.—The provisions of chapter 91 of title 31, United States Code, shall apply to the Administrator in carrying out this section in the same manner as the provisions apply to a wholly owned Government corporation (as defined in section 9101 of that title).

(i) CONFORMING AMENDMENTS.—

(1) The first proviso in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''Department of Energy'' in title III of the Energy and Water Development Appropriations Act, 2005 (118 Stat. 2956; 16 U.S.C. 825s–4) is amended—

(A) by striking ''in fiscal year 2005'' and inserting ''on the date of enactment of the Infrastructure Investment and Jobs Act''; and

(B) by striking ''credited to this account'' and inserting ''deposited in the Southwestern Power Administration Fund established by section 40114(b) of the Infrastructure Investment and Jobs Act''.

(2) The fourth and fifth provisos in the matter under the heading ''OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION'' under the heading ''POWER MARKETING ADMINISTRATIONS'' under the heading ''Department of Energy'' in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (123 Stat. 2869; 16 U.S.C. 825s–7) are repealed.

SA 2592. Mr. HEINRICH (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, 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 2585, line 5, insert ''*Provided further*, That the Administrator shall use not less than $25,000,000 of the amounts made available under this paragraph in this Act in each of fiscal years 2022 through 2026 to provide wastewater assistance under section 307

of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1281 note; Public Law 104–182) to eligible communities (as defined in subsection (a) of that section):'' after ''1383):''.

On page 2587, line 3, insert ''*Provided further*, That the Administrator shall use not less than $25,000,000 of the amounts made available under this paragraph in this Act in each of fiscal years 2022 through 2026 to provide drinking water assistance under section 1456 of the Safe Drinking Water Act (42 U.S.C. 300j–16) to eligible communities (as defined in subsection (a) of that section):'' after ''300j–12):''.

SA 2593. Mr. MARKEY 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 1956, strike lines 14 through 23 and insert the following:

''(1) IN GENERAL.—Subject to paragraph (2)(A), the Federal''; and

(C) by inserting after paragraph (1) (as so designated) the following:

''(2) RURAL AND FINANCIALLY DISTRESSED COMMUNITIES.—

''(A) FEDERAL SHARE FOR FINANCIALLY DISTRESSED COMMUNITIES.—The Federal share of the cost of activities using amounts from a grant made to a financially distressed community (as defined in subsection (c)(1)) under subsection (a) shall be not less than 75 percent of the cost.

''(B) REQUIREMENT.—To the maximum extent practicable, the Administrator shall work with States to prevent the non-Federal share requirements under this subsection from being passed on to rural communities and financially distressed communities (as those terms are defined in subsection (f)(2)(B)(i).'';

On page 1957, line 4, strike ''$280,000,000'' and insert ''$400,000,000''.

SA 2594. Mr. REED (for himself and Mr. SULLIVAN) 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 201, strike line 13 and insert the following:

(1) in subsection (b)—

(A) by striking ''(b) The geometric'' and inserting the following:

''(b) DESIGN CRITERIA FOR THE INTERSTATE SYSTEM.—The geometric''; and

(B) in the second sentence, by striking ''the types and volumes of traffic anticipated for such project for the twenty-year period commencing on the date of approval by the Secretary, under section 106 of this title, of the plans, specifications, and estimates for actual construction of such project'' and inserting ''the existing and future performance of the facility, to include the safety, geometric, capacity, or operational needs of the facility, as determined by the State department of transportation, in consultation with the Federal Highway Administration'';

(2) in subsection (d)—

On page 202, line 5, strike ''(2)'' and insert ''(3)''.

On page 202, line 23, strike ''(3)'' and insert ''(4)''.

SA 2595. Mr. KELLY (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, 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 II of division E, insert the following:

SEC. 502___. URBAN WATERS FEDERAL PARTNERSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) MEMBER AGENCIES.—The term ''member agencies'' means each of—

(A) the Environmental Protection Agency;

(B) the Department of the Interior;

(C) the Department of Agriculture;

(D) the Corps of Engineers;

(E) the National Oceanic and Atmospheric Administration;

(F) the Economic Development Administration;

(G) the Department of Housing and Urban Development;

(H) the Department of Transportation;

(I) the Department of Energy;

(J) the Department of Education;

(K) the National Institute for Environmental Health Sciences;

(L) the Community Development Financial Institutions Fund;

(M) the Federal Emergency Management Agency;

(N) the Corporation for National and Community Service; and

(O) such other agencies, departments, and bureaus that elect to participate in the Urban Waters program as the missions, authorities, and appropriated funding of those agencies, departments, and bureaus allow.

(3) SECRETARIES.—The term ''Secretaries'' means the Secretary of the Interior and the Secretary of Agriculture.

(4) URBAN WATERS AMBASSADOR.—The term ''Urban Waters ambassador'' means a person who—

(A) is locally based near the applicable Urban Waters partnership location; and

(B) serves in a central coordinating role for the work carried out in the applicable Urban Waters partnership location with respect to the Urban Waters program.

(5) URBAN WATERS NONPARTNERSHIP LOCATION.—The term ''Urban Waters nonpartnership location'' means an urban or municipal site and the associated watershed or waterbody of the site—

(A) that receives Federal support for activities that advance the purpose of the Urban Waters program; but

(B)(i) that is not formally designated as an Urban Waters partnership location; and

(ii) for which is not maintained—

(I) an active partnership with an Urban Waters ambassador; or

(II) an Urban Waters partnership location workplan.

(6) URBAN WATERS PARTNERSHIP LOCATION.—The term ''Urban Waters partnership location'' means an urban or municipal site and the associated watershed or waterbody of the site for which—

(A) the Administrator, in collaboration with the heads of the other member agencies, has formally designated as a partnership location under the Urban Waters program; and

(B) an active partnership with an Urban Waters ambassador is maintained.

(7) URBAN WATERS PARTNERSHIP LOCATION WORKPLAN.—The term ''Urban Waters partnership location workplan'' means the plan for projects and actions that is coordinated across an Urban Waters partnership location.

(8) URBAN WATERS PROGRAM.—The term ''Urban Waters program'' means the program established under subsection (b)(1).

(b) URBAN WATERS FEDERAL PARTNERSHIP PROGRAM.—

(1) AUTHORIZATION.—There is authorized a program, to be known as the ''Urban Waters Federal Partnership Program'', administered by the partnership of the member agencies—

(A) to jointly support and execute the goals of the Urban Waters program through the independent authorities and appropriated funding of the member agencies; and

(B) to advance the purpose described in paragraph (2) within designated Urban Waters partnership locations and other urban and suburban communities in the United States.

(2) PROGRAM PURPOSE.—The purpose of the Urban Waters program is to reconnect urban communities, particularly urban communities that are overburdened or economically distressed, with associated waterways by improving coordination among Federal agencies.

(3) PROGRAM REQUIREMENTS.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Administrator, in coordination with the Secretaries and, as appropriate, the heads of the other member agencies, shall maintain the Urban Waters program in accordance with this paragraph.

(B) URBAN WATERS FEDERAL PARTNERSHIP STEERING COMMITTEE.—

(i) ESTABLISHMENT.—

(I) IN GENERAL.—The Administrator shall establish a steering committee for the Urban Waters program (referred to in this subparagraph as the ''steering committee'').

(II) CHAIR.—The Administrator shall serve as chairperson of the steering committee.

(III) VICE-CHAIRS.—The Secretaries shall serve as vice-chairpersons of the steering committee.

(IV) MEMBERSHIP.—In addition to the Administrator and the Secretaries, the members of the steering committee shall be the senior officials (or their designees) from such member agencies as the Administrator shall designate.

(ii) DUTIES.—The steering committee shall provide general guidance to the member agencies with respect to the Urban Waters program, including guidance with respect to—

(I) the identification of annual priority issues for special emphasis within Urban Waters partnership locations; and

(II) the identification of funding opportunities, which shall be communicated to all Urban Waters partnership locations.

(iii) INTERAGENCY FINANCING.—Notwithstanding section 1346 of title 31, United States Code, section 708 of division E of the Consolidated Appropriations Act, 2021 (Public Law 116–260), or any other similar provision of law, member agencies may—

(I) provide interagency financing to the steering committee; and

(II) directly transfer such amounts as are necessary to support the activities of the steering committee.

(C) AUTHORITY.—

(i) PARTNERSHIP LOCATIONS.—

(I) PARTNERSHIP LOCATIONS.—The Administrator and the Secretaries shall maintain an active partnership program under the Urban Waters program at each Urban Waters partnership location, including each Urban Waters partnership location in existence on the date of enactment of this Act, by providing—

(aa) technical assistance for projects to be carried out within the Urban Waters partnership location;

(bb) funding for projects to be carried out within the Urban Waters partnership location;

(cc) funding for an Urban Waters ambassador for the Urban Waters partnership location; and

(dd) coordination support with other member agencies with respect to activities carried out at the Urban Waters partnership location.

(II) NEW PARTNERSHIP LOCATIONS.—

(aa) IN GENERAL.—The Administrator and the Secretaries may, in consultation with the heads of other member agencies, establish new Urban Waters partnership locations.

(bb) NONPARTNERSHIP LOCATIONS.—A community with an Urban Waters nonpartnership location may, at the discretion of the community, seek to have the Urban Waters nonpartnership location designated as an Urban Waters partnership location.

(ii) AUTHORIZED ACTIVITIES.—

(I) DEFINITION OF ELIGIBLE ENTITY.—In this clause, the term ''eligible entity'' means—

(aa) a State;

(bb) a territory or possession of the United States;

(cc) the District of Columbia;

(dd) an Indian Tribe;

(ee) a unit of local government;

(ff) a public or private institution of higher education;

(gg) a public or private nonprofit institution;

(hh) an intertribal consortium;

(ii) an interstate agency; and

(jj) any other entity determined to be appropriate by the Administrator.

(II) ACTIVITIES.—In carrying out the Urban Waters program, a member agency may encourage, cooperate with, and render technical services to and provide financial assistance to support—

(aa) Urban Water ambassadors to conduct activities with respect to the applicable Urban Waters partnership location, including—

(AA) convening the appropriate Federal and non-Federal partners for the Urban Waters partnership location;

(BB) developing and carrying out an Urban Waters partnership location workplan;

(CC) leveraging available Federal and non-Federal resources for projects within the Urban Waters partnership location; and

(DD) sharing information and best practices with the Urban Waters Learning Network established under clause (iii); and

(bb) an eligible entity in carrying out—

(AA) projects at Urban Water partnership locations that provide habitat or water quality improvements, increase river recreation, enhance community resiliency, install infrastructure, strengthen community engagement with and education with respect to water resources, or support planning, coordination, and execution of projects identified in the applicable Urban Waters partnership location workplan; and

(BB) planning, research, experiments, demonstrations, surveys, studies, monitoring, training, and outreach to advance the purpose described in paragraph (2) within Urban Waters partnership locations and in Urban Waters nonpartnership locations.

(III) TRANSFER OF FUNDS.—In carrying out the Urban Waters program, a member agency may transfer funds to or enter into interagency agreements with other member agencies as necessary to carry out the Urban Waters program.

(iii) URBAN WATERS LEARNING NETWORK.—The Administrator and the Secretaries shall maintain an Urban Waters Learning Network—

(I) to share information, resources, and tools between Urban Waters partnership locations and with other interested communities; and

(II) to carry out community-based capacity building that advances the goals of the Urban Waters program.

(iv) WORKPLAN PROGRESS.—Progress in addressing the goals of the Urban Waters partnership location workplan of an Urban Waters partnership location shall be shared with the Urban Waters program at regular intervals, as determined by the Administrator and the Secretaries.

(4) REPORTS TO CONGRESS.—The Administrator and the Secretaries shall annually submit to the appropriate committees of Congress a report describing the progress in carrying out the Urban Waters program, which shall include—

(A) a description of the use of funds under the Urban Waters program;

(B) a description of the progress made in carrying out Urban Waters partnership location workplans; and

(C) any additional information that the Administrator and the Secretaries determine to be appropriate.

(5) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out the Urban Waters program $10,000,000 for each of fiscal years 2022 through 2026.

(B) USE OF FUNDS.—Notwithstanding any other provision of law, activities carried out using amounts made available to the Administrator under subparagraph (A) may be used in conjunction with amounts made available from—

(i) other member agencies; and

(ii) non-Federal entities that participate in the Urban Waters program.

SA 2596. Mr. MARKEY (for himself and 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, 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 2648, line 20, insert ''or there is unmet need in other locations'' after ''built out''.

SA 2597. 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, insert the following:

SEC. _____. PROHIBITION ON USE OF CERTAIN TYPES OF CENSUS DATA.

Notwithstanding any other provision of this Act or an amendment made by this Act, the most recent standard 1-year estimate of the American Community Survey of the Bureau of the Census may not be used to allocate funds under this Act or an amendment made by this Act.

SA 2598. 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 98, line 8, strike ''2010'' and insert ''2020''.

On page 123, line 13, strike ''2010'' and insert ''2020''.

SA 2599. Mr. DAINES (for himself and Ms. LUMMIS) 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. 90009. REDUCTION OF SPENDING.

(a) DEFINITIONS.—In this section—

(1) the term ''amount of the shortfall'' means the difference, as of the date on which this Act is last passed by the Senate, and based on estimates submitted as of that date by the Congressional Budget Office, between—

(A) the sum of the amounts made available under each provision of this Act, or an amendment made by this Act; and

(B) the sum of the amounts of the increase in revenue or decrease in spending under each provision of this Act, or an amendment made by this Act; and

(2) notwithstanding section 2 of this Act, the term ''this Act'' means each division of this Act.

(b) REDUCTION IN SPENDING.—Each amount made available under this Act, or an amendment made by this Act, shall be reduced, on a pro rata basis, by the amount necessary to reduce the total amount made available under this Act by the amount of the shortfall.

SA 2600. Mr. BLUMENTHAL (for himself 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. 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:

SEC. _____. REGULATION OF POLE ATTACHMENTS.

Section 224 of the Communications Act of 1934 (47 U.S.C. 224) is amended—

(1) in subsection (a), by adding at the end the following:

''(6) The term 'broadband service' has the meaning given the term 'broadband internet access service' in section 8.1 of title 47, Code of Federal Regulations, or any successor regulation.'';

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

''(3) Not later than 180 days after the date of enactment of this paragraph, the Commission shall prescribe regulations that—

''(A) include an expedited complaint and dispute resolution process to resolve, in not more than 90 days, disagreements involving access to poles for purposes of providing broadband service, including pole replacements and the terms, conditions, and charges for pole replacements;

''(B) provide that the pendency of an appeal from any decision in favor of an attaching entity shall not prevent the attaching entity from proceeding with any disputed attachment; and

''(C) provide that the regulations prescribed under this paragraph take precedence, when in conflict, over any agreement between a utility and an attaching entity entered into before the date on which the regulations are prescribed.

''(4) Not later than 180 days after the date of enactment of this paragraph, the Commission shall prescribe regulations to govern the charges for any pole attachments used by any entity, in whole or in part, to provide broadband service that—

''(A) ensure that a charge for the replacement of a pole shall not be considered just and reasonable unless—

''(i) the responsibility of the attaching entity is limited to compensating the utility for—

''(I) the remaining accounting value of the pole being replaced;

''(II) any incremental costs from increasing the capacity of the pole; and

''(III) any costs of advancing the replacement of the pole by its remaining service life, as measured by the difference between the age of the pole and the utility's average service life for a pole; and

''(ii) any recovery by the utility of its share of such costs through recurring rates excludes amounts recovered through non-recurring charges to attaching entities permitted under this subsection, including under clause (i), and through depreciation; and

''(B) ensure that terms and conditions for pole attachments—

''(i) require all work to facilitate replacement of a pole under subsection (f)(2)(B) to be completed by the utility or its designee not later than 90 days after the receipt by the utility, from the attaching entity, of a complete application and payment consistent with regulations implemented under paragraph (3) of this subsection, unless the Commission finds that unforeseeable exigent circumstances prevent completion of complex make-ready projects within that period, in which case the work shall be completed not later than 120 days after the receipt of the complete application and payment;

''(ii) require a utility to designate contractors qualified and authorized to safely perform replacement of a pole under subsection (f)(2)(B) if the utility is unable to comply with the deadline under clause (i) of this subparagraph;

''(iii) prohibit a utility from unreasonably withholding consent to designate, in accordance with clause (ii), contractors proposed by the attaching entity that are qualified and authorized to safely perform replacement of a pole under subsection (f)(2)(B); and

''(iv) provide that an attaching entity may—

''(I) engage and direct contractors that are qualified and authorized to safely perform replacement of a pole under subsection (f)(2)(B) designated by the utility to complete any make-ready work if the utility is unable to complete the work by the deadline under clause (i) of this subparagraph; and

''(II) recover from the utility any costs related to work completed under subclause (I) for which the utility is responsible.''; and

(3) in subsection (f), by striking paragraph (2) and inserting the following:

''(2)(A) Notwithstanding paragraph (1), and subject to subparagraph (B) of this paragraph, a utility providing electric service may deny a cable television system or any telecommunications carrier access to its poles, ducts, conduits, or rights-of-way, on a non-discriminatory basis for reasons of reasons of safety, reliability, and generally applicable engineering purposes.

''(B) If a utility denies access to a cable television system or telecommunications carrier under subparagraph (A), upon the request of the cable television system or telecommunications carrier, the utility shall on a nondiscriminatory basis expand the capacity of, or replace, any pole, duct, conduit, or right-of-way owned or controlled by the utility to enable the requesting entity to provide broadband service if the requesting entity agrees to pay a proportionate share of the costs of the expansion or replacement in accordance with the regulations prescribed by the Commission under subsection (b)(4).''.

SA 2601. Ms. DUCKWORTH (for herself and Ms. LUMMIS) 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. 230____. UNIVERSAL ELECTRONIC VEHICLE IDENTIFIER.

Not later than 4 years after the date of enactment of this Act, the Secretary shall issue a final regulation that requires a commercial motor vehicle manufactured after the effective date of such regulation to be equipped with a universal 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 2602. Mr. CORNYN (for himself, Mr. PADILLA, Mr. LUJÁN, Ms. HASSAN, Ms. BALDWIN, Mr. WICKER, Mr. KELLY, Ms. CORTEZ MASTO, Ms. LUMMIS, Mrs. MURRAY, Mr. TILLIS, Mr. CASEY, Ms. CANTWELL, Mr. KENNEDY, and Mr. YOUNG) 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. ____. AUTHORITY TO USE CORONAVIRUS RELIEF FUNDS FOR INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended—

(1) in section 602—

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

(B) in subsection (c)—

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

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

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

''(A) IN GENERAL.—Subject to subparagraph (C), 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 projects described in subparagraph (B), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, or section 5309 or 6701 of title 49, United States Code, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

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

''(i) A project that receives a grant under section 117 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 124 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

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

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

''(viii) A project eligible under section 151 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

''(xi) A project eligible under section 173 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xii) A project eligible under section 175 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xiii) A project eligible under section 176 of title 23, United States Code, as added by the Infrastructure Investment and Jobs Act.

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

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

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

''(xvii) 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').

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

''(xix) A project that furthers the completion of a designated route of the Appalachian Development Highway System under section 14501 of title 40, United States Code.

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

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

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

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

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

''(xxv) A project that receives a grant under section 6703 of title 49, United States Code, as added by the Infrastructure Investment and Jobs Act.

''(xxvi) 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.).

''(xxvii) A project eligible under the bridge replacement, rehabilitation, preservation, protection, and construction program under paragraph (1) under the heading 'HIGHWAY INFRASTRUCTURE PROGRAM' under the heading 'FEDERAL HIGHWAY ADMINISTRATION' under the heading 'DEPARTMENT OF TRANSPORTATION' under title VIII of division J of the Infrastructure Investment and Jobs Act.

''(C) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—The total amount that a State, territory, or Tribal government may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

''(aa) $10,000,000; and

''(bb) 30 percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) 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 (xx) through (xxiv) of subparagraph (B).

''(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) 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 pursuant to subparagraph (A) for a project described in clause (xxvi) of subparagraph (B) that relates to broadband infrastructure;

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in subparagraph (B); and

''(III) a State government receiving a payment under this section may use funds provided under such payment for projects described in clauses (i) through (xxvii) of subparagraph (B), as applicable, that—

''(aa) demonstrate progress in achieving a state of good repair as required by the State's asset management plan under section 119(e) of title 23, United States Code; and

''(bb) support the achievement of 1 or more performance targets of the State established under section 150 of title 23, United States Code.

''(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

''(D) AVAILABILITY.—Funds provided under a payment made under this section to a State, territory, or Tribal government shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''; and

(2) in subsection 603—

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

(B) in subsection (c)—

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

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

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

''(A) IN GENERAL.—Subject to subparagraph (B), notwithstanding any other provision of law, a metropolitan city, nonentitlement unit of local government, or county receiving a payment under this section may use funds provided under such payment for projects described in subparagraph (B) of section 602(c)(4), including—

''(i) in the case of a project receiving a grant under section 117 of title 23, United States Code, or section 5309 or 6701 of title 49, United States Code, to satisfy a non-Federal share requirement applicable to such a project; and

''(ii) in the case of a project receiving credit assistance under the TIFIA program under chapter 6 of title 23, United States Code—

''(I) to satisfy a non-Federal share requirement applicable to such a project; and

''(II) to repay a loan provided under such program.

''(B) LIMITATIONS; APPLICATION OF REQUIREMENTS.—

''(i) LIMITATION ON AMOUNTS TO BE USED FOR INFRASTRUCTURE PROJECTS.—

''(I) IN GENERAL.—The total amount that a metropolitan city, nonentitlement unit of local government, or county may use from a payment made under this section for uses described in subparagraph (A) shall not exceed the greater of—

''(aa) $10,000,000; and

''(bb) 30 percent of such payment.

''(II) RULE OF APPLICATION.—The spending limitation under subclause (I) shall not apply to any use of funds permitted under paragraph (1), and any such use of funds shall be disregarded for purposes of applying such spending limitation.

''(ii) 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 (xx) through (xxiv) of section 602(c)(4)(B).

''(iii) APPLICATION OF REQUIREMENTS.—Except as otherwise provided in this section—

''(I) 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 pursuant to subparagraph (A) for a project described in clause (xxvi) of section 602(c)(4)(B) that relates to broadband infrastructure; and

''(II) the requirements of titles 23, 40, and 49 of the United States Code, title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et. seq) shall apply to funds provided under a payment made under this section that are used for projects described in section 602(c)(4)(B).

''(iv) OVERSIGHT.—The Secretary may delegate oversight and administration of the requirements described in clause (iii) to the appropriate Federal agency.

''(C) AVAILABILITY.—Funds provided under a payment made under this section to a metropolitan city, nonentitlement unit of local government, or county shall remain available for obligation for a use described in subparagraph (A) through December 31, 2024, except that no amount of such funds may be expended after September 30, 2026.''.

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

(c) GUIDANCE AND EFFECTIVE DATE.—

(1) GUIDANCE OR RULE.—Within 60 days of the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Secretary of Transportation, shall issue guidance or promulgate a rule to carry out this section.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the issuance of guidance or the promulgation of a rule described in paragraph (1).

(d) DEPARTMENT OF THE TREASURY ADMINISTRATIVE EXPENSES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the unobligated balances from amounts made available to the Secretary of the Treasury (referred to in this subsection as the ''Secretary'') for administrative expenses pursuant to the provisions specified in paragraph (2) shall be available to the Secretary (in addition to any other appropriations provided for such purpose) for any administrative expenses of the Department of the Treasury determined by the Secretary to be necessary to respond to the coronavirus emergency, including any expenses necessary to implement any provision of—

(A) the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136);

(B) division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(C) the American Rescue Plan Act (Public Law 117–2); or

(D) title VI of the Social Security Act (42 U.S.C. 801 et seq.).

(2) PROVISIONS SPECIFIED.—The provisions specified in this paragraph are the following:

(A) Sections 4003(f) and 4112(b) of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(B) Section 421(f)(2) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(C) Sections 3201(a)(2)(B), 3206(d)(1)(A), and 7301(b)(5) of the American Rescue Plan Act of 2021 (Public Law 117–2).

(D) Section 602(a)(2) of the Social Security Act (42 U.S.C. 802(a)(2)).

SA 2603. Mr. WYDEN (for himself, Mr. CRAPO, Mr. SCHATZ, Mr. RISCH, Mr. MERKLEY, Ms. MURKOWSKI, and Mr. SULLIVAN) 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. _____. CORONAVIRUS RELIEF AND FISCAL RECOVERY FUNDS.

(a) LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND.—Section 605 of the Social Security Act (42 U.S.C. 805) is amended to read as follows:

"SEC. 605. LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND.

''(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,000,000,000 to remain available until September 30, 2023, with amounts to be obligated for each of fiscal years 2022 and 2023 in accordance with subsection (b), for making payments under this section to eligible revenue sharing recipients, eligible Tribal governments, and territories.

''(b) AUTHORITY TO MAKE PAYMENTS.—

''(1) ALLOCATIONS AND PAYMENTS TO ELIGIBLE REVENUE SHARING RECIPIENTS.—

''(A) ALLOCATIONS TO REVENUE SHARING COUNTIES.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $742,500,000 of the total amount appropriated under subsection (a) to allocate to each revenue sharing county and, except as provided in subparagraph (B), pay to each revenue sharing county that is an eligible revenue sharing county amounts that are determined by the Secretary taking into account the amount of entitlement land in each revenue sharing county and the economic conditions of each revenue sharing county, using such measurements of poverty, household income, and unemployment over the most recent 20-year period as of September 30, 2021, to the extent data are available, as well as other economic indicators the Secretary determines appropriate.

''(B) SPECIAL ALLOCATION RULES.—

''(i) REVENUE SHARING COUNTIES WITH LIMITED GOVERNMENT FUNCTIONS.—In the case of an amount allocated to a revenue sharing county under subparagraph (A) that is a county with limited government functions, the Secretary shall allocate and pay such amount to each eligible revenue sharing local government within such county with limited government functions in an amount determined by the Secretary taking into account the amount of entitlement land in each eligible revenue sharing local government and the population of such eligible revenue sharing local government relative to the total population of such county with limited government functions.

''(ii) ELIGIBLE REVENUE SHARING COUNTY IN ALASKA.—In the case of the eligible revenue sharing county described in subparagraph (f)(3)(C), the Secretary shall pay the amount allocated to such eligible revenue sharing county to the State of Alaska. The State of Alaska shall distribute such payment to home rule cities and general law cities (as such cities are defined by the State) located within the boundaries of the eligible revenue sharing county for which the payment was received.

''(C) PRO RATA ADJUSTMENT AUTHORITY.—The amounts otherwise determined for allocation and payment under subparagraphs (A) and (B) may be adjusted by the Secretary on a pro rata basis to the extent necessary to ensure that all available funds are allocated and paid to eligible revenue sharing recipients in accordance with the requirements specified in each such subparagraph.

''(2) ALLOCATIONS AND PAYMENTS TO ELIGIBLE TRIBAL GOVERNMENTS.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $250,000,000 of the total amount appropriated under subsection (a) to allocate and pay to eligible Tribal governments in amounts that are determined by the Secretary taking into account economic conditions of each eligible Tribe.

''(3) ALLOCATIONS AND PAYMENTS TO TERRITORIES.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $7,500,000 of the total amount appropriated under subsection (a) to allocate and pay to each territory an amount which bears the same proportion to the amount reserved in this paragraph as the population of such territory bears to the total population of all such territories.

''(c) USE OF PAYMENTS.—An eligible revenue sharing recipient, an eligible Tribal government, or a territory may use funds provided under a payment made under this section for any governmental purpose other than a lobbying activity.

''(d) REPORTING REQUIREMENT.—Any eligible revenue sharing recipient and any territory receiving a payment under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of fund by such eligible revenue sharing recipient or territory, as applicable, and such other information as the Secretary may require for the administration of this section.

''(e) RECOUPMENT.—Any eligible revenue sharing recipient or any territory that has failed to submit a report required under subsection (d) or failed to comply with subsection (c), shall be required to repay to the Secretary an amount equal to—

''(1) in the case of a failure to comply with subsection (c), the amount of funds used in violation of such subsection; and

''(2) in the case of a failure to submit a report required under subsection (d), such amount as the Secretary determines appropriate, but not to exceed 5 percent of the amount paid to the eligible revenue sharing recipient or the territory under this section for all fiscal years.

''(f) DEFINITIONS.—In this section:

''(1) COUNTY.—The term 'county' means a county, parish, or other equivalent county division (as defined by the Bureau of the Census) in 1 of the 50 States.

''(2) COUNTY WITH LIMITED GOVERNMENT FUNCTIONS.—The term 'county with limited government functions' means a county in which entitlement land is located that is not an eligible revenue sharing county.

''(3) ELIGIBLE REVENUE SHARING COUNTY.—The term 'eligible revenue sharing county' means—

''(A) a unit of general local government (as defined in section 6901(2) of title 31, United States Code) that is a county in which entitlement land is located and which is eligible for a payment under section 6902(a) of title 31, United States Code;

''(B) the District of Columbia; or

''(C) the combined area in Alaska that is within the boundaries of a census area used by the Secretary of Commerce in the decennial census, but that is not included within the boundary of a unit of general local government described in subparagraph (A).

''(4) ELIGIBLE REVENUE SHARING LOCAL GOVERNMENT.—The term 'eligible revenue sharing local government' means a unit of general local government (as defined in section 6901(2) of title 31, United States Code) in which entitlement land is located that is not a county or territory and which is eligible for a payment under section 6902(a) of title 31, United States Code.

''(5) ELIGIBLE REVENUE SHARING RECIPIENTS.—The term 'eligible revenue sharing recipients' means, collectively, eligible revenue sharing counties and eligible revenue sharing local governments.

''(6) ELIGIBLE TRIBAL GOVERNMENT.—The term 'eligible Tribal government' means the recognized governing body of an eligible Tribe.

''(7) ELIGIBLE TRIBE.—The term 'eligible Tribe' means any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of March 11, 2021, pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

''(8) ENTITLEMENT LAND.—The term 'entitlement land' has the meaning given to such term in section 6901(1) of title 31, United States Code.

''(9) REVENUE SHARING COUNTY.—The term 'revenue sharing county' means—

''(A) an eligible revenue sharing county; or

''(B) a county with limited government functions.

''(10) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(11) TERRITORY.—The term 'territory' means—

''(A) the Commonwealth of Puerto Rico;

''(B) the United States Virgin Islands;

''(C) Guam;

''(D) the Commonwealth of the Northern Mariana Islands; or

''(E) American Samoa.''.

(b) EXTENSION OF AVAILABILITY OF CORONAVIRUS RELIEF FUND PAYMENTS TO TRIBAL GOVERNMENTS.—Section 601(d)(3) of the Social Security Act (42 U.S.C. 801(d)(3)) is amended by inserting ''(or, in the case of costs incurred by a Tribal government, during the period that begins on March 1, 2020, and ends on December 31, 2022)'' before the period.

SA 2604. Mr. GRASSLEY (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, 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 2642, line 20, strike ''National Electric Vehicle Formula Program'' and insert ''National Electric Vehicle and Alternative Infrastructure Formula Program''.

On page 2642, line 23, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2643, line 3, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2643, line 8, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''infrastructure''.

On page 2643, line 9, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2643, line 22, insert ''*Provided further*, That of the funds distributed to each State under the previous proviso, each State may determine how to allocate such funds for electric vehicle charging infrastructure, biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure projects, respectively:'' after ''Code:''.

On page 2644, line 19, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2646, line 15, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2646, line 20, insert ''or fueling'' after ''the charging''.

On page 2646, line 21, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2646, line 25, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2647, line 8, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2647, line 14, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2647, line 24, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2648, line 1, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2648, line 5, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''infrastructure''.

On page 2648, line 12, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before the semicolon.

On page 2648, line 14, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before the comma.

On page 2648, line 22, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 7, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 9, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 14, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 17, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2649, line 21, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before the comma.

On page 2649, line 25, insert '', biofuel vehicle owners, hydrogen vehicle owners, propane vehicle owners, or natural gas vehicle owners'' after ''owners''.

On page 2650, line 1, insert '', biofuel vehicles, hydrogen vehicles, propane vehicles, or natural gas vehicles'' after ''electric vehicles''.

On page 2650, line 2, insert '', biofuel, hydrogen, propane, or natural gas'' before ''required''.

On page 2650, line 3, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' before the comma.

On page 2650, line 4, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''charging stations''.

On page 2650, line 5, insert '', biofuel, propane, hydrogen, or natural gas'' after ''electric''.

On page 2650, line 6, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''charging stations''.

On page 2650, line 7, insert '', biofuel, propane, hydrogen, or natural gas'' after ''electric''.

On page 2650, strike lines 13 and 14 and insert ''scenarios for electric vehicles and electric vehicle charging stations, biofuel vehicles and biofuel fueling stations, hydrogen vehicles and hydrogen fueling stations, propane vehicles and propane fueling stations, or natural gas vehicles and natural gas fueling stations: *Provided further*, That not later''.

On page 2650, line 22, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before ''under''.

On page 2650, line 24, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before ''under''.

On page 2651, line 6, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2651, line 8, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before ''locations''.

On page 2651, line 12, insert ''and biofuel, hydrogen, propane, and natural gas fueling'' after ''charging''.

On page 2651, line 15, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' before ''to support''.

On page 2651, line 24, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2651, line 25, insert ''and biofuel, hydrogen, propane, and natural gas fueling'' after ''charging''.

On page 2652, line 21, insert '', biofuel fueling infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure, or natural gas fueling infrastructure'' after ''charging infrastructure''.

On page 2654, line 4, insert '', biofuel vehicle, hydrogen vehicle, propane vehicle, or natural gas vehicle'' after ''electric vehicle''.

On page 2655, line 7, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''stations''.

On page 2655, line 8, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''stations''.

On page 2655, line 11, insert '', biofuel fueling stations, hydrogen fueling stations, propane fueling stations, or natural gas fueling stations'' after ''stations''.

SA 2605. Mrs. HYDE-SMITH (for herself, Mr. LEAHY, Ms. BALDWIN, Ms. LUMMIS, 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, 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:

Under the heading ''RURAL UTILITIES SERVICE'' under the heading ''RURAL DEVELOPMENT PROGRAMS'' under the heading ''DEPARTMENT OF AGRICULTURE'' in title I of division J, add at the end the following:

RURAL WATER AND WASTE DISPOSAL PROGRAMS

For an additional amount for gross obligations for the principal amount of direct loans authorized by section 306 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926) and described in section 381E(d)(2) of that Act (7 U.S.C. 2009d(d)(2)), $2,000,000,000.

For an additional amount for the cost of grants for rural water, wastewater, and waste disposal programs authorized by section 306 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926), $1,000,000,000, to remain available until expended: *Provided*, That of the amount made available under this heading in this Act, $40,000,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of that Act (7 U.S.C. 1926(a)(14)): *Provided further*, That of the amounts made available under this heading in this Act, up to 3 percent may be available for administrative expenses: *Provided further*, That such funds shall be transferred to, and merged with, the appropriation for ''Rural Development, Salaries and Expenses'': *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SA 2606. Mrs. HYDE–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, 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 1890, line 25, strike ''$2,400,000,000'' and insert ''$2,000,000,000''.

On page 2014, between lines 10 and 11, insert the following:

TITLE III—WATER RESOURCES PROJECTS

SEC. 50301. ENVIRONMENTAL INFRASTRUCTURE PROJECTS.

(a) IN GENERAL.—The Secretary of the Army shall provide design and construction assistance for environmental infrastructure projects authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835).

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $400,000,000 for fiscal year 2022, to remain available until expended.

On page 2496, between lines 2 and 3, insert the following:

ENVIRONMENTAL INFRASTRUCTURE

For an additional amount for design and construction assistance for environmental infrastructure projects authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), $400,000,000 for fiscal year 2022, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 4112(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.

On page 2583, line 22, strike ''$55,426,000,000'' and insert ''$55,026,000,000''.

On page 2585, line 24, strike ''$11,713,000,000'' and insert ''$11,313,000,000''.

On page 2586, line 2, strike ''$1,902,000,000'' and insert ''$1,502,000,000''.

SA 2607. Mrs. HYDE-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, 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_____. PILOT PROGRAM ON FEDERAL LAND DATA AND ANALYSIS CONSORTIUM.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Interior (referred to in this section as the ''Secretary''), in partnership with eligible partners described in subsection (b), shall carry out a pilot program (referred to in this section as the ''program'') to develop a Federal Land Data and Analysis Consortium for Orphaned and Abandoned Wells.

(b) ELIGIBLE PARTNERS.—An eligible partner referred to in subsection (a) is an institution of higher education or a private sector partner that has demonstrated research capabilities in the area of remote sensing, mesh networking, data visualization monitoring, machine learning or artificial intelligence, data capture, or data analysis.

(c) AUTHORIZED ACTIVITIES.—Eligible partners with respect to which the Secretary enters into a partnership under the program may assist the Secretary in identifying, categorizing, and prioritizing orphaned and abandoned wells that are the greatest risk to public health and safety on Federal land and Tribal land.

SA 2608. 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, 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. _____. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF FUNDS FROM THE DEPARTMENT OF ENERGY.

An awardee or subawardee carrying out an award or subaward or project that is, in whole or in part, carried out using funds provided by the Department of Energy shall clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the award or subaward or project, other than a communication containing not more than 280 characters—

(1) the percentage of the total costs of the award or subaward or project that will be financed with funds provided by the Department of Energy;

(2) the dollar amount of the funds provided by the Department of Energy made available for the award or subaward or project; and

(3) whether the activities funded by the award or subaward or project will be financed by nongovernmental sources.

SEC. _____. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF FUNDS FROM THE DEPARTMENT OF TRANSPORTATION.

(a) IN GENERAL.—A grantee or subgrantee carrying out a program, project, or activity that is, in whole or in part, carried out using funds provided by the Department of Transportation shall clearly state, to the extent possible, in any statement, press release, request for proposals, bid solicitation, or other document describing the program, project, or activity, other than a communication containing not more than 280 characters—

(1) the percentage of the total costs of the program, project, or activity that will be financed with funds provided by the Department of Transportation under this Act;

(2) the dollar amount of the funds provided by the Department of Transportation under this Act made available for the program, project, or activity; and

(3) the percentage of the total costs of, and dollar amount for, the program, project, or activity that will be financed by non-Federal sources.

(b) APPLICATION.—This section shall not apply to awards of Federal funds less than $50,000.

SA 2609. Mr. KELLY (for himself and Ms. LUMMIS) 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 63, strike line 4 and insert the following:

funds apportioned under section 104(b)(1).

''(l) TRUCK PARKING.—

''(1) IN GENERAL.—To address the shortage of parking for commercial motor vehicles, for each fiscal year, a State shall use not less than 0.7 percent of the amounts provided to the State under section 104(b)(1) for that fiscal year for projects eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112–141) to expand truck parking capacity.

''(2) WAIVER.—The Secretary may waive the requirement under paragraph (1), in whole or in part, with respect to a State for a fiscal year if the State demonstrates to the satisfaction of the Secretary that the State has met the commercial motor vehicle parking needs of the State.''.

SA 2610. Mr. OSSOFF (for himself and Mr. WHITEHOUSE) 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 202, strike line 5 and insert the following:

(2) in subsection (l)—

(A) by striking paragraph (2);

(B) by striking the subsection designation and all that follows through ''In determining'' in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

''(l) ACCOMMODATING UTILITY FACILITIES IN THE RIGHT-OF-WAY.—

''(1) DEFINITIONS.—In this subsection:

''(A) FEDERAL LAND.—The term 'Federal land' means any land or interest in land owned by the United States.

''(B) INDIAN LAND.—The term 'Indian land' means—

''(i) land located within the boundaries of—

''(I) an Indian reservation, pueblo, or rancheria; or

''(II) a former reservation within Oklahoma; and

''(ii) land not located within the boundaries of an Indian reservation, pueblo, or rancheria—

''(I) the title to which is held in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

''(II) the title to which is held by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

''(III) the title to which is held by a dependent Indian community.

''(C) RIGHT-OF-WAY.—The term 'right-of-way' means any real property, or interest therein, acquired, dedicated, or reserved for the construction, operation, and maintenance of a highway.

''(D) UTILITY FACILITY.—

''(i) IN GENERAL.—The term 'utility facility' means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, water, steam, waste, storm water

not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, that directly or indirectly serves the public.

''(ii) INCLUSIONS.—The term 'utility facility' includes—

''(I) a renewable energy generation facility;

''(II) electrical transmission and distribution infrastructure; and

''(III) broadband infrastructure and conduit.

''(2) ACCOMMODATION.—In determining''; and

(C) by adding at the end the following:

''(3) STATE APPROVAL.—A State, on behalf of the Secretary, may approve accommodating a utility facility described in paragraph (1)(D)(ii) within a right-of-way on a Federal-aid highway.

''(4) LIMITATIONS.—Paragraph (3) shall not apply to—

''(A) a utility facility on Indian land; or

''(B) a utility facility on Federal land, other than for the purpose of deployment of broadband infrastructure located within a right-of-way available to a State.

''(5) SAVINGS PROVISION.—Nothing in this subsection alters or affects any prohibition relating to commercial activity under section 111(a).'';

(3) in subsection (o)—

On page 202, line 23, strike ''(3)'' and insert ''(4)''.

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

''(t) VEGETATION MANAGEMENT.—States are encouraged to implement, or to enter into partnerships to implement, vegetation management practices, such as increased mowing heights and planting native grasses and pollinator-friendly habitats, along a right-of-way on a Federal-aid highway, if the implementation of those practices—

''(1) is in the public interest; and

''(2) will not impair the highway or interfere with the free and safe flow of traffic.''.

SA 2611. Mr. HEINRICH 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 XII of division D, add the following:

SEC. 412_____. HISTORIC PRESERVATION FUND.

Section 303102 of title 54, United States Code, is amended by—

(1) striking ''of fiscal years 2012 to 2023'' and inserting ''fiscal year''; and

(2) striking ''$150,000,000'' and inserting ''$300,000,000''.

SA 2612. Mr. BENNET (for himself and Mr. HICKENLOOPER) 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 1612, between lines 15 and 16, insert the following:

(H) Wind.

SA 2613. Mr. VAN HOLLEN (for himself, Mr. CARDIN, Mr. KAINE, Mr. WARNER, Mr. REED, Ms. WARREN, 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:

On page 1152, strike lines 4 through 7 and insert the following:

''(A) IN GENERAL.—The Director may, without regard to any provision of title 5 governing the appointment of employees in the civil service—

''(i) appoint a total of not more than 140 scientific and engineering personnel to positions in ARPA–I, in order to facilitate the recruitment of eminent experts to support the goals described in subsection (c);

On page 1152, lines 11 and 12, strike '', without regard to the civil service laws''.

SA 2614. Mr. MENENDEZ (for himself, Mr. KENNEDY, Mrs. HYDE-SMITH, Mr. CASSIDY, and 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. 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. _____. CAP ON ANNUAL PREMIUM INCREASES.

(a) DEFINITIONS.—In this section—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency; and

(2) the term ''covered cost''—

(A) means—

(i) the amount of an annual premium with respect to any policy for flood insurance under the National Flood Insurance Program;

(ii) any surcharge imposed with respect to a policy described in clause (i) (other than a surcharge imposed under section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b))), including a surcharge imposed under section 1308A(a) of that Act (42 U.S.C. 4015a(a)); and

(iii) a fee described in paragraph (1)(B)(iii) or (2) of section 1307(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)); and

(B) does not include any cost associated with the purchase of insurance under section 1304(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)), including any surcharge that relates to insurance purchased under such section 1304(b).

(b) LIMITATION ON INCREASES.—

(1) LIMITATION.—

(A) IN GENERAL.—During the 5-year period beginning on the date of enactment of this Act, notwithstanding section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)), and subject to subparagraph (B), the Administrator may not, in any year, increase the amount of any covered cost by an amount that is more than 9 percent, as compared with the amount of the covered cost during the previous year, except where the increase in the covered cost relates to an exception under paragraph (1)(C)(iii) of such section 1308(e).

(B) DECREASE OF AMOUNT OF DEDUCTIBLE OR INCREASE IN AMOUNT OF COVERAGE.—In the case of a policyholder described in section 1308(e)(1)(C)(ii) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)(1)(C)(ii)), the Administrator shall establish a process by which the Administrator determines an increase in covered costs for the policyholder that is—

(i) proportional to the relative change in risk based on the action taken by the policyholder; and

(ii) in compliance with subparagraph (A).

(2) NEW RATING SYSTEMS.—

(A) CLASSIFICATION.—With respect to a property, the limitation under paragraph (1) shall remain in effect for each year until the covered costs with respect to the property reflect full actuarial rates, without regard to whether, at any time until the year in which those covered costs reflect full actuarial rates, the property is rated or classified under the Risk Rating 2.0 methodology (or any substantially similar methodology).

(B) NEW POLICYHOLDER.—If a property to which the limitation under paragraph (1) applies is sold before the covered costs for the property reflect full actuarial rates determined under the Risk Rating 2.0 methodology (or any substantially similar methodology), that limitation shall remain in effect for each year until the year in which those full actuarial rates takes effect.

(c) RULE OF CONSTRUCTION.—Nothing in subsection (b) may be construed as prohibiting the Administrator from reducing, in any year, the amount of any covered cost, as compared with the amount of the covered cost during the previous year.

(d) AVERAGE HISTORICAL LOSS YEAR.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by striking subsection (h) and inserting the following:

''(h) RULE OF CONSTRUCTION.—For purposes of this section, the calculation of an 'average historical loss year' shall be computed in accordance with generally accepted actuarial principles.''.

(e) DISCLOSURE WITH RESPECT TO THE AFFORDABILITY STANDARD.—Section 1308(j) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(j)) is amended, in the second sentence, by inserting ''and shall include in the report the number of those exceptions as of the date on which the Administrator submits the report and the location of each policyholder insured under those exceptions, organized by county and State'' after ''of the Senate''.

SEC. _____. MEANS TESTED AFFORDABILITY VOUCHER.

(a) IN GENERAL.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by adding at the end the following:

''SEC. 1326. AFFORDABILITY ASSISTANCE.

''(a) AFFORDABILITY ASSISTANCE FUND.—

''(1) ESTABLISHMENT.—The Administrator shall establish in the Treasury of the United States an Affordability Assistance Fund (referred to in this section as the 'Fund'), which shall be—

''(A) an account separate from any other accounts or funds available to the Administrator; and

''(B) available without fiscal year limitation.

''(2) USE OF FUNDS.—Amounts from the Fund shall be available to provide financial assistance under subsection (b).

''(b) FINANCIAL ASSISTANCE.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'adjusted gross income' has the meaning given the term in section 62 of the Internal Revenue Code of 1986;

''(B) the term 'eligible household' means a household—

''(i) for which housing expenses exceed 30 percent of the adjusted gross income of the household in a year; and

''(ii)(I) for which the total assets owned by the household are in an amount that is not greater than 220 percent of the median household income for the State in which the household is located; or

''(II) that has a total household income that is not greater than 120 percent of the area median income for the area in which the household is located; and

''(C) the term 'housing expenses' means, with respect to a household, the total amount that the household spends in a year on—

''(i) mortgage payments;

''(ii) property taxes;

''(iii) homeowners insurance; and

''(iv) premiums for flood insurance under the national flood insurance program.

''(2) AUTHORITY.—

''(A) OTHER FINANCIAL ASSISTANCE.—The Administrator shall provide a voucher, grant, or premium credit to an eligible household for a year in an amount that, subject to subparagraph (B), is equal to the lesser of—

''(i) the difference between—

''(I) the housing expenses of the household for the year; and

''(II) 30 percent of the adjusted gross income of the household for the year; and

''(ii) the cost of premiums for the household for flood insurance under the national flood insurance program for the year.

''(B) REDUCTION.—The amount of the assistance provided under subparagraph (A) to an eligible household shall be reduced by 1 percent for each percent that the income of the eligible household exceeds 120 percent of the median household income for the State in which the property that is the subject of the assistance is located.

''(3) RELATIONSHIPS WITH OTHER AGENCIES.—The Administrator may enter into a memorandum of understanding with the head of any other Federal agency to administer paragraph (2)(A).''.

(b) DIRECT APPROPRIATION.—Out of any money in the Treasury not otherwise appropriated, there is appropriated to the Affordability Assistance Fund established under section 1326 of the National Flood Insurance Act of 1968, as added by subsection (a) of this section, $800,000,000 for each of fiscal years 2022 through 2025 to provide financial assistance under subsection (b) of such section 1326.

SEC. _____. FORBEARANCE ON NFIP INTEREST PAYMENTS.

(a) IN GENERAL.—During the 5-year period beginning on the date of enactment of this Act, the Secretary of the Treasury may not charge the Administrator of the Federal Emergency Management Agency (referred to in this section as the ''Administrator'') interest on amounts borrowed by the Administrator under section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) that were outstanding as of the date of enactment of this Act, including amounts borrowed after the date of enactment of this Act that refinance debts that existed before the date of enactment of this Act.

(b) USE OF SAVED AMOUNTS.—There shall be deposited into the National Flood Mitigation Fund an amount equal to the interest that would have accrued on the borrowed amounts during the 5-year period described in subsection (a) at the time at which those interest payments would have otherwise been paid, which, notwithstanding any provision of section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d), the Administrator shall use to carry out the program established under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c).

(c) NO RETROACTIVE ACCRUAL.—After the 5-year period described in subsection (a), the Secretary of the Treasury shall not require the Administrator to repay any interest that, but for that subsection, would have accrued on the borrowed amounts described in that subsection during that 5-year period.

SA 2615. Mr. KELLY (for himself and Ms. LUMMIS) 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 63, strike line 4 and insert the following:

funds apportioned under section 104(b)(1).

''(l) TRUCK PARKING.—

''(1) IN GENERAL.—0.7 percent of the amounts provided to each State under section 104(b)(1) for each fiscal year shall be reserved for projects eligible for funding under section 1401 of MAP–21 (23 U.S.C. 137 note; Public Law 112–141) to create, expand, or improve truck parking capacity.

''(2) WAIVER.—The Secretary may waive the requirement under paragraph (1), in whole or in part, with respect to a State for a fiscal year if the State demonstrates to the satisfaction of the Secretary that the State has met the commercial motor vehicle parking needs of the State.''.

SA 2616. Ms. KLOBUCHAR (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, 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 80, strike lines 11 and 12 and insert the following:

ignated under section 167(e).'';

(7) in subsection (h)(5)(A), by striking ''the amount of the funds apportioned to the State for fiscal year 2009 under section 104(h)(2), as in effect on the day before the date of enactment of MAP–21,'' and inserting ''9 percent of the amount reserved under this subsection''; and

(8) by adding at the end the following:

SA 2617. Mr. WARNER (for himself, Mr. PORTMAN, and Ms. SINEMA) 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 2437, strike lines 9 through 18 and insert the following:

(d) RULES OF CONSTRUCTION.—

(1) DEFINITION OF BROKER.—Nothing in this section or the amendments made by this section shall be construed to create any inference that a person described in section 6045(c)(1)(D) of the Internal Revenue Code of 1986, as added by this section, includes any person solely engaged in the business of—

(A) validating distributed ledger transactions through proof of work (mining), or

(B) selling hardware or software the sole function of which is to permit persons to control a private key (used for accessing digital assets on a distributed ledger).

(2) BROKERS AND TREATMENT OF DIGITAL ASSETS.—Nothing in this section or the amendments made by this section shall be construed to create any inference, for any period prior to the effective date of such amendments, with respect to—

(A) whether any person is a broker under section 6045(c)(1) of the Internal Revenue Code of 1986, or

(B) whether any digital asset is property which is a specified security under section 6045(g)(3)(B) of such Code.

SA 2618. 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:

At the end of subtitle E of title I of division A, add the following:

SEC. 115___. DRY BULK WEIGHT TOLERANCE.

Section 127 of title 23, United States Code (as amended by section 11515(2)), is amended by adding at the end the following:

''(x) DRY BULK WEIGHT TOLERANCE.—

''(1) DEFINITION OF DRY BULK GOODS.—In this subsection, the term 'dry bulk goods' means any homogeneous unmarked nonliquid cargo being transported in a trailer specifically designed for that purpose.

''(2) WEIGHT TOLERANCE.—Notwithstanding any other provision of this section, except for the maximum gross vehicle weight limitation, a commercial motor vehicle transporting dry bulk goods may not exceed 110 percent of the maximum weight on any axle or axle group described in subsection (a), including any enforcement tolerance.''.

SA 2619. Mr. WYDEN (for himself, Ms. LUMMIS, and Mr. TOOMEY) 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 2437, strike lines 9 through 18 and insert the following:

(d) RULE OF CONSTRUCTION.—

(1) DEFINITION OF BROKER.—Nothing in this section or the amendments made by this section shall be construed to create any inference that a person described in section 6045(c)(1)(D) of the Internal Revenue Code of 1986, as added by this section, includes any person solely engaged in the business of—

(A) validating distributed ledger transactions,

(B) selling hardware or software for which the sole function is to permit a person to control private keys which are used for accessing digital assets on a distributed ledger, or

(C) developing digital assets or their corresponding protocols for use by other persons, provided that such other persons are not customers of the person developing such assets or protocols.

(2) BROKERS AND TREATMENT OF DIGITAL ASSETS.—Nothing in this section or the amendments made by this section shall be construed to create any inference, for any period prior to the effective date of such amendments, with respect to—

(A) whether any person is a broker under section 6045(c)(1) of the Internal Revenue Code of 1986, or

(B) whether any digital asset is property which is a specified security under section 6045(g)(3)(B) of such Code.

SA 2620. Ms. SINEMA 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 125, line 8, insert a semicolon at the end.

On page 419, line 6, strike ''1109(a)(1)(C)'' and insert ''11109(a)(1)(C)''.

On page 443, line 12, strike ''is amended by adding'' and insert the following: ''is amended—

(1) by striking the seventh, eighth, and ninth sentences; and

(2) by adding

On page 650, line 6, strike ''a State'' and insert ''a State (including the District of Columbia)''.

On page 659, line 1, strike ''a State'' and insert ''a State (including the District of Columbia)''.

On page 699, line 25, strike ''22306'' and insert ''22308''.

On page 721, line 14, strike ''category'' and insert ''categories''.

On page 797, line 21, strike ''22210'' and insert ''22910''.

On page 1025, line 13, strike ''40'' and insert ''25''.

On page 1287, line 16, insert ''5334,'' after ''5318,''.

On page 1592, strike lines 6 through 13 and insert the following:

''(2) is placed in service on or after the date of enactment of this section;

''(3) meets the requirements of subclauses (I) and (III) of section 242(b)(1)(B)(ii); and

''(4)(A) is in compliance with all applicable Federal, Tribal, and State requirements; or

''(B) would be constructed or brought into compliance with the requirements described in subparagraph (A) as a result of the capital improvements or investment carried out using an incentive payment under this section.

On page 1593, line 15, insert ''subject to subsection (c),'' before ''environmental''.

On page 1594, between lines 8 and 9, insert the following:

''(c) CONDITION.—Incentive payments may only be made for environmental improvements under subsection (b)(3) on the condition that the improvements, including any related physical or operational changes, have been authorized under applicable Federal, State, and Tribal permitting or licensing processes that include appropriate mitigation conditions arising from consultation and environmental review under the processes.

On page 1594, line 9, strike ''(c)'' and insert ''(d)''.

On page 1594, line 18, strike ''(d)'' and insert ''(e)''.

In section 40541(a) of division D, strike paragraph (7) and insert the following:

(7) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means—

(A) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from tax under section 501(a) of such Code;

(B) a mutual or cooperative electric company described in section 501(c)(12) of such Code that is exempt from tax under section 501(a) of such Code; or

(C) an organization which is engaged in furnishing electric energy described in section 1381(a)(2)(C) of such Code.

On page 2195, strike lines 3 through 14 and insert the following:

(F) the Committee on Indian Affairs of the Senate;

(G) the Committee on Natural Resources of the House of Representatives;

(H) the Committee on Agriculture of the House of Representatives;

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Appropriations of the House of Representatives;

(K) the Committee on Ways and Means of the House of Representatives; and

(L) the Committee on Natural Resources of the House of Representatives.

Beginning on page 2200, strike line 6 and all that follows through page 2201, line 17, and insert the following:

(III) a county government, with preference given to counties at least a portion of which is in the wildland-urban interface;

(IV) a municipal government, with preference given to municipalities at least a portion of which is in the wildland-urban interface; and

(V) an Indian tribal government;

(iii) with preference given to representatives from high-risk States and high-risk Indian tribal governments, not fewer than 1 representative from each of—

(I) the public utility industry;

(II) the property development industry;

(III) wildland firefighters; and

(IV) an organization—

(aa) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code; and

(bb) with expertise in forest management and environmental conservation;

(iv) not greater than 2 other appropriate non-Federal stakeholders, which may include the private sector; and

(v) any other appropriate non-Federal stakeholders, which may include the private sector, with preference given to non-Federal stakeholders from high-risk States and high-risk Indian tribal governments.

(2) STATE AND INDIAN TRIBAL GOVERNMENT LIMITATION.—Each member of the Commission appointed under clauses (i) and (ii) of paragraph (1)(C) shall represent a different State or Indian tribal government.

On page 2410, line 10, strike ''project which'' and insert ''project''.

On page 2410, line 11, insert ''which'' before ''is''.

On page 2410, line 17, strike ''and''.

Beginning on page 2410, strike line 18 and all that follows through page 2411, line 2, and insert the following:

(B) which results in internet access which—

(i) is provided at speeds not less than 100 megabits per second for downloads and 20 megabits per second for uploads; and

(ii) is provided to residential households; and

(C) under which not less than 90 percent of the residential households and commercial locations provided internet access are households and locations where, before the project, a broadband service provider—

In the eighth proviso under the heading ''DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM'' under the heading ''RURAL UTILITIES SERVICE'' under the heading ''RURAL DEVELOPMENT PROGRAMS'' under the heading ''DEPARTMENT OF AGRICULTURE'' in title I of division J, strike ''electric cooperatives'' and insert ''pole owners''.

On page 2467, line 2, insert a comma after ''Corporations''.

On page 2474, line 8, insert ''until'' after ''available''.

On page 2478, line 25, strike ''an institution'' and insert ''institutions''.

On page 2479, line 1, strike ''non-profit,'' and insert ''non-profit or''.

On page 2552, strike lines 17 through 20 and insert the following:

made available in fiscal years 2022 through 2026 under this paragraph

On page 2572, lines 3 and 4, strike ''salaries, expenses, and''.

On page 2585, line 6, strike ''three'' and insert ''four''.

On page 2587, line 3, strike ''three'' and insert ''four''.

On page 2589, line 2, strike ''three'' and insert ''four''.

On page 2590, line 15, strike ''three'' and insert ''four''.

On page 2592, line 6, strike ''three'' and insert ''four''.

On page 2597, line 4, strike ''three'' and insert ''five''.

On page 2604, line 5, strike the period at the end and insert '': *Provided*, That the amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 4112(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.''.

On page 2616, line 24, insert ''Federal'' before ''salaries''.

On page 2621, line 2, insert ''until'' after ''available''.

On page 2624, strike lines 13 through 15 and insert the following:

the programs administered by the Office of Multimodal Freight Infrastructure and Policy may be transferred to an ''Office of Multimodal Freight Infrastructure and Policy'' account,

On page 2625, lines 8 and 9, strike ''Office of Multimodal Infrastructure and Freight'' and insert ''Office of Multimodal Freight Infrastructure and Policy''.

On page 2625, line 23, strike ''section 6203'' and insert ''section 6703''.
On page 2626, lines 3 and 4, strike ''Office of Multimodal Infrastructure and Freight'' and insert ''Office of Multimodal Freight Infrastructure and Policy''.
On page 2637, line 12, strike ''PROGRAM'' and inserting ''PROGRAMS''.
On page 2638, line 13, strike ''administrations'' and insert ''administration''.
On page 2639, line 8, strike ''*further*''.
On page 2645, line 21, strike ''preceding proviso'' and insert ''sixth proviso of this paragraph in this Act''.
On page 2645, line 23, strike ''the preceding'' and insert ''such''.
On page 2646, line 3, strike ''the preceding'' and insert ''such''.
On page 2646, line 5, strike ''under'' and insert ''of''.
On page 2646, line 8, strike ''preceding proviso'' and insert ''sixth proviso of this paragraph in this Act''.
On page 2648, line 23, strike ''publically'' and insert ''publicly''.
On page 2648, line 25, strike ''publically'' and insert ''publicly''.
On page 2652, line 9, strike ''twenty-fourth'' and insert ''twenty-sixth''.
On page 2653, line 4, strike ''nineteenth'' and insert ''twenty-first''.
On page 2656, line 7, strike ''previous'' and insert ''preceding''.
On page 2661, line 16, strike ''third proviso in this'' and insert ''third proviso of this''.
On page 2661, line 20, strike ''under this heading'' and insert ''under this paragraph in this Act''.
On page 2661, line 22, strike ''in'' and insert ''of''.
On page 2673, line 3, insert ''appropriate costs required for'' after ''available for''.
On page 2673, line 19, insert '', in consultation with Amtrak,'' before ''shall submit''.
On page 2674, line 1, strike ''shall'' and insert '', in consultation with Amtrak, shall prepare and''.
On page 2674, line 11, strike ''capital''.
On page 2676, line 19, insert ''appropriate costs required for'' after ''available for''.
On page 2677, line 16, insert '', in consultation with Amtrak,'' before ''shall submit''.
On page 2677, line 23, strike ''shall'' and insert '', in consultation with Amtrak, shall prepare and''.
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 ''$2,300,000,000''.
On page 2683, line 23, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2683, line 25, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2684, line 1, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2684, line 3, strike ''$2,050,000,000'' and insert ''$2,300,000,000''.
On page 2684, line 24, strike ''and''.
On page 2685, line 4, strike the colon and insert ''; and''.
On page 2685, between lines 4 and 5, insert the following:
(4) $1,250,000,000 shall be to carry out passenger ferry grants under section 5307(h) of title 49, United States Code:

SA 2621. 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. 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 1463, line 3, strike ''maritime''.
On page 1463, line 6, strike ''maritime''.
On page 1463, lines 9 and 10, strike ''maritime''.
On page 1548, line 18, strike ''maritime''.
On page 1548, line 23, strike ''maritime''.
On page 1549, line 3, strike ''maritime''.
On page 1549, line 6, strike ''maritime''.
On page 1549, line 25, strike ''maritime applications'' and insert ''vessels''.
On page 1621, line 19, strike ''maritime''.

SA 2622. Mr. SCHATZ (for Mrs. MURRAY (for herself and Mr. BURR)) proposed an amendment to the bill S. 610, to address behavioral health and well-being among health care professionals; as follows:

In section 5(b), strike paragraph (1) and insert the following:
(1) the prevalence and severity of mental health conditions among health professionals, and factors that contribute to those mental health conditions;
At the end, add the following:

SEC. 6. GAO REPORT.

Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall report to Congress on the extent to which Federal substance use disorder and mental health grant programs address the prevalence and severity of mental health conditions and substance use disorders among health professionals. Such report shall include an analysis of available evidence and data related to such conditions and programs, and shall assess whether there are duplicative goals and objectives among such grant programs.

SA 2623. 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, 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:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 2624. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2623 submitted by Mr. SCHUMER and intended to be proposed to the 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 1, line 3, strike ''1 day'' and insert ''2 days''.

SA 2625. Mr. SCHUMER 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 add the following:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

SA 2626. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2625 submitted by Mr. SCHUMER and 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:

On page 1, line 3, strike ''4'' and insert ''5''.

SA 2627. Mr. WARNER (for himself, Mr. PORTMAN, and Ms. SINEMA) 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 2437, after line 8, insert the following:
(d) RULES OF CONSTRUCTION.—
(1) DEFINITION OF BROKER.—Nothing in this section or the amendments made by this section shall be construed to create any inference that a person described in section 6045(c)(1)(D) of the Internal Revenue Code of 1986, as added by this section, includes any person solely engaged in the business of—
(A) validating distributed ledger transactions through proof of work (mining), or
(B) selling hardware or software the sole function of which is to permit persons to control a private key (used for accessing digital assets on a distributed ledger).
(2) BROKERS AND TREATMENT OF DIGITAL ASSETS.—Nothing in this section or the amendments made by this section shall be construed to create any inference, for any period prior to the effective date of such amendments, with respect to—
(A) whether any person is a broker under section 6045(c)(1) of the Internal Revenue Code of 1986, or
(B) whether any digital asset is property which is a specified security under section 6045(g)(3)(B) of such Code.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PETERS. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to

meet during the session of the Senate on Friday, August 6, 2021, at 10 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 Friday, August 6, 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 Friday, August 6, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Friday, August 6, 2021, at 10 a.m., to conduct a hearing on 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 Friday, August 6, 2021, at 10:15 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Friday, August 6, 2021, at 9 a.m., to conduct a hearing on nominations.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Friday, August 6, 2021, at 1 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. SCHUMER. Mr. President, I ask unanimous consent that Benjamin Lockshin, a detailee in Senator BROWN's office, be granted floor privileges for the remainder of today's session.

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

Mr. CASSIDY. Mr. President, I ask unanimous consent that Elizabeth Kay, an intern in my office, be granted floor privileges today, August 5, 2021.

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

UNANIMOUS CONSENT AGREEMENT—H.R. 3684

Mr. SCHATZ. Mr. President, I ask unanimous consent that the filing deadline for first-degree amendments to the substitute amendment No. 2137 and the underlying bill, H.R. 3684, be at 11:15 a.m. and second-degree amendments at 11:55 a.m. on Saturday, August 7.

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

DR. LORNA BREEN HEALTH CARE PROVIDER PROTECTION ACT

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 69, S. 610.

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

The legislative clerk read as follows:

A bill (S. 610) to address behavioral health and well-being among health care professionals.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Dr. Lorna Breen Health Care Provider Protection Act''.

SEC. 2. DISSEMINATION OF BEST PRACTICES.

The Secretary of Health and Human Services (referred to in this Act as the ''Secretary'') shall identify and disseminate evidence-based or evidence-informed best practices for preventing suicide and improving mental health and resiliency among health care professionals, and for training health care professionals in appropriate strategies to promote their mental health. Such best practices shall include recommendations related to preventing suicide and improving mental health and resiliency among health care professionals.

SEC. 3. EDUCATION AND AWARENESS INITIATIVE ENCOURAGING USE OF MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES BY HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—The Secretary, in consultation with relevant stakeholders, including medical professional associations, shall establish a national evidence-based or evidence-informed education and awareness initiative to encourage health care professionals to seek support and care for their mental health or substance use concerns, to help such professionals identify risk factors associated with suicide and mental health conditions, and to help such professionals learn how best to respond to such risks, with the goal of preventing suicide, mental health conditions, and substance use disorders, and to address stigma associated with seeking mental health and substance use disorder services.

(b) REPORTING.—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives an update on the activities and outcomes of the initiative under subsection (a), including a description of quantitative and qualitative metrics used to evaluate such activities and outcomes.

(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $10,000,000 for each of fiscal years 2022 through 2024.

SEC. 4. GRANTS TO PROMOTE MENTAL HEALTH AMONG THE HEALTH PROFESSIONAL WORKFORCE.

Subpart I of part E of title VII of the Public Health Service Act (42 U.S.C.. 294n et seq.) is amended by adding at the end the following:

''SEC. 764. GRANTS TO PROMOTE MENTAL HEALTH AMONG THE HEALTH PROFESSIONAL WORKFORCE.

''(a) IN GENERAL.—The Secretary shall award grants related to improving mental health and resiliency among health care professionals.

''(b) GRANTS TO PROMOTE MENTAL HEALTH AMONG HEALTH CARE PROFESSIONALS.—

''(1) IN GENERAL.—The Secretary shall award grants to health care entities, including entities that provide health care services, such as hospitals, community health centers, and rural health clinics, or to medical professional associations, to establish or enhance evidence-based or evidence-informed programs dedicated to improving mental health and resiliency for health care professionals.

''(2) USE OF FUNDS.—An eligible entity receiving a grant under this subsection shall use amounts under the grant to implement a new program or enhance an existing program to promote mental health among health care professionals, which may include—

''(A) improving awareness among health care professionals about risk factors for, and signs of, suicide and mental health or substance use disorders, in accordance with evidence-based or evidence-informed practices;

''(B) establishing new, or enhancing existing, evidence-based or evidence-informed programs for preventing suicide and improving mental health and resiliency among health care professionals;

''(C) establishing new, or enhancing existing, peer-support programs among health care professionals; or

''(D) providing mental health care, follow-up services and care, or referral for such services and care, as appropriate.

''(3) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to eligible entities in health professional shortage areas or rural areas.

''(c) TRAINING GRANTS.—The Secretary may establish a program to award grants to health professions schools, academic health centers, State or local governments, Indian Tribes or Tribal organizations, or other appropriate public or private nonprofit entities (or consortia of entities, including entities promoting multidisciplinary approaches) to support the training of health care students, residents, or health care professionals in evidence-based or evidence-informed strategies to address mental and substance use disorders and improve mental health and resiliency among health care professionals.

''(d) GRANT TERMS.—A grant awarded under subsection (b) or (c) shall be for a period of 3 years.

''(e) APPLICATION SUBMISSION.—An entity seeking a grant under subsection (b) or (c) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

''(f) REPORTING.—An entity awarded a grant under subsection (b) or (c) shall periodically submit to the Secretary a report evaluating the activities supported by the grant.

''(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section and section 5 of the Dr. Lorna Breen Health Care Provider Protection Act, there are authorized to be appropriated $35,000,000 for each of fiscal years 2022 through 2024.''.

SEC. 5. REVIEW WITH RESPECT TO HEALTH CARE PROFESSIONAL MENTAL HEALTH AND RESILIENCY.

(a) IN GENERAL.—The Secretary, in consultation with relevant stakeholders, shall conduct a review and, not later than 3 years after the date of enactment of this Act, submit a report to Congress related to improving health care professional mental health and resiliency and the outcomes of programs authorized under this Act.

(b) CONSIDERATIONS.—The review under subsection (a) shall take into account—

(1) factors that contribute to mental health conditions;

(2) barriers to seeking and accessing mental health care for health care professionals, which may include consideration of stigma and licensing concerns, and actions taken by State licensing boards, schools for health professionals, health care professional training associations, hospital associations, or other organizations, as appropriate, to address such barriers;

(3) the impact of the COVID–19 public health emergency on the mental health of health care

professionals and lessons learned for future public health emergencies;

(4) factors that promote mental health and resiliency among health care professionals, including programs or strategies to strengthen mental health and resiliency among health care professionals; and

(5) the efficacy of health professional training programs that promote resiliency and improve mental health.

(c) RECOMMENDATIONS.—The review under subsection (a), as appropriate, shall identify best practices related to, and make recommendations to address—

(1) improving mental health and resiliency among health care professionals;

(2) removing barriers to mental health care for health care professionals; and

(3) strategies to promote resiliency among health care professionals in health care settings.

Mr. SCHATZ. I ask unanimous consent that the Murray-Burr amendment at the desk be agreed to; that the committee-reported substitute amendment, as amended, be agreed to.

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

The amendment (No. 2622) was agreed to as follows:

(Purpose: To improve the bill with respect to review of program effectiveness)

In section 5(b), strike paragraph (1) and insert the following:

(1) the prevalence and severity of mental health conditions among health professionals, and factors that contribute to those mental health conditions;

At the end, add the following:

SEC. 6. GAO REPORT.

Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall report to Congress on the extent to which Federal substance use disorder and mental health grant programs address the prevalence and severity of mental health conditions and substance use disorders among health professionals. Such report shall include an analysis of available evidence and data related to such conditions and programs, and shall assess whether there are duplicative goals and objectives among such grant programs.

The committee-reported amendment, in the nature of a substitute, as amended, was agreed to.

Mr. SCHATZ. I ask that the bill, as amended, be read a third time.

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

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

Mr. SCHATZ. I know of no further debate on the bill, as amended.

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

The bill (S. 610), as amended, was passed, as follows:

S. 610

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Dr. Lorna Breen Health Care Provider Protection Act''.

SEC. 2. DISSEMINATION OF BEST PRACTICES.

The Secretary of Health and Human Services (referred to in this Act as the ''Secretary'') shall identify and disseminate evidence-based or evidence-informed best practices for preventing suicide and improving mental health and resiliency among health care professionals, and for training health care professionals in appropriate strategies to promote their mental health. Such best practices shall include recommendations related to preventing suicide and improving mental health and resiliency among health care professionals.

SEC. 3. EDUCATION AND AWARENESS INITIATIVE ENCOURAGING USE OF MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES BY HEALTH CARE PROFESSIONALS.

(a) IN GENERAL.—The Secretary, in consultation with relevant stakeholders, including medical professional associations, shall establish a national evidence-based or evidence-informed education and awareness initiative to encourage health care professionals to seek support and care for their mental health or substance use concerns, to help such professionals identify risk factors associated with suicide and mental health conditions, and to help such professionals learn how best to respond to such risks, with the goal of preventing suicide, mental health conditions, and substance use disorders, and to address stigma associated with seeking mental health and substance use disorder services.

(b) REPORTING.—Not later than 2 years after the date of enactment of this Act, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives an update on the activities and outcomes of the initiative under subsection (a), including a description of quantitative and qualitative metrics used to evaluate such activities and outcomes.

(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $10,000,000 for each of fiscal years 2022 through 2024.

SEC. 4. GRANTS TO PROMOTE MENTAL HEALTH AMONG THE HEALTH PROFESSIONAL WORKFORCE.

Subpart I of part E of title VII of the Public Health Service Act (42 U.S.C.. 294n et seq.) is amended by adding at the end the following:

''SEC. 764. GRANTS TO PROMOTE MENTAL HEALTH AMONG THE HEALTH PROFESSIONAL WORKFORCE.

''(a) IN GENERAL.—The Secretary shall award grants related to improving mental health and resiliency among health care professionals.

''(b) GRANTS TO PROMOTE MENTAL HEALTH AMONG HEALTH CARE PROFESSIONALS.—

''(1) IN GENERAL.—The Secretary shall award grants to health care entities, including entities that provide health care services, such as hospitals, community health centers, and rural health clinics, or to medical professional associations, to establish or enhance evidence-based or evidence-informed programs dedicated to improving mental health and resiliency for health care professionals.

''(2) USE OF FUNDS.—An eligible entity receiving a grant under this subsection shall use amounts under the grant to implement a new program or enhance an existing program to promote mental health among health care professionals, which may include—

''(A) improving awareness among health care professionals about risk factors for, and signs of, suicide and mental health or substance use disorders, in accordance with evidence-based or evidence-informed practices;

''(B) establishing new, or enhancing existing, evidence-based or evidence-informed programs for preventing suicide and improving mental health and resiliency among health care professionals;

''(C) establishing new, or enhancing existing, peer-support programs among health care professionals; or

''(D) providing mental health care, follow-up services and care, or referral for such services and care, as appropriate.

''(3) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to eligible entities in health professional shortage areas or rural areas.

''(c) TRAINING GRANTS.—The Secretary may establish a program to award grants to health professions schools, academic health centers, State or local governments, Indian Tribes or Tribal organizations, or other appropriate public or private nonprofit entities (or consortia of entities, including entities promoting multidisciplinary approaches) to support the training of health care students, residents, or health care professionals in evidence-based or evidence-informed strategies to address mental and substance use disorders and improve mental health and resiliency among health care professionals.

''(d) GRANT TERMS.—A grant awarded under subsection (b) or (c) shall be for a period of 3 years.

''(e) APPLICATION SUBMISSION.—An entity seeking a grant under subsection (b) or (c) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

''(f) REPORTING.—An entity awarded a grant under subsection (b) or (c) shall periodically submit to the Secretary a report evaluating the activities supported by the grant.

''(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section and section 5 of the Dr. Lorna Breen Health Care Provider Protection Act, there are authorized to be appropriated $35,000,000 for each of fiscal years 2022 through 2024.''.

SEC. 5. REVIEW WITH RESPECT TO HEALTH CARE PROFESSIONAL MENTAL HEALTH AND RESILIENCY.

(a) IN GENERAL.—The Secretary, in consultation with relevant stakeholders, shall conduct a review and, not later than 3 years after the date of enactment of this Act, submit a report to Congress related to improving health care professional mental health and resiliency and the outcomes of programs authorized under this Act.

(b) CONSIDERATIONS.—The review under subsection (a) shall take into account—

(1) the prevalence and severity of mental health conditions among health professionals, and factors that contribute to those mental health conditions;

(2) barriers to seeking and accessing mental health care for health care professionals, which may include consideration of stigma and licensing concerns, and actions taken by State licensing boards, schools for health professionals, health care professional training associations, hospital associations, or other organizations, as appropriate, to address such barriers;

(3) the impact of the COVID–19 public health emergency on the mental health of health care professionals and lessons learned for future public health emergencies;

(4) factors that promote mental health and resiliency among health care professionals, including programs or strategies to strengthen mental health and resiliency among health care professionals; and

(5) the efficacy of health professional training programs that promote resiliency and improve mental health.

(c) RECOMMENDATIONS.—The review under subsection (a), as appropriate, shall identify best practices related to, and make recommendations to address—

(1) improving mental health and resiliency among health care professionals;

(2) removing barriers to mental health care for health care professionals; and

(3) strategies to promote resiliency among health care professionals in health care settings.

SEC. 6. GAO REPORT.

Not later than 4 years after the date of enactment of this Act, the Comptroller General of the United States shall report to Congress on the extent to which Federal substance use disorder and mental health grant programs address the prevalence and severity of mental health conditions and substance use disorders among health professionals. Such report shall include an analysis of available evidence and data related to such conditions and programs, and shall assess whether there are duplicative goals and objectives among such grant programs.

Mr. SCHATZ. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

REINFORCING NICARAGUA'S ADHERENCE TO CONDITIONS FOR ELECTORAL REFORM ACT OF 2021

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 86, S. 1041.

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

The legislative clerk read as follows:

A bill (S. 1041) to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021'' or the ''RENACER Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) ongoing efforts by the government of President Daniel Ortega in Nicaragua to suppress the voice and actions of political opponents through intimidation and unlawful detainment, civil society, and independent news media violate the fundamental freedoms and basic human rights of the people of Nicaragua;

(2) Congress unequivocally condemns the politically motivated and unlawful detention of presidential candidates Cristiana Chamorro, Arturo Cruz, Felix Maradiaga, and Juan Sebastian Chamorro;

(3) Congress unequivocally condemns the passage of the Foreign Agents Regulation Law, the Special Cybercrimes Law, the Self-Determination Law, and the Consumer Protection Law by the National Assembly of Nicaragua, which represent clear attempts by the Ortega government to curtail the fundamental freedoms and basic human rights of the people of Nicaragua;

(4) Congress recognizes that free, fair, and transparent elections predicated on robust reform measures and the presence of domestic and international observers represent the best opportunity for the people of Nicaragua to restore democracy and reach a peaceful solution to the political and social crisis in Nicaragua;

(5) the United States recognizes the right of the people of Nicaragua to freely determine their own political future as vital to ensuring the sustainable restoration of democracy in their country;

(6) the United States should align the use of diplomatic engagement and all other foreign policy tools, including the use of targeted sanctions, in support of efforts by democratic political actors and civil society in Nicaragua to advance the necessary conditions for free, fair, and transparent elections in Nicaragua;

(7) the United States, in order to maximize the effectiveness of efforts described in paragraph (6), should—

(A) coordinate with diplomatic partners, including the Government of Canada, the European Union, and partners in Latin America and the Caribbean;

(B) advance diplomatic initiatives in consultation with the Organization of American States and the United Nations; and

(C) thoroughly investigate the assets and holdings of the Nicaraguan Armed Forces in the United States and consider appropriate actions to hold such forces accountable for gross violations of human rights; and

(8) pursuant to section 6(b) of the Nicaragua Investment Conditionality Act of 2018, the President should waive the application of restrictions under section 4 of that Act and the sanctions under section 5 of that Act if the Secretary of State certifies that the Government of Nicaragua is taking the steps identified in section 6(a) of that Act, including taking steps to ''to hold free and fair elections overseen by credible domestic and international observers''.

SEC. 3. REVIEW OF PARTICIPATION OF NICARAGUA IN DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) On November 27, 2018, the President signed Executive Order 13851 (50 U.S.C. 1701 note; relating to blocking property of certain persons contributing to the situation in Nicaragua), which stated that ''the situation in Nicaragua, including the violent response by the Government of Nicaragua to the protests that began on April 18, 2018, and the Ortega regime's systematic dismantling and undermining of democratic institutions and the rule of law, its use of indiscriminate violence and repressive tactics against civilians, as well as its corruption leading to the destabilization of Nicaragua's economy, constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States''.

(2) Article 21.2 of the Dominican Republic-Central America-United States Free Trade Agreement approved by Congress under section 101(a)(1) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (19 U.S.C. 4011(a)(1)) states, ''Nothing in this Agreement shall be construed . . . to preclude a Party from applying measures that it considers necessary for the fulfillment of its obligations with respect to the maintenance or restoration of international peace or security, or the protection of its own essential security interests.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should review the continued participation of Nicaragua in the Dominican Republic-Central America-United States Free Trade Agreement if the Government of Nicaragua continues to tighten its authoritarian rule in an attempt to subvert democratic elections in November 2021 and undermine democracy and human rights in Nicaragua.

SEC. 4. RESTRICTIONS ON INTERNATIONAL FINANCIAL INSTITUTIONS RELATING TO NICARAGUA.

Section 4 of the Nicaragua Investment Conditionality Act of 2018 is amended—

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

(2) by inserting before subsection (b), as redesignated by paragraph (1), the following:

''(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Treasury should take all possible steps, including through the full implementation of the exceptions set forth in subsection (c), to ensure that the restrictions required under subsection (b) do not negatively impact the basic human needs of the people of Nicaragua.'';

(3) in subsection (c), as so redesignated, by striking ''subsection (a)'' and inserting ''subsection (b)''; and

(4) by striking subsection (d), as so redesignated, and inserting the following:

''(d) INCREASED OVERSIGHT.—

''(1) IN GENERAL.—The United States Executive Director at each international financial institution of the World Bank Group, the United States Executive Director at the Inter-American Development Bank, and the United States Executive Director at each other international financial institution, including the International Monetary Fund, shall take all practicable steps—

''(A) to increase scrutiny of any loan or financial or technical assistance provided for a project in Nicaragua; and

''(B) to ensure that the loan or assistance is administered through an entity with full technical, administrative, and financial independence from the Government of Nicaragua.

''(2) MECHANISMS FOR INCREASED SCRUTINY.—The United States Executive Director at each international financial institution described in paragraph (1) shall use the voice, vote, and influence of the United States to encourage that institution to increase oversight mechanisms for new and existing loans or financial or technical assistance provided for a project in Nicaragua.

''(e) INTERAGENCY CONSULTATION.—Before implementing the restrictions described in subsection (b), or before exercising an exception under subsection (c), the Secretary of the Treasury shall consult with the Secretary of State and with the Administrator of the United States Agency for International Development to ensure that all loans and financial or technical assistance to Nicaragua are consistent with United States foreign policy objectives as defined in section 3.

''(f) REPORT.—Not later than 180 days after the date of the enactment of the RENACER Act, and annually thereafter until the termination date specified in section 10, the Secretary of the Treasury, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a report on the implementation of this section, which shall include—

''(1) summary of any loans and financial and technical assistance provided by international financial institutions for projects in Nicaragua;

''(2) a description of the implementation of the restrictions described in subsection (b);

''(3) an identification of the occasions in which the exceptions under subsection (c) are exercised and an assessment of how the loan or assistance provided with each such exception may address basic human needs or promote democracy in Nicaragua;

''(4) a description of the results of the increased oversight conducted under subsection (d); and

''(5) a description of international efforts to address the humanitarian needs of the people of Nicaragua.''.

SEC. 5. TARGETED SANCTIONS TO ADVANCE DEMOCRATIC ELECTIONS.

(a) COORDINATED STRATEGY.—

(1) IN GENERAL.—The Secretary of State and the Secretary of the Treasury, in consultation with the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), shall develop and implement a coordinated strategy to align diplomatic engagement efforts with the implementation of targeted sanctions in order to support efforts to facilitate the necessary conditions for free, fair, and transparent elections in Nicaragua.

(2) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until December 31, 2022, the Secretary of State and the Secretary of the Treasury shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on steps to be taken by the United States Government to develop and implement the coordinated strategy required by paragraph (1).

(b) TARGETED SANCTIONS PRIORITIZATION.—

(1) IN GENERAL.—Pursuant to the coordinated strategy required by subsection (a), the President shall prioritize the implementation of the targeted sanctions required under section 5 of the Nicaragua Investment Conditionality Act of 2018.

(2) TARGETS.—In carrying out paragraph (1), the President—

(A) shall examine whether foreign persons involved in directly or indirectly obstructing the establishment of conditions necessary for the realization of free, fair, and transparent elections in Nicaragua are subject to sanctions under section 5 of the Nicaragua Investment Conditionality Act of 2018; and

(B) should, in particular, examine whether the following persons have engaged in conduct subject to such sanctions:

(i) Officials in the government of President Daniel Ortega.

(ii) Family members of President Daniel Ortega.

(iii) High-ranking members of the National Nicaraguan Police.

(iv) High-ranking members of the Nicaraguan Armed Forces.

(v) Members of the Supreme Electoral Council of Nicaragua.

(vi) Officials of the Central Bank of Nicaragua.

(vii) Party members and elected officials from the Sandinista National Liberation Front and their family members.

(viii) Individuals or entities affiliated with businesses engaged in corrupt financial transactions with officials in the government of President Daniel Ortega, his party, or his family.

(ix) Individuals identified in the report required by section 8 as involved in significant acts of public corruption in Nicaragua.

SEC. 6. DEVELOPING AND IMPLEMENTING A COORDINATED SANCTIONS STRATEGY WITH DIPLOMATIC PARTNERS.

(a) FINDINGS.—Congress makes the following findings:

(1) On June 21, 2019, the Government of Canada, pursuant to its Special Economic Measures Act, designated 9 officials of the Government of Nicaragua for the imposition of sanctions in response to gross and systematic human rights violations in Nicaragua.

(2) On May 4, 2020, the European Union imposed sanctions with respect to 6 officials of the Government of Nicaragua identified as responsible for serious human rights violations and for the repression of civil society and democratic opposition in Nicaragua.

(3) On October 12, 2020, the European Union extended its authority to impose restrictive measures on ''persons and entities responsible for serious human rights violations or abuses or for the repression of civil society and democratic opposition in Nicaragua, as well as persons and entities whose actions, policies or activities otherwise undermine democracy and the rule of law in Nicaragua, and persons associated with them''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should encourage the Government of Canada, the European Union and governments of members countries of the European Union, and governments of countries in Latin America and the Caribbean to use targeted sanctions with respect to persons involved in human rights violations and the obstruction of free, fair, and transparent elections in Nicaragua.

(c) COORDINATING INTERNATIONAL SANCTIONS.—The Secretary of State, working through the head of the Office of Sanctions Coordination established by section 1(h) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(h)), and in consultation with the Secretary of the Treasury, shall engage in diplomatic efforts with governments of countries that are partners of the United States, including the Government of Canada, governments of countries in the European Union, and governments of countries in Latin America and the Caribbean, to impose targeted sanctions with respect to the persons described in section 5(b) in order to advance democratic elections in Nicaragua.

(d) BRIEFING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until December 31, 2022, the Secretary of State, in consultation with the Secretary of the Treasury, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the implementation of this section.

SEC. 7. INCLUSION OF NICARAGUA IN LIST OF COUNTRIES SUBJECT TO CERTAIN SANCTIONS RELATING TO CORRUPTION.

Section 353 of title III of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended—

(1) in the section heading, by striking ''**AND HONDURAS**'' and inserting ''**, HONDURAS, AND NICARAGUA**''; and

(2) by striking ''and Honduras'' each place it appears and inserting '', Honduras, and Nicaragua''.

SEC. 8. CLASSIFIED REPORT ON THE INVOLVEMENT OF ORTEGA FAMILY MEMBERS AND NICARAGUAN GOVERNMENT OFFICIALS IN CORRUPTION.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence, shall submit a classified report to the appropriate congressional committees on significant acts of public corruption in Nicaragua that—

(1) involve—

(A) the President of Nicaragua, Daniel Ortega;

(B) members of the family of Daniel Ortega; and

(C) senior officials of the Ortega government, including—

(i) members of the Supreme Electoral Council, the Nicaraguan Armed Forces, and the National Nicaraguan Police; and

(ii) elected officials from the Sandinista National Liberation Front party;

(2) pose challenges for United States national security and regional stability;

(3) impede the realization of free, fair, and transparent elections in Nicaragua; and

(4) violate the fundamental freedoms of civil society and political opponents in Nicaragua.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 9. CLASSIFIED REPORT ON THE ACTIVITIES OF THE RUSSIAN FEDERATION IN NICARAGUA.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence, shall submit a classified report to the appropriate congressional committees on activities of the Government of the Russian Federation in Nicaragua, including—

(1) cooperation between Russian and Nicaraguan military personnel, intelligence services, security forces, and law enforcement, and private Russian security contractors;

(2) cooperation related to telecommunications and satellite navigation;

(3) other political and economic cooperation, including with respect to banking, disinformation, and election interference; and

(4) the threats and risks that such activities pose to United States national interests and national security.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 10. IMPOSITION OF SANCTIONS UNDER SECTION 231 OF COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT WITH RESPECT TO GOVERNMENT OF NICARAGUA.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence and the Director of the Defense Intelligence Agency, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes—

(A) a list of—

(i) all equipment, technology, or infrastructure with respect to the military or intelligence sector of Nicaragua purchased, on or after January 1, 2011, by the Government of Nicaragua from an entity identified by the Department of State under section 231(e) of the Countering

America's Adversaries Through Sanctions Act (22 U.S.C. 9525(e)); and

(ii) all agreements with respect to the military or intelligence sector of Nicaragua entered into, on or after January 1, 2011, by the Government of Nicaragua with an entity described in clause (i); and

(B) a description of and date for each purchase and agreement described in subparagraph (A).

(2) CONSIDERATION.—The report required by paragraph (1) shall be prepared after consideration of the content of the report of the Defense Intelligence Agency entitled, ''Russia: Defense Cooperation with Cuba, Nicaragua, and Venezuela'' and dated February 4, 2019.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) REVIEW REQUIRED.—Not later than 30 days after submitting the report required by subsection (a), the Secretary of State, in coordination with the Director of National Intelligence and the Director of the Defense Intelligence Agency, shall—

(1) review whether any of the purchases or agreements included in the list required by subsection (a)(1)(A) that occurred after August 2, 2017, qualify as significant transactions described in section 231(a) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525(a)); and

(2) submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the results of the review conducted under paragraph (1).

(c) IMPOSITION OF SANCTIONS.—Pursuant to the review conducted under subsection (b) and section 231 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525), the President shall impose 5 or more of the sanctions described in section 235 of that Act (22 U.S.C. 9529) with respect to each significant transaction identified pursuant to the review.

SEC. 11. REPORT ON HUMAN RIGHTS ABUSES IN NICARAGUA.

(a) FINDINGS.—Congress finds that, since the June 2018 initiation of ''Operation Clean-up'', an effort of the government of Daniel Ortega to dismantle barricades constructed throughout Nicaragua during social demonstrations in April 2018, the Ortega government has increased its abuse of campesinos and members of indigenous communities, including arbitrary detentions, torture, and sexual violence as a form of intimidation.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that documents the perpetration of gross human rights violations by the Ortega government against the citizens of Nicaragua, including campesinos and indigenous communities in the interior of Nicaragua.

(c) ELEMENTS.—The report required by subsection (b) shall—

(1) include a compilation of human rights violations committed by the Ortega government against the citizens of Nicaragua, with a focus on such violations committed since April 2018, including human rights abuses and extrajudicial killings in—

(A) the cities of Managua, Carazo, and Masaya between April and June of 2018; and

(B) the municipalities of Wiwili, El Cuá, San Jose de Bocay, and Santa Maria de Pantasma in the Department of Jinotega, Esquipulas in the Department of Rivas, and Bilwi in the North Caribbean Coast Autonomous Region between 2018 and 2021;

(2) outline efforts by the Ortega government to intimidate and disrupt the activities of civil society organizations attempting to hold the government accountable for infringing on the fundamental rights and freedoms of the people of Nicaragua; and

(3) provide recommendations on how the United States, in collaboration with international partners and Nicaraguan civil society, should leverage bilateral and regional relationships to curtail the gross human rights violations perpetrated by the Ortega government and better support the victims of human rights violations in Nicaragua.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

SEC. 12. SUPPORTING INDEPENDENT NEWS MEDIA AND FREEDOM OF INFORMATION IN NICARAGUA.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, the Administrator for the United States Agency for International Development, and the Chief Executive Officer of the United States Agency for Global Media, shall submit to Congress a report that includes—

(1) an evaluation of the governmental, political, and technological obstacles faced by the people of Nicaragua in their efforts to obtain accurate, objective, and comprehensive news and information about domestic and international affairs; and

(2) a list of all TV channels, radio stations, online news sites, and other media platforms operating in Nicaragua that are directly or indirectly owned or controlled by President Daniel Ortega, members of the Ortega family, or known allies of the Ortega government.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the extent to which the current level and type of news and related programming and content provided by the Voice of America and other sources is addressing the informational needs of the people of Nicaragua;

(2) a description of existing United States efforts to strengthen freedom of the press and freedom of expression in Nicaragua, including recommendations to expand upon those efforts; and

(3) a strategy for strengthening independent broadcasting, information distribution, and media platforms in Nicaragua.

SEC. 13. AMENDMENT TO SHORT TITLE OF PUBLIC LAW 115–335.

Section 1(a) of the Nicaragua Human Rights and Anticorruption Act of 2018 (Public Law 115–335; 50 U.S.C. 1701 note) is amended to read as follows:

''(a) SHORT TITLE.—This Act may be cited as the 'Nicaragua Investment Conditionality Act of 2018' or the 'NICA Act'.''.

SEC. 14. DEFINITION.

In this Act, the term ''Nicaragua Investment Conditionality Act of 2018'' means the Public Law 115–335 (50 U.S.C. 1701 note), as amended by section 13.

Mr. SCHATZ. I ask unanimous consent that the committee-reported amendment be agreed to.

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

Mr. SCHATZ. I ask unanimous consent that the bill, as amended, be considered read a third time.

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

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

Mr. SCHATZ. I know of no further debate on this measure.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1041), as amended, was passed.

Mr. SCHATZ. I ask that the motion to reconsider be considered made and laid upon the table.

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

DIRECTING THE SECRETARY OF STATE TO DEVELOP A STRATEGY TO REGAIN OBSERVER STATUS FOR TAIWAN IN THE WORLD HEALTH ORGANIZATION

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 110, S. 812.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 812) to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHATZ. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 812) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 812

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PARTICIPATION OF TAIWAN IN THE WORLD HEALTH ORGANIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The World Health Organization (WHO) is a specialized agency of the United Nations, charged with coordinating health efforts within the United Nations system. The World Health Assembly (WHA) is the decision-making body of the WHO, which convenes annually in May to set the policies and priorities of the organization. Statehood is not a requirement for attendance at the WHA, and numerous observers, including non-members and non-governmental organizations, attended the most recent virtual WHA in May 2020.

(2) Taiwan began seeking to participate in the WHO as an observer in 1997. In 2009, with strong support from successive United States Administrations, Congress, and like-minded WHO Member States, and during a period of improved Cross-Strait relations, Taiwan received an invitation to attend the WHA as an observer under the name ''Chinese Taipei''. Taiwan received the same invitation each year until 2016, when following the election of President Tsai-Ing Wen of the Democratic Progressive Party, Taiwan's engagement in the international community began facing increased resistance from the People's Republic of China (PRC). Taiwan's invitation to the 2016 WHA was received late and included new language conditioning Taiwan's participation on the PRC's ''one China principle''. The WHO did not invite Taiwan to attend the WHA as an observer in 2017, 2018, 2019, or 2020.

(3) Taiwan remains a model contributor to world health, having provided financial and technical assistance to respond to numerous global health challenges. Taiwan has invested over $6,000,000,000 in international medical and humanitarian aid efforts impacting over 80 countries since 1996. In 2014, Taiwan responded to the Ebola crisis by donating $1,000,000 and providing 100,000 sets of personal protective equipment. Through the Global Cooperation and Training Framework, the United States and Taiwan have jointly conducted training programs for experts to combat MERS, Dengue Fever, and Zika. In 2020, after successfully containing the spread of the novel coronavirus within its borders while upholding democratic principles, Taiwan generously donated millions of pieces of personal protective equipment and COVID–19 tests to countries in need. These diseases know no borders, and Taiwan's needless exclusion from global health cooperation increases the dangers presented by global pandemics.

(4) Taiwan's international engagement has faced increased resistance from the PRC. Taiwan was not invited to the 2016 Assembly of the International Civil Aviation Organization (ICAO), despite participating as a guest at the organization's prior summit in 2013. Taiwan's requests to participate in the General Assembly of the International Criminal Police Organization (INTERPOL) have also been rejected. In May 2017, PRC delegates disrupted a meeting of the Kimberley Process on conflict diamonds held in Perth, Australia, until delegates from Taiwan were asked to leave. Since 2016, the Democratic Republic of São Tomé and Príncipe, the Republic of Panama, the Dominican Republic, Burkina Faso, the Republic of El Salvador, the Solomon Islands, and the Republic of Kiribati have terminated longstanding diplomatic relationships with Taiwan and granted diplomatic recognition to the PRC.

(5) Congress has established a policy of support for Taiwan's participation in international bodies that address shared transnational challenges, particularly in the WHO. Congress passed H.R. 1794 in the 106th Congress, H.R. 428 in the 107th Congress, and S. 2092 in the 108th Congress to direct the Secretary of State to establish a strategy for, and to report annually to Congress on, efforts to obtain observer status for Taiwan at the WHA. Congress also passed H.R. 1151 in the 113th Congress, directing the Secretary to report on a strategy to gain observer status for Taiwan at the ICAO Assembly, and H.R. 1853 in the 114th Congress, directing the Secretary to report on a strategy to gain observer status for Taiwan at the INTERPOL Assembly. However, since 2016, Taiwan has not received an invitation to attend any of these events as an observer.

(b) AUGMENTATION OF REPORT CONCERNING THE PARTICIPATION OF TAIWAN IN THE WORLD HEALTH ORGANIZATION.—

(1) IN GENERAL.—Subsection (c) of section 1 of the Act entitled, ''To address the participation of Taiwan in the World Health Organization'' (Public Law 108–235; 22 U.S.C. 290 note) is amended by adding at the end the following new paragraph:

''(3) An account of the changes and improvements the Secretary of State has made to the United States plan to endorse and obtain observer status for Taiwan at the World Health Assembly, following any annual meetings of the World Health Assembly at which Taiwan did not obtain observer status.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect and apply beginning with the first report required under subsection (c) of section 1 of the Act entitled, ''To address the participation of Taiwan in the World Health Organization'' (Public Law 108–235; 22 U.S.C. 290 note) that is submitted after the date of the enactment of this Act.

REQUIRING THE COMPTROLLER GENERAL OF THE UNITED STATES TO CONDUCT A STUDY ON DISPARITIES ASSOCIATED WITH RACE AND ETHNICITY WITH RESPECT TO CERTAIN BENEFITS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 1031 and that the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (S. 1031) to require the Comptroller General of the United States to conduct a study on disparities associated with race and ethnicity with respect to certain benefits administered by the Secretary of Veterans Affairs, and for other purposes.

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

Mr. SCHATZ. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 1031) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 1031

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON DISPARITIES ASSOCIATED WITH RACE AND ETHNICITY WITH RESPECT TO CERTAIN BENEFITS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) STUDY REQUIRED.—The Comptroller General of the United States shall conduct a study—

(1) to assess whether there are disparities associated with race and ethnicity with respect to—

(A) compensation benefits administered by the Secretary of Veterans Affairs;

(B) disability ratings determined by the Secretary, with specific consideration of disability evaluations based on pain; and

(C) the rejection of fully developed claims for benefits under laws administered by the Secretary; and

(2) to develop recommendations to facilitate better data collection on the disparities described in paragraph (1).

(b) INITIAL BRIEFING.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall brief Congress on the initial results of the study conducted under subsection (a).

(c) FINAL REPORT.—Not later than 240 days after the date on which the briefing required by subsection (b) is conducted, the Comptroller General shall submit to Congress a final report setting forth the results of the study conducted under subsection (a), including the recommendations developed under paragraph (2) of such subsection.

PUPPIES ASSISTING WOUNDED SERVICEMEMBERS FOR VETERANS THERAPY ACT

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1448 and the Senate proceed to its immediate consideration.

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

The legislative clerk read as follows:

A bill (H.R. 1448) to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy, and to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide service dogs to veterans with mental illnesses who do not have mobility impairments.

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

Mr. SCHATZ. I ask unanimous consent that the bill be considered read a third time.

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

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

Mr. SCHATZ. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate on the bill, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 1448) was passed.

Mr. SCHATZ. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

MEASURES READ THE FIRST TIME—S. 2670 and S. 2671

Mr. SCHATZ. Mr. President, I understand that there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The legislative clerk read as follows:

A bill (S. 2670) to provide for redistricting reform, and for other purposes.

A bill (S. 2671) to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

Mr. SCHATZ. I now ask for a second reading, and in order to place the bills on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

ORDER OF BUSINESS

Mr. SCHATZ. Mr. President, I ask unanimous consent that the filing deadline for second-degree amendments be at 11:45 a.m. on Saturday, August 7.

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

ORDERS FOR SATURDAY, AUGUST 7, 2021

Mr. SCHATZ. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Saturday, August 7; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon conclusion of morning business, the Senate resume consideration of H.R. 3684.

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

ADJOURNMENT UNTIL SATURDAY, AUGUST 7, 2021, AT 11 A.M.

Mr. SCHATZ. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:18 a.m., adjourned until Saturday, August 7, 2021, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JOHN P. HOWARD III, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS, VICE PHYLLIS D. THOMPSON, TERM EXPIRING.

MARY KATHERINE DIMKE, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON, VICE ROSANNA MALOUF PETERSON, RETIRING.

BETH ROBINSON, OF VERMONT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE PETER W. HALL, RETIRED.

CHARLOTTE N. SWEENEY, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE RICHARD BROOKE JACKSON, RETIRING.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 5, 2021:

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

JOSE W. FERNANDEZ, OF NEW YORK, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF FIVE YEARS; UNITED STATES ALTERNATE GOVERNOR OF THE INTER–AMERICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS.

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

JOSE W. FERNANDEZ, OF NEW YORK, TO BE UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT.

DEPARTMENT OF STATE

JOSE W. FERNANDEZ, OF NEW YORK, TO BE AN UNDER SECRETARY OF STATE (ECONOMIC GROWTH, ENERGY, AND THE ENVIRONMENT).

DEPARTMENT OF HOMELAND SECURITY

ROBERT PETER SILVERS, OF THE DISTRICT OF COLUMBIA, TO BE UNDER SECRETARY FOR STRATEGY, POLICY, AND PLANS, DEPARTMENT OF HOMELAND SECURITY.

DEPARTMENT OF DEFENSE

KATHLEEN S. MILLER, OF VIRGINIA, TO BE A DEPUTY UNDER SECRETARY OF DEFENSE.