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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, August 10, 2021, at 10 a.m.

Senate

SATURDAY, AUGUST 7, 2021

The Senate met at 11 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Precious Lord, Your power, mercy, and grace continue to sustain us. Your power energizes us to face the challenges that require more than human wisdom. Your mercy protects us when we fall short of your glory, and your grace gives us merit we don't deserve.

Lord, empower our Senators for today's journey, providing them with confidence to draw near to You. May they pass through this day in companionship with You, lifting their hearts frequently in prayer. Give them wisdom to learn to be faithful stewards of the gifts You have provided.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

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

The PRESIDING OFFICER (Mr. KELLY). The Senator from Vermont.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. SCHUMER. Mr. President, first, I am going to do the administrative stuff.

MEASURES PLACED ON THE CALENDAR—S. 2670 and S. 2671

Mr. SCHUMER. Mr. President, I understand there are two bills at the desk due for a second reading en bloc.

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

The senior assistant 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. SCHUMER. Mr. President, in order to place the bills on the calendar under provisions of rule XIV, I would object to further proceedings en bloc.

The PRESIDING OFFICER. Objections having been heard, the bills will be placed on the calendar.

INVEST IN AMERICA ACT

Mr. SCHUMER. Mr. President, this morning, we resume consideration of the bipartisan infrastructure bill. There will be a vote at noon to invoke cloture on the substitute amendment, which will move the process forward by the book.

Democrats are very eager to start voting on further amendments, but we need consent from the Chamber to schedule those amendment votes. We worked all day Thursday to come up with an agreement with our Republican colleagues on such a package but unfortunately were not able to. So we can get this done the easy way or the hard way. In either case, the Senate will stay in session until we finish our work. It is up to my Republican colleagues how long it takes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

INVEST IN AMERICA ACT

Mr. LEAHY. Mr. President, I applaud what the majority leader just said. We are here. A lot of Senators, both Republicans and Democrats, have rearranged schedules to be here. Let's go forth and do the country's business. If people have amendments they want, bring them up. Vote them up or vote them down. But let's just get on and do our work.

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

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My Appropriations Committee staff worked very, very hard with both the Republican and Democratic side on the parts of this piece of legislation that required work from the Appropriations Committee. They have worked weekends, evenings—long, long days—drafting and redrafting and redrafting to make sure that people on both sides approved of what they wanted. Now, the American people expect us to vote. We are here. Let's vote.

I am happy to see Republican amendments or Democratic amendments come up. But it is one thing to talk about them on the news shows or on social media or trying to talk to the press in the halls and make sound bites; it is another thing to actually vote. Let's vote. Let's let people know where we stand. That is how the people in our State know where we stand.

Frankly, those who are afraid they may cast a vote that creates problems—but we are not here to cast only popular votes. I have cast more votes than all but one person in the history of this country. I have cast well over 16,000, almost 17,000 votes. I am sure I can go back over those votes and find some and say: Hmm, in retrospect, I might have voted the other way. But I voted.

What we are doing in not bringing this up and getting this done, we are trying to vote ''maybe.'' I don't know anybody in my State, Republican or Democrat, who elected Senators to say: We want you to vote ''maybe.'' No. We want you to vote.

It doesn't mean the people of my State will agree on every vote. I hope that they will agree on a lot of them. But I will represent my State. I will represent my conscience. But I will represent the Senate, and I will represent my oath of office. My oath of office is not to just sit here and do nothing but talk to the press and others; my oath of office is, I respect the Constitution, and I will vote. So let's hope they vote.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

INVEST IN AMERICA ACT

Mr. MCCONNELL. Mr. President, today, the Senate will decide whether to move the bipartisan infrastructure bill closer toward a final vote.

Like I said before, I am quite confident that, out of 100 U.S. Senators, there are 100 of us who believe the bill is imperfect. This isn't exactly the bill I would have written on my own in my office, and 99 of my colleagues would say the very same thing. This is a compromise product crafted by colleagues with big, principled differences in a Senate with the narrowest possible split.

But in my view, what our early statesmen called ''internal improvement'' is a core government responsibility. The American people need roads, bridges, ports, and airports to build their businesses, build their families, and build their lives. Republicans and Democrats have radically different visions these days, but both those visions include physical infrastructure that works for all of our citizens.

As the Kentucky Farm Bureau wrote to me recently, the investments this bill will make are not just necessary; in many cases they are overdue. Our country has real needs in this area.

There are many outstanding amendments that are important, that would improve this legislation, and that deserve votes before the Senate is asked to vote on the final passage of this bill. The full Senate deserves its full chance to shape this important legislation. I hope Senators can work together in a bipartisan way to get more amendments up and continue improving this important bill. Our colleagues on both sides deserve to be heard.

GOVERNMENT FUNDING

Mr. MCCONNELL. The Democratic leader is indicating, in a few days, he will thrust the Senate into an ultrapartisan showdown over the staggeringly reckless taxing-and-spending spree that Democrats want to ram through later this year.

The size and the scope of Chairman SANDERS' socialist shopping list will make every disagreement we had in landing the infrastructure compromise look like a rounding error—new permanent welfare with no work requirements, reams of Green New Deal mandates, massive tax hikes that shrink wages and kill jobs, government meddling in childcare that would privilege certain families' choices over others, amnesty for illegal immigrants in the middle of a border crisis.

At a time Democrats' spending already—already—has inflation hammering American families, Republicans could not be more eager to debate our colleagues on all of these subjects. We can't wait to get Democrats on record over many more trillions—trillions—of dollars and reckless borrowing to fund socialist spending on radical policies that families are not asking for.

Our philosophy is the polar opposite. Republican policies would create good jobs, strong wage growth, and stable prices for middle-class families, just like our country had just a year and a half ago—the most pro-worker economy in a generation, just a year and a half ago.

Republicans want to give working families the tools and the opportunity to build the lives that they want. Democrats want to force them to live the lives the Democrats want.

The stakes in this debate could not be higher, and very soon the country will see it aired out here right on the Senate floor.

The Democratic leader will be putting the full radicalism of the far left right here on this floor. He is making every one of his Members vote on nothing less—nothing less—than Chairman SANDERS' dream shopping list. Every American family will know exactly where their Senator stands.

NOMINATION OF DAVID H. CHIPMAN

Mr. MCCONNELL. On one final matter, I have already discussed how the Biden administration has nominated a proud and proven opponent of American's constitutional rights to run the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

I don't think there could be any more evidence that David Chipman is the wrong choice to serve as the top Federal administrator of firearms policy. He has a long record of hostility to lawful gun owners, a variety of complaints from those who worked with him in the past.

How could it get worse?

Mr. Chipman has suggested radical and sweeping steps, like banning private sales that are lawful, overriding State laws, and imposing sweeping restrictions on a class of weapons he has yet to clearly define.

Among some current and former ATF agents, he has earned a concerning reputation as a ''bully'' and ''activist'' whose extreme views threaten to undermine the trust the Agency needs to conduct oversight. And sources within the ATF have also come forward describing alleged racially discriminatory comments the nominee made in the workplace regarding personnel decisions.

So even a few days ago, it was not difficult to realize this is an instance in which the Senate, on a bipartisan basis, should take a pass. But somehow, in just the last few days, it has actually gotten worse.

Earlier this week, news reports indicated that Mr. Chipman had failed to disclose to our colleagues on the Judiciary Committee a TV appearance he made several years ago. This wasn't just any TV appearance; Mr. Chipman had granted an interview to a propaganda network overseen by the Chinese Government.

A new letter to the Senate, signed by seven former career ATF agents, summed it up this way: Mr. Chipman's views and record would ''create serious and long-lasting problems for the Bureau and the effective execution of its law enforcement mission.''

The Senate has spent quite enough time flirting with this profoundly misguided nomination. The American people deserve a trustworthy steward leading the ATF, with a record of respecting their rights and respecting his or

her colleagues. It is long past time the Biden administration revisit this decision and send us somebody who fits that description.

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—Resumed

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

The senior assistant legislative clerk read as follows:

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

Pending:

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 West Virginia.

Mrs. CAPITO. Mr. President, this week, the Senate has been considering historic infrastructure legislation.

We have seen a lot of positives in this process. Twenty-two amendments have been processed, and 12 of those amendments have been adopted. Many of those are bipartisan amendments that our fellow Senators have worked on together.

On Thursday, we saw the process hit a snag. We have colleagues who sincerely want to debate their remaining amendments, but we had objections that prevented our votes from moving forward. In my view, that is unfortunate. I want everybody's voice to be heard because a number of the amendments awaiting action would actually improve this legislation, and, again, we have consensus on both sides on that. I hope we can reach agreement on a package of amendments that can receive votes before we pass this bill in final.

In particular, I support an amendment that Senator CORNYN from Texas would like to offer to allow States to use previously appropriated COVID funding to finance infrastructure projects.

When I began negotiating with the White House in April and May, this was one of the things that I put on the table with the President, and I know the G–20 has also had this on the table with the President. So it has been a topic of great discussion both here in the Senate but also with the White House as well. The Cornyn-Padilla amendment would unlock tens of billions of dollars—more for highway, transit, and housing infrastructure—without adding to the cost of this legislation.

I plan to vote for cloture at 12 noon because this infrastructure legislation makes important investments in our Nation's future. I am a West Virginian, and all West Virginians and all Americans will benefit from the roads, bridges, water infrastructure, broadband, and other modes of core infrastructure that would be financed through this bill, but I believe something more foundational than infrastructure is at stake here.

We need to demonstrate to the American people that we can work together in this Congress to pass major legislation that benefits our country and, I might add, legislation that we have passed more than a few times in the past. Infrastructure is that perfect place to do that.

Senator CARPER and I led the Environment and Public Works Committee with the surface transportation reauthorization bill, and the Presiding Officer is on that committee. We passed that out of our committee with unanimous support, and we also passed a drinking water bill that passed out of our committee with unanimous support but also out of this body with 89 votes. Both of those bills are included in this package in their entirety. Bipartisan bills reported by Commerce and the Energy Committees are also included.

I certainly appreciated Chairman CARPER's leadership and partnership throughout the entire process. I appreciate the efforts of our colleagues in the G–22 who have worked with each other tirelessly and with the Biden administration to get us to this point.

We will soon have a chance to advance this infrastructure legislation toward final passage. Is this bill perfect? No—no compromise legislation ever is—but it will make a big difference in modernizing our country's infrastructure. More than that, we will demonstrate that both Republicans and Democrats can come together and do big things that move our country forward.

I have just a bit of a recitation to remind folks what is in this bill. I will try to speed this part up.

The bill provides $303.5 billion over 5 years for Federal highway programs—a 35-percent increase. That investment represents historic funding for our roads and bridges and provides States with the long-term certainty that they need and flexibility that they need to complete projects.

The bill ensures that 90 percent of the funding is distributed by formula—very predictable. It gives the States the certainty they need to prioritize their projects. For West Virginia, that means over $3 billion over 5 years. That is a huge investment for our State and much needed.

This bill also creates something that I am passionate about, the Rural Surface Transportation Grant Program to award $2 billion in competitive grants over 5 years to improve and expand roads and bridges in rural America. I am especially excited that this program has a 25-percent set-aside for projects that support the completion of the Appalachia Development Highway System, otherwise known as ADHS. That set-aside means ADHS projects in West Virginia are eligible to compete for $500 million over 5 years in discretionary grants. This package will move our Corridor H project along significantly because we know that that project will be getting $195 million, and this grant program opens up the possibility of more. This is a vital connection in our State for our tourism and our economy. It also will open us up even broader to the east coast.

West Virginia will receive $506 million to refund and repair our State's bridges, addressing a critical need certainly in our State and across the Nation. This funding is part of the single largest investment in bridge infrastructure since the construction of the Interstate Highway System.

Briefly, the bill recognizes that broadband is core infrastructure and prioritizes unserved communities. This is the area I have gotten really the most questions about: What is this going to do for West Virginia, for the digital divide areas that are still unserved?

Today, education, tourism, healthcare all rely on high internet speeds. I launched my Capito Connect Initiative in 2015 to help expand broadband infrastructure in our State. Many communities that lack adequate broadband are already struggling economically. It is impossible to compete for jobs if a community cannot offer good internet service, causing these areas to fall even further behind. And I will say, since the pandemic, rural America—as we have known who live in rural America—is a great and wonderful place to live. More people in congested areas are realizing there are a lot more pluses in rural America than what, maybe, they might have realized over a year ago.

The bill invests $65 billion to help fix our country's digital divide. That funding would support a formula-based grant program to States and also supports competitive grants, like the USDA's ReConnect Program.

Additionally, this bill makes large investments in clean and safe drinking water; it provides resources that will put West Virginians to work cleaning up our abandoned mines and orphaned wells.

Every Senator could stand here and tell similar stories about the investment that this bill will make in his or her own State. This is the perfect time for us to come together toward the end of a summer that has been full of stops and starts, and we need to pass this legislation that will benefit every American.

I hope my colleagues will join me to advance this important legislation toward its passage.

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.

Mr. CARPER. Mr. President, I ask unanimous consent to be able to complete my remarks this morning.

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

Mr. CARPER. Mr. President, well, soon we are going to vote on cloture, and we will move toward, I hope, concluding our consideration of the Infrastructure Investment and Jobs Act.

I have spoken, as our Presiding Officer knows, over the last few days quite a bit as to why the legislation we are considering today is so important.

I think that as we prepare to take this vote, though, we ought to take maybe just another minute or two and reflect on the bill's merits and the needs that it will address—important needs it will address—for our country.

In my opening statement, several days ago, I reminded the Senate that the state of our Nation's infrastructure currently ranks and rates at a C-minus according to the American Society of Civil Engineers. That is not the infrastructure that the American people want or need in the 21st century.

In the jurisdiction of the Environment and Public Works Committee, which Senator CAPITO and I are privileged to lead and which the Presiding Officer is a new member of, this bill includes language that will make historic investments in our roads, our highways, and our bridges—a 34 percent increase, if you will, over the last 5 years. The bill will also reauthorize our drinking water and our water sanitation programs at robust new levels.

As we take this vote, I think it is important to reflect on our past efforts. I want to go back in time and why this vote is so important today.

Since I first joined the Congress as a brandnew freshman Congressman from Delaware in 1982, we have updated our transportation laws in this country some eight times—eight times. With each of these efforts we have tried to improve our policies, address gaps, incorporate new information, and deliver needed resources.

The modern era of these transportation laws began in 1991. George Herbert Walker Bush was the President, and Congress passed and then President Bush signed into law legislation called the Intermodal Surface Transportation Efficiency Act, or ISTEA, as it was called at the time—ISTEA.

Until ISTEA legislation was adopted—enacted and signed into law—as a matter of Federal policy, we divided transportation into separate systems. We had, on the one hand, highways; another hand we had rail; another hand we had transit, and our policies really didn't consider them as a united, unified, integrated system, which is how most commuters and most travelers in our Nation really thought it to be.

ISTEA sought to change that. ISTEA sought to change that by requiring integrated regional planning of transportation systems that accounted for and better facilitated connections amongst our highways, our rail, and our transit to enable more efficient freight movement and more efficient movement of people.

It was around the same time that we also integrated our transportation policy with the Clean Water Act, which represented a major strengthening of our pollution laws to respond to urban smog, acid rain, ozone depletion, and other air pollution problems.

For the first time, transportation planning was obliged to take into account pollution from mobile sources and take steps to reduce the considerable contribution of transportation to our pollution.

Today's legislation substantially builds on our historic efforts to reduce dangerous emissions like greenhouse gases and particulate matter that spew from too many of our cars, our buses, and other modes of transportation.

Congress took another major leap in transportation policy a few years later, in 1998, in fact, with the Transportation Equity Act for the 21st Century, also known as TEA–21, which focused on improving safety while advancing America's economic growth and competitiveness.

Nearly 10 years later, in 2005, as transportation fatalities reached a 10-year high of over 43,000 people—over 43,000 people—President George W. Bush, son of Herbert Walker Bush, signed into law the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. That is a long title, but we found an acronym for it, SAFETEA–LU, in 2005.

At its core, the key was that this legislation improved highway transportation safety through the creation of the Highway Safety Improvement Program to reduce highway fatalities.

Then, in 2012, President Obama signed into law the Moving Ahead for Progress in the 21st Century Act, known as MAP–21. Responding to concerns about the growth of the number of small programs, MAP–21 sought to simplify the highway program structure, provide more flexibility to States, while also increasing their accountability and focusing on performance outcomes, including safety, asset conditions, congestion, and air quality.

Congress reauthorized our transportation laws most recently in 2015, when President Obama signed into law the Fixing America's Surface Transportation Act, or FAST.

The FAST Act focused on freight movement, supported with new formula and competitive grants for highway and intermodal freight, as well as a focus on Federal and State freight planning efforts.

Today, our Interstate System is a critical national asset, carrying over a quarter of all motor vehicle travel in our Nation—over one-quarter—despite being only 1 percent of all lane miles.

These highways have enabled a significant expansion of truck movement, including supporting local businesses, interstate commerce, international trade, and providing Americans with access to low-cost goods and services.

Along with the many benefits of interstate highways have come indisputable costs. Highways have spawned sprawling auto-dependent and development patterns that exacerbate greenhouse gas emissions, thus compromising our efforts to deal with a changing climate.

Interstate highways divided communities and were often intentionally built through minority and low-income neighborhoods, becoming tangible evidence of racism. Today, more than 36,000 people lose their lives each year on our roadways. While we seek to maintain the mobility benefits of the Federal-aid highway system, we must also acknowledge and address these significant detriments.

We have been at the hard work of transportation policy for a long, long time in this country, and we have enjoyed major success, benefiting our people and our economy. And if we are honest with ourselves, we have made quite a few mistakes along the way, dividing communities with poorly considered projects and developing a transportation sector that produces twice as much greenhouse gas emissions as any other country's transportation sector.

We have an opportunity to learn from both success and failure, and we must account for new challenges that were not on our radar screen in the past—not the least of which are the serious threat of climate change and the obvious specter of environmental injustice.

Today, we are rising to the challenge. The bill before us, the Infrastructure Investment and Jobs Act, includes, among other provisions, the largest Federal investment in public transit in history; the largest investment in clean drinking water and wastewater infrastructure in history; the largest investment in clean energy transmission in history; the largest investment in climate resiliency in history; and the largest investment in transportation electrification in history.

Infrastructure policy is a little bit like an aircraft carrier. The Presiding Officer, who just left the podium, retired as a Navy Captain, and so did I. He and I both spent a lot of time in airplanes, and he spent a fair amount of time in outer space as an astronaut. But we have both spent some time on aircraft carriers, and we know you can't turn an aircraft carrier on a dime. With the Infrastructure Investment and Jobs Act, as we say in the Navy, we are ''coming hard about.'' Coming hard about. The carrier is turning. We are finally recognizing climate change and addressing it. We are

recognizing some of the mistakes of infrastructure policy in the past and fixing them.

Before I call for us to invoke cloture, I am channeling today, of all people, Winston Churchill. I love Churchill. I know he is quoted by a lot of my colleagues as well. One of my favorite quotes from Winston Churchill is, ''The further back we look, the further forward we see.'' Another one I especially like from Churchill is, ''You can always count on America to do the right thing in the end after trying everything else.''

It would seem, as we have gone through this legislative process, that we have tried just about everything else. We had a lot of surprisingly good debate here on this floor. Senator CAPITO, my colleague and partner in the Environment and Public Works Committee, has done a great job. But we have seen a lot of amendments offered—over 20—to this bill. I think most of them were bipartisan. A bunch of them have been adopted.

The other thing I would just offer from Churchill is another one of my favorites:

> Democracy is the worst form of government devised by the wit of man . . .
> Democracy is the worst form of government devised by the wit of man . . .

This is a hard way to go, and we have learned that again as we have gone through this process. As we prepare to maybe, hopefully, invoke cloture, I again want to say how much I have enjoyed working with my ranking member, Senator CAPITO—two West Virginians who found common ground on these issues and worked hard to lead our team and a lot of other committees of jurisdiction. Another one of them was led by another West Virginian, JOE MANCHIN. I want to thank all those committees for their good work and for the leadership we received from our leaders.

With that having been said, let's go ahead and vote, and I hope to vote to invoke cloture and take the critical next step.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER (Ms. SMITH). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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.

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 amendment No. 2137, offered by the Senator from New York, [Mr. SCHUMER] for the Senator from Arizona, [Ms. SINEMA] and the Senator from Ohio, [Mr. PORTMAN] to H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK), is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), and the Senator from South Carolina (Mr. SCOTT).

The result yeas and nays resulted—yeas 67, nays 27, as follows:

[Rollcall Vote No. 309 Leg.]

YEAS—67

Baldwin	Grassley	Portman
Bennet	Hassan	Reed
Blumenthal	Heinrich	Risch
Blunt	Hickenlooper	Romney
Booker	Hirono	Rosen
Brown	Hoeven	Rounds
Cantwell	Kaine	Sanders
Capito	Kelly	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Sinema
Cassidy	Luján	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cornyn	McConnell	Tillis
Cortez Masto	Menendez	Van Hollen
Cramer	Merkley	Warner
Crapo	Murkowski	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Feinstein	Ossoff	Young
Fischer	Padilla	
Gillibrand	Peters	

NAYS—27

Blackburn	Hyde-Smith	Paul
Boozman	Inhofe	Sasse
Braun	Johnson	Scott (FL)
Cotton	Kennedy	Shelby
Cruz	Lankford	Sullivan
Daines	Lee	Thune
Ernst	Lummis	Toomey
Hagerty	Marshall	Tuberville
Hawley	Moran	Wicker

NOT VOTING—6

Barrasso	Graham	Scott (SC)
Burr	Rubio	Warnock

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 27.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, earlier today, I quoted Churchill actually a couple of times. One of my favorite Churchill quotes is, when asked when he was being thrown out of office at the end of World War II—he was asked by reporters outside of 10 Downing Street: Mr. Churchill, for you, is this the end?

He said: It is not the end. This is not the beginning of the end.

He said: This is the end of the beginning.

While we are grateful for everybody who voted for cloture, it is not the end, but it takes us a step closer to the end. I just want to thank everybody who came in, took the time to get here to vote. We are prepared to take the next step. It involves some additional negotiations. A lot of folks have amendments they want to offer. Some of those that are not germane I think will largely fall away. There are legitimate, germane amendments that still need to be negotiated and may require some unanimous consent votes.

This is another step, important step. I am grateful that we could be this far. I note Senator CAPITO feels the same way.

AMENDMENT NO. 2633

Mr. CARPER. Madam President, I call up amendment No. 2633 to H.R. 3684.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

> The Senator from Delaware [Mr. CARPER] proposes an amendment numbered 2633.

The amendment is as follows:

(Purpose: To establish an effective date for the bill)

On page 15, between lines 5 and 6, insert the following:

SEC. 4. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act take effect on the date that is 1 day after the date of enactment of this Act.

Mr. CARPER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Madam President, now that cloture has been invoked on the substitute bill, we are one step closer to completing this product, which has been the subject of bipartisan negotiation with the White House for quite some time. I know a lot of hard work has been put into this, and I want to thank all of our colleagues who have contributed to it.

After much anticipation, we finally received the bill text earlier this week. Of course, a lot of it was what we expected to see: funding for roads, bridges, ports, waterways, airports, and broadband.

Under normal circumstances, an infrastructure bill would go through a long and arduous committee process

before ever coming to the floor. Members of the committees of jurisdiction would have an opportunity to debate and offer amendments and get votes on their proposals to try to improve the bill at the committee level. This provides a very important part of the ability of everybody to be able to participate in the process, one that is denied members of their committees of relevant jurisdiction when a bill comes to the floor already negotiated.

One of the challenges is when you have 20 people who agree on something and then they bring it to the floor, and, of course, then the 80 who have not been part of that discussion want to participate and want to try to improve the underlying bill.

I hope that now that the cloture on the substitute has been invoked, there will be an opportunity for us to vote on some additional amendments.

I have been working with colleagues on both sides of the aisle to identify new pay-fors that could be adopted as amendments, and we have come up with some good ideas that I hope can receive votes now, even postcloture.

But I want to talk specifically about an amendment that I have worked on with Senator PADILLA, the junior Senator from California, to fund infrastructure projects in communities across our country without increasing the deficit. Our amendment simply gives States and local governments the flexibility to use unspent COVID relief funding on infrastructure projects.

Right now, there are limitations that we put on that funding. Of course, at the time those limitations or guardrails were put on that funding, we didn't know how long this pandemic would last or what the actual needs were of the various States and local jurisdictions.

So qualifying expenses include things that are directly related to the pandemic, like COVID–19 testing sites, vaccine PSAs, and additional bed space for hospitals. But here is the rub: That funding cannot be used on expenses unrelated to the pandemic or items that were previously included in the budget. They must be new pandemic-related expenses.

In theory, and at the time, that made a lot of sense. After all, this funding was meant to bolster the fight against COVID–19 in our communities. But not every community has the same need. In many places, the most urgent needs aren't related to the pandemic because they have not been hit quite as hard as others, unfortunately, around the country. Some of their most urgent needs are what we are talking about here today: infrastructure—roads and bridges and the like.

We all know that the pandemic has interrupted infrastructure improvements across the country and forced officials to put many of these projects on the back burner. Maintenance, repairs, and construction projects have been put on hold, as you know, until there was enough funding to get things back on track.

I have heard from my constituents in Texas—State and local leaders—who are frustrated by this lack of flexibility with the Federal funding that they have already received or which they expect to receive. They simply like the option—not a mandate, but an option—to use this money when and where it is needed most.

But as I say, right now, their hands are tied. Many States and localities have relief funds on hand but no necessary qualifying expenses. They have to look at this big balance in their bank account knowing they can't actually spend it on some of their most urgent needs. That is especially the case in rural parts of the country.

In places where COVID numbers are, thankfully, low, leaders don't have the need or the opportunity to spend this money which we have already appropriated on the timeline set within that legislation. They simply don't have a need for the full range of pandemic-related resources that might be necessary in some parts of the country with higher case counts.

So the amendment that Senator PADILLA and I have offered would simply give leaders in rural and urban areas alike, where appropriate, the option—the option—to spend the funding on necessary infrastructure projects. That can mean widening a highway, making safety improvements on a bridge, or expanding broadband access. Urban areas could even use these funds for public transit improvement projects. State and local leaders know the needs of their community better than any of us here, and they should have the flexibility to spend that money where it is needed most.

But, Madam President, I think we have had a recent bit of evidence of how long it takes for Congress to act before the money that we appropriate actually gets to the intended beneficiary. To me, nothing is more exemplary of that than the eviction moratorium. Congress appropriated $46 billion in rent relief, but if you look around the country, many of the intended beneficiaries of that rent relief have not yet seen that money, thus the movement toward extending the moratorium.

I know just from my own experience in Texas, after Hurricane Harvey, where Congress appropriated billions of dollars in relief, it has taken, literally, years for the money that come from Washington, DC, to get to the intended beneficiary.

One of the biggest benefits of the amendment that Senator PADILLA and I have offered is that this money is readily available and does not, again, as I said, add to the deficit or debt, but merely provides them flexibility, which means they will be able to put that money to use more quickly on infrastructure projects.

Again, this is not a mandate. This is an option. Any place that has new COVID expenses to cover can and should use the money they have for that purpose. There is no question about that. But we simply give leaders the option to spend relief funds on urgent infrastructure projects that may otherwise go unfunded.

Here is the other problem. I know that many of our State and local leaders are sitting on these huge amounts of financial resources that we have appropriated, and they are figuring out: Well, if we don't spend it on something, then the Federal Government is going to claw it back or it may not just qualify for the expenditures that are already authorized.

So they will be under a lot of pressure to spend it on things that may be simply operating expenses and may not provide the long-term economic benefit that an infrastructure project would.

That is another benefit of giving them this flexibility. It is that it will incentivize them to spend the money on the types of things we would hope they would spend the money on if they don't need it for COVID–19.

Back in March, nearly three dozen organizations wrote to Secretary Yellen, the Treasury Secretary, urging her to make transportation infrastructure an eligible expense. They talked about the impact of COVID–19 on transportation revenue and noted that last year, 18 States and 24 localities announced delays or cancellations of transportation improvement projects, totaling more than $12 billion.

They also noted that the pandemic impacted every State and community differently, something that should be self-evident, and asked for the flexibility, which they said ''will be critical to ensuring funds are used expeditiously and with maximum impact.''

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

States and cities shouldn't be able to spend this money. They should be able to invest it and in the projects and resources they need the most. This is just simply common sense that I think all of us can get behind. It ensures that money that has already gone out the door, which will not add to our deficit or debt, will be used to the maximum impact before the sunset brings that flexibility and that money, those resources, to an end.

And it puts decision making at the local level. Local officials understand better than people in Washington, DC, what they need the most, and this gives them the flexibility to put that money to the most efficient and most effective use. This amendment has earned the support of a broad range of organizations across the country, and I am proud to work with Senator PADILLA to craft an amendment that both sides can get behind.

Today, I hope this will be one of the amendments to receive a vote on the

floor. We have to ensure that infrastructure investments are made fairly and paid for responsibly. A robust amendment process and commonsense bipartisan ideas like this one are the only way to get there.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

EDUCATION

Mr. DURBIN. Madam President, it was in 1957 that there was a world event that changed my life and the lives of many others. I was just a kid in high school at the time. In fact, I wasn't quite in high school. But the Russians decided to launch a satellite called Sputnik, and that satellite, the size of a basketball, which emitted a tone as it flew through space, scared the world, all of us, to the point where the United States of America did something that was controversial but we felt was necessary.

We decided that the Federal Government of the United States would loan money to students like DURBIN to go to college because we were afraid of the Russians, and we knew that, if they had the scientific advantage of us, it could mean we would lose a war, which no one wants that to ever happen. So we created here in Washington something called the National Defense Education Act. I am sure that was carefully chosen to remind people that what we were doing was defending the country by loaning money to people like DURBIN to go to college, and I took advantage of it.

Those National Defense Education Act loans had terms that most of us from that era remember very well. You didn't pay anything on your loan balance for the first year you were out of college, and then you had 10 years to pay it off at 3 percent interest.

Of course, those of us who took out the loans for college—in my case, for law school as well—amassed this great debt and worried, when the day came for graduation, whether we would ever be able to pay it off. I remember saying to my wife: Loretta, they have just got all the National Defense Education Act loans. They put them all together, and I am afraid to tell you what has happened. We have a debt of $8,000 for college and law school.

Students today don't believe that number, but that was the number, and it scared us to death that we wouldn't be able to pay it off in 10 years. Naturally, we did, and many others did as well, and the National Defense Education Act really became the pillar of the emergence of higher education in America.

Of course, there were those who cheated the system, and stories were rampant. Whether they were all true, I am not sure. There was the story of the doctor who graduated from medical school and, before he went into his lucrative practice, filed for bankruptcy and discharged all his Federal loans, Federal student loans. I don't know if that ever happened, but it certainly was part of the urban legend around the National Defense Education Act.

So, over the years, there were efforts made to change the National Defense Education Act to avoid abuse, and one of the things that was decided was that that loan to go to school would not be dischargeable in bankruptcy.

You have to ask the basic question of how many debts are not dischargeable in bankruptcy. There are only a few: alimony, child support, criminal fines, taxes, and maybe one other. But I think a student loan is the only one of that bunch that is a consumer loan that you can't discharge in bankruptcy.

Over the years, the terms of the loans and the number of years that you were held back from filing bankruptcy changed. Ultimately, the decision was made that you could effectively never discharge student loans in bankruptcy.

We held a hearing on student loan debt in the Senate Judiciary Committee this week, and I am sorry Senator CORNYN has left the floor, but he and I have introduced a bill which has a good chance, I think.

We know that student loans are the fastest growing category of household debt in America—45 million student borrowers in our country. In a little under a decade, student loan debt has ballooned from $1 trillion to $1.7 trillion. The average student borrower now carries $30,000 in debt, and many, especially those who are swindled by the for-profit colleges, owe well over $100,000.

Americans of all ages are plagued by the debt. We have heard cases of grandmothers who have said to their granddaughters, ''Well, of course, I will cosign your student loan,'' to learn that when the student, the granddaughter, defaulted, Grandma was responsible for it. For some, it is holding them back from buying a first home, starting a family, a business. For others, it means delaying retirement because of this debt.

This is not an individual misfortune. The student debt crisis is a threat to our economy. Federal Reserve Chairman Jerome Powell has warned that student loan debt may be a drag on our economy by preventing Americans from basic, fundamental consumer purchases of cars, savings accounts for retirement—otherwise, the economic growth of our country.

So we had a hearing in the Judiciary Committee, and we examined how difficult it is for student borrowers to get financial relief. These, as I said, are one of the very few categories of debt you cannot discharge in bankruptcy. You see, if you buy a home or a car and you fall on really hard times, you can declare bankruptcy and have all those debts discharged. If you like to gamble and you are not very good at it and you end up running up great debt on your credit card and you file for bankruptcy, your gambling debts through your credit cards can be discharged. You can even buy a yacht and have that debt discharged if you haven't paid it off. But if you are a student borrower who, despite your best efforts, falls on hard times—lured into debt, perhaps, by attending a worthless for-profit college—a fresh start is not in the cards for you.

We had Diane Barta testify before the committee. She is from Richmond Hill, GA, 50 years old, a mother of two. She has over $120,000 in student loan debt, much of it taken out for a worthless degree she received from for-profit school Ashford University. I mentioned that to Senator GRASSLEY during the hearing because Ashford University is a curious story.

A small Catholic college in Iowa was about to go out of business, and the nuns were persuaded that there was a company that wanted to buy it. So they sold the campus to this company called Ashford University. Ashford had no intention of reopening the campus. What they basically did was start an online operation, claiming the accreditation and the worthiness and the credibility of the previous college.

Well, we looked into it. In fact, it was Tom Harkin of Iowa, over 10 years ago, who investigated it and found out that Ashford was a fraud. It was just generating huge profits for their CEO and a few others, not providing anything nearly resembling higher education.

Ms. Barta was a good person who worked hard. She had two degrees—from a community college and then from another college—before she went for a master's degree at Ashford University. That was her downfall. She talked about how she had to file for bankruptcy in 2012 after her husband lost his job as a commercial plumber. She managed to get relief for most of her debts but certainly could not get discharged from her student loans that she had taken out at Ashford University, this notorious for-profit school.

Other student borrowers had their own stories. We have all heard them.

Angela, from Florida, wrote:

> I'm a single parent and was on a single income living paycheck to paycheck. I've had the stress of these student loans haunting me for well over a decade now. . . . I am still being haunted.

Lisa, in Nevada, wrote that she had given up her passion, teaching—I repeat: teaching—because she needed to find a higher income job to pay off her student loans.

She wrote:

> It is absolutely disheartening that when you try to better yourself in this country you're punished and not rewarded.

One more story.

Ann, from Washington State, declared bankruptcy in 2000 because her student loan payments were so high she couldn't afford to pay her bills.

She wrote:

> I never go on vacations. I never married or had children for fear of burdening [them] with [my] debt. . . . I'm facing retirement with [that] threat [still looming over] my future. . . . Social Security checks will be garnished for my student loan.

This is clearly a crisis. Fortunately, both Republican and Democratic members of the Judiciary Committee agree that we need to do something. Congress has a responsibility to solve this problem. Wouldn't it be worth a headline somewhere, on some website, that we actually solved a problem like this?

Before 1976, student loans were treated like any other type of loan in bankruptcy. If you were facing financial ruin, you could get relief. Congress got the idea that student borrowers were running to bankruptcy court right after they had taken off their gowns and mortarboards and trying to wiggle out of their financial obligations. That is more anecdote than fact, but it was prevalent. Still, Congress began passing laws that made it harder to discharge student loans.

Since 1998, student borrowers could only discharge Federal student loans by proving they suffered from something called undue hardship. Well, you would think the cases I just read to you would be undue hardship, wouldn't you, people so deeply in debt that they can't get out of it and are forced to make life choices that are terrible?

Here is the issue: It is nearly impossible to prove undue hardship and discharge your student debt. That is your only escape now. In fact, in 2017, the Wall Street Journal found only four cases—four cases—in the entire country of bankruptcy judges discharging student debt for undue hardship.

For years, I have asked the Department of Education, the collection Agency, to change the way they challenge these undue hardship cases. I am still pushing on them, but Congress needs to do its part.

Another witness who joined us on Tuesday was my State attorney general, Kwame Raoul. He has been an advocate for student borrowers for a long time. He talked about these students being deceived and defrauded by these schools, particularly the for-profit colleges and universities.

Well, we have decided to do something about it. We have introduced a bill called the FRESH START Through Bankruptcy Act. It will allow struggling borrowers to seek a bankruptcy discharge for their Federal student loans after a waiting period of 10 years. That is a long time. If you can't pay off that loan in 10 years and you believe there is no other recourse, you could file for bankruptcy and have it discharged.

Our bill also includes another provision. I want to thank JACK REED of Rhode Island, our colleague here. He introduced the original bill with this concept. It includes important provisions to hold accountable educational institutions, particularly these notorious for-profit colleges with consistently high default rates and low repayment rates.

There are two numbers you need to remember—and that is it—to understand for-profit colleges and universities: Eight. What percentage of American high school graduates go to for-profit colleges and universities? Eight percent.

Next question: What percentage of student loan defaults in the United States are by students from for-profit colleges and universities? Thirty.

Eight percent of high school grads and thirty percent of student loan defaults. Why? Because these notorious, awful schools drag these young people into debt they can never get out from under. If they so-call finish and graduate from these schools, they find that they can't get the jobs that were promised. Their lives are virtually ruined. So we are basically saying it is time that these schools be held accountable.

At this point, the FRESH START bankruptcy will provide a meaningful timeline to student borrowers who have no other options. It is a breakthrough.

This is the first bipartisan bill the Senate has had, in my memory, to restore student borrowers' ability to discharge their loans in bankruptcy.

I want to thank Senator CORNYN, Republican of Texas. We kind of jokingly say, you know, it is one of those situations where you are on stage, announcing your bill, and you turn to one another and say: Have we both read this bill? Well, we have, and we understand it.

We are also going to consider an element that was raised during the hearing by one of our expert witnesses of defining what ''undue hardship'' is. Right now, it appears the courts couldn't recognize it in any form. There certainly are cases.

I talked about a quadriplegic veteran—disabled, unable to work—who was lured into one of these for-profit school scams and ends up in debt. Shouldn't they be able to discharge that student loan? There is no question they will be able to find some great-paying job in the future. They struggled to basically face up to their illnesses, and we hope that they have the very best future, but even then, it is tough to get out from under the debt.

I hope this is a first of many steps that we will take in the committee and other places, on a bipartisan basis, to deal with this challenge.

One other point. One way for students to avoid becoming buried in student loan debt in the first place is to be very careful, particularly of for-profit colleges and universities, and secondly, take advantage of the affordable alternative community colleges. Community colleges are an underused superpower of our economy. They help students gain the knowledge and skills they need to thrive, and they prepare workers to compete in the 21st century.

I totally support President Biden's plan to build back better and provide every high school graduate to be able to continue their studies through community college, without debt. The same goes for displaced workers who want to learn new skills to get a better job to support their futures. Americans will be able to obtain 2-year degrees or specialized certificates without taking on mountains of debt.

In the greatest country in the world, a college education shouldn't be a luxury; it should be guaranteed to everyone. That is the only way we can launch a new dream of American prosperity and truly build back better after this pandemic.

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

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

Mr. MANCHIN. Mr. President, I want to take a moment to thank all my colleagues on both sides of the aisle, in this great deliberative body, for showing the United States and the entire world that the United States Senate is not broken. Actually, we are doing fine. We can work together and do much better. We can also come together and do big things, and we did with this investment in American infrastructure.

America has not seen this type of infrastructure investment in the last 30 years—talked about it a lot and haven't seen anything. The polls have shown that the American people are overwhelmingly supportive of this infrastructure deal. Americans of both political parties know it is long past time to make this investment. And once the roads are repaired so the children are safe on the buses, they want better internet service so they can connect and compete in the 21st century.

It is just unbelievable what we can do. This is about clean water and upgraded sewer systems. You would think in the 21st century this all would be a void anywhere in America, but it is—it really is.

This is the largest long-term jobs bill in decades. It will create good-paying, long-term jobs over the next 8 to 10 years. So if you want to basically make sure we don't hit the highs and the lows as far as the job opportunities, job markets, and the economy, this bill does that.

It is the largest investment in clean drinking water and wastewater infrastructure in the history of our country—in the history of our country. It is the largest dedicated bridge investment since the construction of the Interstate Highway System.

It is the largest investment in energy transition in history, and puts our money where our mouth is on technologies that are critical for the future. And it is the largest Federal investment in passenger rail since the creation of Amtrak.

And our bipartisan infrastructure package does not raise taxes on everyday Americans. It does not. A large

piece of this bipartisan infrastructure bill came out of the Energy and Natural Resources Committee, which I am privileged and honored to chair. We reported the Energy Infrastructure Act out of our committee with a bipartisan vote after—after—holding a legislative hearing and a robust amendment process. That is called regular order. It is something we have heard about for many years—we just haven't seen it for a long time—and it is working.

The Energy Infrastructure Act will create good-paying jobs and demonstrate the energy technologies needed to reduce emissions while maintaining affordable, reliable, and dependable energy and our Nation's position as a global energy leader.

I have said all along that the United States of America is now energy independent. We must fight to maintain that position. We should not be held captive by any foreign entity or any foreign country where we are depending on any type of supplies that the American people need—any type of supplies—and energy is one of our greatest, and we can do it cleaner and better than ever. I have always said you cannot eliminate your way to a cleaner environment. You can innovate your way to a cleaner environment, and we have proven that, and we can do an awful lot more too.

It also builds off the great work already done in my home State of West Virginia and your State of Virginia, Mr. President, to demonstrate advanced geothermal technology and establish a reliable, U.S.-based, rare-Earth-element supply chain.

I have had consideration and I have had some pause on us moving so rapidly into electric vehicles. My reason for my pause has been this: We do not produce the rare-Earth minerals—the rare-Earth minerals that are needed to build these batteries. And we have to be very, very careful that we don't put our transportation system—our transportation mode in America in the hands of foreign supply chains. We could be held very, very captive on those.

I remember in the 1970s, when the oil embargo from the oil cartel—the oil embargo basically shut our businesses down, and then we had rapid inflation coming after that. It was just horrible.

Importantly, the legislation also reauthorizes abandoned mine lands and reclamation fees. In southwest Virginia and all of West Virginia, we have a tremendous amount of mines that this country needed to be the superpower of the world.

Now it is far beyond time for us to clean that up, and this is something we can do, and this bill does that. It is set to expire, as far as our AML reclamation fees in September. For an additional 13 years, we have extended that, while investing $11.3 billion into reclaiming these abandoned coal mine lands, which an awful lot of beach area and water and things were harmed for a long time and needs to be fixed.

It also funds the demonstration of clean energy on the abandoned mine lands and authorizes grants for manufacturers to locate in coal communities. These coal communities around the country bear the scars of the work that powered our Nation to greatness, and this investment will clean up those areas and provide new economic opportunities.

The bill also shores up the reliability of our electric grid systems. Our grid has basically been around for a long time, and with all the new technologies coming on and all of the renewable power, that is not always produced in the area where we have the grid system, and it is time for us to expand and make sure our grid system is able to deliver the energy our country needs.

The bipartisan Energy Infrastructure Act authorizes $110 billion, much of which is also funded and is a vital component of the whole infrastructure package. So we are not just talking about it. We are putting a lot of money into upgrading the grid system and the reliability of it.

This bill will truly do much good across the United States. Let me just give you the historic investment in the needs of our Nation: $110 billion for the roads and the bridges; $65 billion for broadband access; $66 billion for railroads; $25 billion for airports; $55 billion for drinking water and wastewater systems.

I don't know what infrastructure is if you don't call that infrastructure. This is as good as it gets. It is something that we all have talked about for many, many years.

My State of West Virginia benefits from this bipartisan infrastructure bill. It will help expand broadband access across West Virginia with a minimum allocation of $100 million to help provide broadband coverage across the State, including providing access to at least 258,000 West Virginians who currently lack it because of our terrain.

I think the Presiding Officer has been there many, many times, and you understand what we are dealing with. It is really challenging, but if we take just a commonsense approach—and I have always said this: If during Franklin Delano Roosevelt, when he took over after the Great Depression, if he could electrify America—rural electrification—if he could do that in the thirties, surely and goodness, we can basically make sure that every household has fast, high-speed internet service. We can make that happen, and we are going to use the same blueprint that was used many, many years ago, almost 100 years ago.

We believe that number is much higher than the 258,000. But, here again, I am urging the FCC to fix their coverage in the maps. The maps are not accurate. They haven't been accurate for years. I will never forget when I had one of the chairmen of the FCC in my State one time, and we were talking, and I said: Why don't you meet me at a certain place in my State? I said: We will have a meeting. I want to talk to you.

He was kind. He drove over there with his staff. I said: Why don't you call back to your office and ask if they have any messages for you. I said: The map here shows—your map shows—that you are covered. And I said: You can use any phone you want, any service you might have.

And he said: My goodness, I didn't know.

I said: Sir, this is exactly what we are dealing with. The maps are not accurate, and West Virginians are getting left behind.

There are 543,000, or 31 percent, of the people in West Virginia who will be eligible for the affordability connectivity benefit, which will help low-income families. You can have internet service, but if it is so costly that people can't afford it, then you have a problem. This goes along with the same thing as LIHEAP, which helps people with their utilities who, basically, are working hard and trying to make it but having a hard time. This makes sure that everyone can connect and basically benefit from this opportunity.

West Virginia also has some of the worst roads in the Nation. This bipartisan bill will repair and rebuild our roads and bridges. In West Virginia, there are 1,545 bridges—1,545—and over 3,200 miles of highway in poor condition. Since 2011, commute times have increased by 6½ percent and, on average, each driver pays $726 per year in additional costs due to repairs by driving on roads that have needed repair.

That is simply unacceptable, and it truly, truly shows the deferred maintenance that we have let go for far too long. Based on formula alone, West Virginia will receive $3 billion for Federal-Aid Highway programs and $506 million for bridge replacement and repairs. We have the greatest need of bridge replacement.

The reason why is that, in the 1930s, the constitution of West Virginia changed during the Great Depression, and basically everything was put on the State. Before that, local counties and communities were all responsible to a certain extent, but when the Depression hit, the Constitution was changed in 1932, at the height of the Depression, and everything was: This is the State's responsibility; we can't pay no more.

So the State has a tremendous obligation here, and we want to make sure we help them.

West Virginia can also compete for the $12.5 billion Bridge Investment Program for economically significant bridges and nearly $16 billion of national funding in the bill dedicated for major projects that will deliver substantial economic benefits to communities.

And we have to address public transportation in the Mountain State. West Virginians, who take public transportation, spend an extra 77 percent of their time commuting—commuting—

and non-White households are five times more likely to commute via public transportation. That is a fact, and we have to address these facts and fix them.

And 32 percent of the trains and other transit vehicles in the State are past their useful life. A third are past their useful life. Based on formula funding, West Virginia would expect to receive $196 million over 5 years to improve public transportation, which is desperately, desperately needed.

These investments are vital to bringing good-paying jobs to our State of West Virginia and the Presiding Officer's State of Virginia and all of our States in this great country of ours, and spurring economic development like we have never seen before. This is solid economic development, not just sending checks, not people just receiving checks but people receiving an opportunity of the dignity of work and the ability to be able to do what needs to be done in order for them to survive and sustain a quality of life.

I am incredibly proud of our bipartisan group of Senators who have worked together day and night to hammer out a compromise that will address our infrastructure needs without going overboard. And I will remind everyone that not one Senator got everything they wanted, but we all got what we needed. This is how compromise works. This is what this body was made for. This is why the Senate is called the most deliberative body.

It is hard, when you want to basically take every opportunity to work with every single Senator here, to make sure you can help them with the problems and needs they have in their own States, and that is what we have done.

I have always said: The best politics is good government.

Everybody worries about: Oh, I am not sure if that is good for my politics.

Let me tell you, if you do something good for all, it is good for you. It will be the best politics you have ever done.

If we do something good, we all take credit for it.

I have seen people take credit for things they voted against because it was good. It worked well. It didn't bother me at all. I am glad. Maybe they won't fight us as hard the next time. Maybe they might join us. Who knows?

I look forward to passing this important legislation with strong bipartisan support. I just think this is a moment for our country. This is extremely important for our country to show that we can still work together and to show that we are united when it comes to the needs.

I have always said: There are a few things in this country that basically unite us. One has always been our military. We want to support our military, our law enforcement officers, our firemen, and all the people who run into harm's way when everyone else is running away from harm's way. Those people are special—very special—I have always said. We all seem to rise always for that.

But now we have one other. We have infrastructure, which unites us. I have never seen a road in my State, in the Presiding Officer's State, or anywhere in the country that had a bad road or a bad pothole that busted my tire that had a Democrat or Republican name on it. It will get the Republican, as well as it will get me and the Presiding Officer.

So that is why this brings us together. We all have these needs. As Governors, we had the same needs. We used to talk across the board—whether it be education, whether it be highways, whether it be different things that we needed in our State that we all had the same concerns and problems with. We never worried about whether it was a Republican or Democrat being the Governor. The Presiding Officer had the same problems we all had, and we shared successes and the challenges and how to overcome those challenges. This is who we are as Americans.

And how we become so divided, I don't know. It worries me, and the reason I say this is that this is probably the most important bill that we have worked on in many, many years because it is the most difficult, challenging times of our lives. Our country has never been more divided than it is today, and we need something to bring us together.

I am so thankful that President Biden has taken this piece of legislation as his own and gone around the country on how important this piece of legislation is for not just his administration but for the entire country. He has been able to identify that. Democrats and Republicans—we are going to have 20 Republicans today get on the bill. Everyone was afraid that someone is going to get mad and leave. We kept gaining. And as they see the support back home, it will continue to create more momentum. That is what we need. This is extremely as important as anything we do from this day forward to pass a bipartisan bill—show the people that basically, yes, we are all Americans first, and we are going to take care of the deferred maintenance we let go for far too long because of politics. We have set politics aside to take care of America.

So I encourage all of my friends, please, look and see what this bill does for America. Look and see what this bill does for your State. You will be surprised. And I think we have tried to help everybody that we could, and we will continue to work together.

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

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

Mr. HAGERTY. Mr. President, I support hard infrastructure. It is in my DNA. As a kid, I grew up shoveling asphalt. My father and my grandfather were in the road construction business.

I served as the economic development commissioner in my home State of Tennessee. I understand firsthand the importance of quality infrastructure. It was essential to attracting good jobs to my State. So I am in complete agreement that shoring up our hard infrastructure is a worthy cause.

This bill does some of that, and that is good. But there are both good ways and bad ways to achieve noble ends. And the question is, What is the best way to achieve this goal? And my frustration is with the methods and with the vehicle that is being used here.

The first problem is that the bill sponsors repeatedly said it would be paid for. In fact, it is not. And it is more than a little bit off. It is over a quarter of a trillion dollars short. That is almost seven times the budget of my home State of Tennessee.

We waited weeks for the text of this legislation. And before the text even existed, the Democrat leader forced the Senate to vote on proceeding to it. There is absolutely no reason for rushing this process and attempting to limit scrutiny of this bill other than the Democrats' completely artificial, self-imposed, and politically driven timeline. There will be more on that later.

The text, all 2,700-plus pages of it, was finally made available to us 6 days ago. The Senate has been able to consider that this week, but the Senate continued to wait all week for the Congressional Budget Office's analysis of what it would cost.

The CBO is the entity that Congress has agreed is responsible for scorekeeping on what legislation will cost the American people.

Let's keep in mind that meeting the definition of ''paid for'' in the CBO's eyes doesn't always make sense to the average American. For instance, CBO allows spending now to be offset by projected savings that won't happen for 10 years. CBO can allow savings that are already occurring naturally to count, effectively, as new savings for purposes of scoring a bill.

The point is, this kind of scoring is designed to make it easier for a bill to be scored as paid for, at least on paper.

As an example, the University of Pennsylvania's Penn Wharton Budget Model estimates that this legislation would actually add $351 billion in deficit spending, an even higher total than the CBO estimate.

The point is, even using these scorekeeping advantages, the CBO has made it clear this bill isn't paid for.

I understand why the Democratic leadership kept the CBO score under wraps until Thursday. It showed that the bill fell far short of ambitions. The CBO said that it misses the mark of being paid for by a cool quarter of a trillion dollars.

As an aside, I found it incredible that despite—or perhaps because of—getting this news on Thursday afternoon, Democrats tried to accelerate the passage of this bill later that same day. Instead of going through the normal multiday process for debating and enacting a bill, they tried to rush it through in the middle of the night. I objected to accelerating this process on Thursday because the Senate must carefully consider what it is doing.

Now, the proponents of this bill claim that the CBO's analysis is wrong. No matter how much explaining they do, the Senate agreed on the umpire before the game started.

To this end, if this bill is paid for, why will we have to waive Budget Act requirements later on in this process?

The Senate is going to have to pass this bill by waiving the Budget Act or the pay-go requirements. That is not ''paid for.''

Most of us probably won't be around when the bill comes due for this never-ending deficit spending here in Washington, but, sadly, our children and our grandchildren will be. The politicians in Washington spend now to buy votes but, conveniently, won't be around to deal with the consequences.

We can do hard infrastructure—again, that is a worthy goal—but we can do it without shoveling more debt onto the backs of our children and our grandchildren. Indeed, if we just limited this bill to hard infrastructure, it would be paid for. As I said, there are good and bad ways to achieve noble ends.

The second reason that I am opposed to this legislation is because of its Big Government, top-down approach. It includes many half-baked components that deserve far more scrutiny.

Rather than compete against China using our unparalleled innovation, our ingenuity, our technology, we are substituting massive government control to dictate, to fund, and to decide winners and losers. That is not the American way.

We are using the cryptocurrency market as a pay-for.

Have we fully vetted how this new regulation and taxation will affect this rapidly developing industry?

Will we wind up ceding this industry to others because of this regulation?

What is the point of even having committees in the Senate with expertise in certain matters if the most significant legislation that passes this body doesn't even go through?

The whole point of committees is to use them—use these committees to carefully scrutinize and refine important legislation, use committees to prevent unintended consequences that result from rushed legislation. Yet this is a 2,700-page bill that is going through no committees. Once again, we have to pass it to find out what is in it and then learn what kind of unintended consequences we can expect.

The third reason I am frustrated with this legislation is because it is tied to what I believe is the Democrats' real ambition, which is their multitrillion-dollar march to socialism that they will unveil right after this infrastructure legislation is passed. Democrats have admitted this. This is their plan.

The far-left wing of the Democratic Party, which is effectively calling the shots these days, is demanding that Democrats here in Congress spend trillions of dollars to reshape American society, to make American citizens more dependent on their government. Their aim seems to be to turn the United States into a sclerotic, government-controlled state, just like Western Europe.

The upcoming legislation that we are talking about now is the third leg of the stool of the Democrats' overall plan. The first leg is to pack the Supreme Court so the Constitution no longer gets in the way of their plan. The second is to Federalize and take over voting laws and procedures, ensuring Democrats will never lose another election, propelling themselves into perpetual power over both the legislative branch and the executive branch.

And, third, they want to remake the U.S. economy and America's relationship with government into one where Americans begin to look to government for everything, from Green New Deal programs to daycare. In this world, American citizens will be less free, less prosperous but more captive and hooked on government programs. That means they will be more dependent on Democrats and the institutions that they control.

So far, Democrats have been unable to build legs one and two of the stool, but they are actively trying. President Biden has a court-packing commission ongoing, and the Democratic leader is, today, working on scheduling more votes on the election takeover. They are desperate to appease leftwing extremists that have all of the energy in their party because they need these extremists' support to win elections.

Yet they have stalled out on their first two goals, so they have come up with a scheme to build the third leg of their stool. They previewed phase 1 of the scheme in March, when they spent $1.9 trillion in the name of COVID relief. Of course, 90 percent of it had nothing to do with COVID. It was really just a payoff to their most loyal political supporters.

Sadly, it is now causing the highest inflation that we have seen in decades. This inflation is a daily tax on every American who has to buy goods and services here in America.

But phase 2 of the scheme is even more devious. Step 1: Change the conversation to trillions with a ''t.'' Make billions sound small. Condition the Congress, condition the media, condition the American public to these big numbers.

Remember, a trillion dollars is an astronomical number, and our children are going to have to pay for it.

Step 2: Tell the United States that America needs infrastructure; but then, Step 3, redefine the term ''infrastructure'' to include government-dependency programs. Really muddy it up.

Step 4: When more reasonable Democrats in the Senate balk at some of these more expensive or egregious items, promise them a two-track process—one for hard infrastructure and one for social programs.

Step 5: Negotiate as much of your socialist wish list into the infrastructure track as you can. They got some of it into this bill, but not all of it. They will just put the rest of it into the wish list and put that wish list into the government-dependency bill that is yet to come.

Step 6: Pass the infrastructure bill through the Senate as quickly as possible. Drop a nearly 3,000-page bill and demand that it be passed immediately before we can even understand or scrutinize what is in it. The Trojan horse, my friends, is through the gate.

Step 7: Hold that infrastructure bill hostage in the House of Representatives until everything you couldn't get into the infrastructure bill—particularly meaning the trillions of dollars in government-dependency programs—are passed through the Senate. Therefore, NANCY PELOSI has promised that this bill will never become law until it is joined at the hip with the multitrillion-dollar socialist bill.

More on that in a minute.

Step 8: Say that the President won't sign the infrastructure bill into law if it is not accompanied by trillions of dollars in government-dependency programs. President Biden already did this before he clumsily walked it back, but we saw and we heard what he was thinking.

Step 9: To get the government-dependency programs part passed, circumvent the filibuster in the Senate by abusing an arcane loophole called reconciliation. Reconciliation was intended to save taxpayer dollars and to assure passage of an annual budget for the Federal Government. But now they are using this process—they are abusing this procedure to pass trillions of dollars of government-dependency programs with only 50 Democrat votes.

Step 10: Give reasonable Democrats political cover to support the parliamentary trick and the government-dependency spending by saying it unlocks the ability for their hard-fought infrastructure bill that passed the Senate—and, by the way, is now being held hostage in the House—to finally get through the House and to the President's desk.

Wait a minute. What just happened? Abracadabra. The American people are so confused by the Democrats' sleight of hand that they don't even notice that their wallet has been stolen and that their country has been fundamentally changed.

My question is simple: If these policies and this spending is so good, why does getting it done take a parliamentary house of mirrors?

There can't be a bipartisan deal on infrastructure if its enactment into law requires later tacking on all of the socialist wish list items that got excluded from the deal.

Democrats have telegraphed these plans. You just have to pay attention. The President of the United States, right after announcing the infrastructure deal, said it would be held hostage on his desk without the trillions of dollars of government-dependency spending alongside it.

President Biden specifically said this:

> I expect that in the coming months this summer, before the fiscal year is over, that we will have voted on this bill—the infrastructure bill—as well as voted on the budget resolution. But if only one comes to me . . . this is the only thing that comes to me, I'm not signing it. It's in tandem.

Later, in response to a question, President Biden revealed: ''Look, the bipartisan bill, from the very beginning, was understood there was going to have to be the second part of it,'' he said. ''I'm not just signing the bipartisan bill and forgetting about the rest.''

Now, he has later tried to muddy up the waters on this because he said too much. But if you read his cleanup statement carefully, he never took back his vow. He never said he would sign the bipartisan bill without having alongside it the partisan multitrillion-dollar bill.

The Speaker of the House has said the same thing repeatedly. On June 24, she said: There ain't going to be a bipartisan bill without a reconciliation bill.

She added again:

> Let me be really clear on this: We will not take up a bill in the House until the Senate passes the bipartisan bill and a reconciliation bill.

A month later, on July 22, Speaker PELOSI again said:

> We will not take up the infrastructure bill until the Senate passes the reconciliation measure.

It only takes one Democrat to end this insanity, to stand up and say he or she won't participate in this scheme. That would change the entire tenor of this debate and this process.

So while I believe in hard infrastructure, I cannot participate in doing it this way: first, by including in this bill a bunch of things that aren't hard infrastructure, and the result of that is throwing a quarter of a trillion dollars more debt at our children and our grandchildren; and, secondly, and most importantly for the future of this country, enabling this quadruple bank-shot attempt by Democrats to thread their government dependency fantasy through a House and a Senate that are divided by the narrowest of margins by holding this bill, once it passes, hostage in the House.

The stakes here are too high. America is an exceptional nation. We are distinct from all others throughout history. We are exceptional because we provided more freedom and opportunity than any other. President Lincoln called it the ''last best hope of Earth.'' Ever since, it has fulfilled that promise for countless generations.

We must fight to preserve our American system and the American dream, not in a tornado of hurried legislative activity that will seal its decline.

I am asking my colleagues to fight for this country's future. Our children and grandchildren deserve to have the same sort of wonderful opportunity that our parents and grandparents gave us. We need to make certain that they have a future for them that is better than today, and we are duty-bound to make certain that it happens. That is why I ran for office.

Let's work together on infrastructure, out from under the rapidly approaching cloud of socialism. Let's make this happen a different way.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. REED). The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I want to concur with my colleague from Tennessee in his beautifully stated remarks and the way he has brought forward the frustration that Tennesseans have.

You know, I had the opportunity to be at home yesterday. We have a great event going on in Nashville this weekend. It is called the Grand Prix. I had the opportunity to be at the opening event with a lot of women, small business owners. I had the opportunity later in the day to go cut the ribbon for a big county fair and see lots of families and talk to families who were there. Do you know what? They are completely confused with what is going on.

See, Tennesseans are really smart. They watch what is happening in Washington, DC. They are so concerned about the future and about freedom and freedom's cause, and they continue to say, as my colleague from Tennessee stated, that they want the best for their children and for their grandchildren because they appreciate the American dream.

Many of them have lived the American dream, whether they are a farmer or a teacher; whether they are a lawyer, an accountant, a mom, a dad, somebody who owns a small business on Main Street in one of our 95 counties in our beautiful towns. They have lived it. They are living it every single day—blood, sweat, tears, working long hours, investing. They look at what is happening here in Washington, and they are saying: Why are you in such a rush to force us into bankruptcy?

You know, July 6, 2010—I use this statement all the time, Mr. President. Someone you and I each know because of our work on Armed Services: Admiral Mullen. July 6, 2010, he was asked a question: What keeps you up at night? What is the greatest threat to our Nation's freedom, our democracy? Do you know what he said? He said: Our Nation's debt.

Now, let me walk you back through the history of that debt. If we were to go from the time that George Washington became President up until the time that George W. Bush stepped out of office, our Nation had accrued a total of $10.6 trillion in debt—too much for me.

When I would go to the White House with President Bush, I would say: Mr. President, there are two things that I think need to be addressed. No. 1 is the out-of-control Federal spending, and No. 2 is the issue of illegal immigration.

Well, he left office $10.6 trillion in debt, but still very mild compared to what we are facing today, I think we would have to say.

Now, President Obama took office, and he and Joe Biden went to work. Do you know what they did in 8 years? They ended up just about doubling our Nation's debt—double.

President Trump came in, tried to pare back on regulations and cut the size of the Federal Government. And then we had COVID. That added to the debt.

Then here comes President Biden, and it is as if the printing presses have cranked up on printing those dollar bills, running them through as fast as they possibly can, because what the Biden administration and CHUCK SCHUMER and NANCY PELOSI had pushed through was $1.9 trillion, saying that was necessary for CARES, even though all that money that had previously been spent had not been—or that had been appropriated had not been spent.

Now, here we have $1.2 trillion. As my colleague said, it has become this bill of, here is a little bit for infrastructure, but, oh, by the way, over here, here is this great big downpayment on the Green New Deal. Don't worry that we don't generate enough electricity for an electric vehicle fleet; we will figure that one out later. Let's just put in subsidies for electric vehicles. Don't worry about giving more power to the Federal Government; we will give you back authority, local governments, if we think you need it. So $1.2 trillion in spending. Then we hear that the bonus round in this lollapalooza is going to be $3.5 trillion, but more likely, the realistic view is, it is going to be $5 trillion.

So back to my point, people in Tennessee are saying ''What in the world could you possibly be thinking? What could you possibly be thinking?'' because they know the history of this Nation's debt.

Do you know what? And this really relates to much of the work that we do in SASC. They know that there is a threat from the people who own or hold our debt. Japan, our friend and ally, is at the top of the tier right now. The last time I checked last month on who owns our debt, you know, No. 2 is China. They own well over $1 trillion or hold over $1 trillion dollars of our debt. If you put the OPEC nations together—and, of course, after the Keystone Pipeline, we are now dependent on OPEC

and others for fuel. We were energy independent thanks to President Trump and Republicans in the House and Senate. We were energy independent. But OPEC is there in that top five, all those OPEC countries grouped together.

So people in Tennessee are really quite—they are miffed. They are put off by what is going on.

I was really surprised. I had a text this morning from one of my county mayors: I am all for infrastructure. I am for the Cornyn amendment. But you know what, I am not for this bill because you have got less—or about 25 percent of this that goes for something that we would deem infrastructure.

Tennesseans love to talk about infrastructure as four things. They talk about roads, river, railways, and runways. And, of course, we are a logistics State. Everyone knows Memphis has a big port and a rail hub, one of two cities where all five class A railroads come into that city. They know that interstates are important. They crisscross our State—indeed, Nashville, where you have three major interstates that crisscross right there in the middle of that city. They know that Tennessee—so many businesses choose to locate there because we are within an 8-hour drive of a majority of the Nation's population.

Logistics require good roads and rivers and rail and runways, but, you know what, they are not seeing it in this. When you, in the name of infrastructure, spend this amount of money—now, I have great respect for my colleagues on each side of the aisle who have worked to produce a product, to do it in a bipartisan way. That is commendable. It is commendable. For Tennesseans, the result is something that is frustrating to them.

You know, this is considered to be the world's greatest deliberative body. I always appreciated how our former colleague Senator Alexander would talk about the cup and saucer. The hot coffee gets poured into the cup. It spills over into the saucer. It cools off. You add some sweetener, and you get something that you enjoy. People expect more. They expect better of this deliberative body.

Tennesseans know that our Nation's freedom has been well-served by robust, respectful, bipartisan debate. That is a good thing. It strengthens freedom. It brings people together. It brings them to the table to talk about what is their priority.

Now, unfortunately, most of us in this body have not had the opportunity to be at that table. Amendments that we have worked on that we felt like would have improved this bill are not going to be heard—not here, not in a hearing, in a committee. We are just not going to see that as a part of this process. That is unfortunate, and it is going to be unfortunate if, indeed, that happens on the next bill or the bill after that or the bill after that. We should return to regular order and go through this process.

Now, I had about 30 amendments that I had offered as improvements for this bill. Rest assured, I am not going to stand here and go through each and every one of those amendments, but there are some things that I thought needed our attention in this bill.

As many of my colleagues know, broadband is something that, whether I was serving in the House or back in the State senate in Tennessee or before that, going in and reorganizing the Tennessee Film, Entertainment and Music Commission for our Governor, broadband and moving from analog to digital, making high-speed internet available all across our State, closing that digital divide—I have spent so many hours working on this. I filed three amendments that I felt like would really do some damage control on these and help close the divide, getting to our rural and unserved areas, people who have no internet.

Amendment No. 2327 would have prohibited the Federal Government from forcing municipal broadband provider programs into States that have outlawed them.

Now, Tennessee is one of those States that say to municipalities: If you want to serve people within your city, that is great. You go ahead. But you can't go outside of your boundaries.

There are other States that have had this issue. There is a reason they say: If you serve your constituents, great, but don't go outside that. It is because States that have allowed these schemes ended up banning them for a reason. Usually it is because these government-run systems would end up imploding, leaving the taxpayers with a bill that they were going to have to pay.

Now, another amendment, amendment No. 2377, would have prohibited the FCC, our Federal Communications Commission, from implementing price-setting schemes on broadband providers. Allowing the FCC to do that rate-setting and price-setting would destroy investment in rural broadband. It would destroy it. We know this. And it would actually incentivize providers in avoiding these unserved areas. Sometimes we talk about that as being that last mile that needs to get that fiber, that last mile that needs fixed wireless, that last mile that is needing some form of connectivity.

Amendment No. 2328—and we do hope this one makes it in the bill—would strike language permitting regulators to allow these broadband grant recipients to use the money for—and I am quoting the language in the bill—''any use determined necessary . . . to facilitate the goals of the program.'' Now, this sounds vague. It is vague. If there is one thing that we learned prior when we put a lot of money out during President Obama's time, it is that sometimes this money ends up not being targeted to broadband but ends up as a slush fund.

We also have an amendment that will deal with a shovel-ready infrastructure project on our southern border. Amendment 2406 would redirect $1 billion from Amtrak. By the way, Amtrak is getting many billions of dollars in this bill. And it would send that money over to the Department of Homeland Security to finish the southern border wall construction.

We all know what is happening on that border: record numbers of illegal aliens coming in, many very sick, COVID-positive. We know that they are ending up—as are drugs, as are gangs—in cities and towns across this Nation. Indeed, until we secure the southern border, every town is a border town, every State is a border State.

God bless our law enforcement officers who are fighting this every day. I am hearing from them, and I want them to know I hear them, and I understand the pressures that they are under.

We also know that our communities are struggling trying to get back to work and really move forward with regrowing the economy, but inflation has gotten in the way.

One of the big problems that people point to with the high cost of fuel and logistics and the packing materials is the killing of the Keystone Pipeline. Amendment 2298 would amend section 4034 of the bill, which calls for a study on job loss and impacts on consumer energy due to the revocation of the permit for the Keystone XL Pipeline. My amendment says that if the report shows that killing the pipeline caused numerous job losses and an impact on consumer energy costs, that the President should revoke—he shall revoke his Executive order and get out of the way of the pipeline construction.

Get people back to work and get the prices at the pump, get them down. Get them down to where they were when President Trump left office. I mean, what is the purpose of a report if it doesn't have any teeth? So let's take an action on that.

There is no bill that is ever perfect. They all have to be worked on. Many times, we come back a year or so later, and we do technical corrections on a bill. We make changes. And this is no different. This bill needs time. It needs a thorough amendment process. It needs to go back to the committees of jurisdiction to work through these issues.

Are the American people for infrastructure? Yes, they are for infrastructure. Tennesseans are for infrastructure. I am for infrastructure projects. Yes, indeed. Am I for this piece of legislation? No, because it is a document that has misplaced priorities.

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

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

H.R. 3684

Mr. LEE. Mr. President, we are debating a bill that a number of us have spoken of on a number of occasions. Since my last address on the Senate floor on this topic, we received a score on the bill from the Congressional Budget Office.

Now, remember, it is the CBO's role to put together a score on legislation we are considering. It is part of how the system works in Washington so we can assess what will and will not add to the deficit and how it will do so if it does. It is an important part of the process.

When we finally received the CBO score just about 48 hours ago, we discovered a few things. We discovered that, despite the representations we have heard by the bill's staunchest advocates to the effect that the bill would be paid for—that it is, that it would not add to the debt and deficit, and that it would not add to the debt and deficit in a way that also didn't involve raising taxes—it turned out that the CBO rejected the claim that this bill was paid for. In fact, the CBO concluded that $256 of the $550 billion it claimed in pay-fors did not pay. They are not paid for, and thus that they will considerably—I mean, we are talking here about over a quarter of a trillion dollars that would go right on to the debt and deficit.

They also concluded that in the long run, over the next 10 years, we will be looking at an additional $340 billion in cost to the Federal Government—a cost that by some estimates could reach as high as $400 billion because of the spillover effect that this bill is likely to have on future spending, contracting authority, and otherwise.

So this bill is not paid for. The pay-fors suggested by the bill's proponents don't get the job done. In fact, more than half of them simply don't get there. We do, however, see that there are some of the pay-fors that create significant policy concerns.

One of the pay-fors that isn't fake is an extension of the so-called g-fees—g-fees being imposed by entities like Fannie Mae that will inevitably increase the cost that home buyers will face when they go to buy a home. Now, why does that matter here? Well, we have seen a startling uptick in inflation—inflation across the board, everything from gas to groceries and everything from healthcare to housing. We see that increasing stunningly in a way that a lot of people are pointing out, correctly, that first-time home buyers are now finding it very difficult to get into a home. This is something that is going to end up affecting all poor and middle-class Americans at a time they can little afford it. And yet we are increasing these fees—fees that are in effect a back-door invisible tax on a lot of those who are least in a position to pay.

Some of the other non-fake pay-fors that actually do bring something in include an increase in the fees paid by manufacturers and distributors of certain chemicals. The issue there is that this fee, while labeled as not a tax—because, technically speaking, it is not a tax—will end up increasing the price of basically every consumer good purchased by the American people.

The way these things end up working is that to the tune of about $15 billion or so, Americans will find that pretty much everything they buy, from apparel to electronics, will get a little more expensive. They may not see it. In fact, the overwhelming majority of them won't even know to attribute it to this particular piece of legislation, but it will have that effect. It will make all Americans a little poorer. It will make all Americans face the very stark reality in which their already strapped dollars that they earn will go just a little bit less far.

We have to remember that from one year to the next, we don't see dramatic fluctuations in the quantity of goods that the American people have access to that they may buy. In other words, the U.S. economy is capable of producing a relatively foreseeable, predictable, somewhat finite supply of goods in a particular year. When that doesn't change dramatically from one year to the next, as it almost never does, but you dramatically increase the money supply in the U.S. economy, then what you see is that everything gets a little bit more expensive. This ends up hurting, in particular, America's poor and middle class. It ends up hurting, in particular, those Americans, including most Americans who in one way or another live paycheck to paycheck, who in one way or another depend on the income that they have, and the income that they have is relatively fixed. So, as a result of that, they don't get as far.

Now, you have got some Americans, including the wealthiest and well-connected in our society, who may well figure out ways to get wealthy off of this bill. One way or another, they can play things to their advantage, and they may make a lot of money off of it.

You have got another category of very wealthy Americans—maybe, you know, people in the top 1 or 2 percent of income earners—who might notice that the things they buy are getting more expensive, but it might not affect them all that much.

But then you have got everyone else, and I mean the vast, overwhelming majority of all Americans, who, in one way or another, plan out each year knowing that they have got a relatively finite amount of money to spend, and that money goes less far when we just print money to the tune of trillions and trillions of dollars.

Remember, the Federal Government, in recent years, has been spending about $4 trillion a year. Tragically, even at the top of our economic cycle, with record low unemployment and with record high growth, we were still spending $1 trillion a year more than we were bringing in—bringing in about $3 trillion, spending about $4 trillion. This was inexcusable then. It would be inexcusable now, except that we are making it much, much worse.

Last year, we took in about $3 trillion, and we spent $3.6 trillion—borrowing and then printing close to 4 trillion additional dollars. What does this do? Well, it makes all Americans just a little bit poorer, especially those living on a relatively fixed income.

So this is troubling when we do that. We ought to be concerned when we do that. Inflation numbers that are coming out all the time, including some that I have heard about the first time today, indicate that everything is getting more expensive. And what are we doing? Well, we are on track to spend another $1.2 trillion, including $550 billion of new spending, which the bill's proponents claim is paid for when most of it isn't paid for. And that portion of it that is paid for is in one way or another often paid for in a way that will inure to the detriment of poor, middle-class Americans. This is concerning.

It is also concerning that one of the other pay-for provisions is the one focused on cryptocurrency. It focuses on an industry that is rapidly developing—rapidly developing within the United States—that depends on a lot of innovation happening in the United States. One of these pay-for provisions seeks to bring in more revenue to the Federal Government or at least to promise more revenue to the Federal Government, with the promise of requiring those who spy and sell cryptocurrency to treat it the same way as they would the exchange of securities.

This is very different than securities. These aren't just stocks. It is something very different. It is a medium of exchange that, if adopted more widely, could facilitate a lot of economic activity and a lot of innovation within the United States of America. If, in fact, we pass this bill, mark my words, it is going to have a chilling effect on innovation within this sector.

And what you will see is that the flight of innovation and investment related to innovation to offshore locations around the globe, places outside the United States, may well be the ones to reap the benefit associated with the loss here in the United States if we adopt an unproven, untested, unknown strategy for dealing with something, trying to adopt many decades-old regulatory policies to a completely new form of exchange; one that, by the way, values very highly the privacy of those who exchange it.

So if what you are going to do is take away that value by requiring that all of it be registered and publicly disclosed and by giving the Federal Government the ability to peer into it, you are going to stifle innovation. You are going to make a lot of people upset, and you are going to make Americans poorer.

At the heart of a lot of this is a concern that the Federal Government, as

it takes more and more money, as it prints more and more money, as it requires Americans to work weeks or months out of every year just to pay their Federal taxes, only to be told that it is not nearly enough and it hasn't been enough for many decades because we are nearly $30 trillion in debt—it is still not enough because we are still going to borrow and print more.

It is insulting to them, and it is especially insulting to them when you tell them that in connection with the same legislation that also includes other intrusions into their privacy.

For example, there is a pilot program called for in this legislation that will be created by this legislation that would be designed specifically to monitor how many miles someone drives in a year. Now, this has long been a fantasy of a number of people who would like to see the Federal Government tracking miles driven by every motorist in America.

Now, we all know that there is almost no way to achieve this that wouldn't excessively interfere with the privacy rights of every man, woman, and child in America. Look, the American people are fine with a government that makes sure that we are safe from foreign aggressors, that regulates interstate and foreign commerce, that coins money and regulates the value thereof, that adopts a uniform set of bankruptcy laws, immigration laws, protects trademarks, copyrights, and patents.

What they do not want is a nanny. What they do not want is a snooping device added to every car that will track them; that will track where they and their families are going. It is none of their darn business. Keep the Federal Government out of this. Look, whether you want more government spending or not, chances are, if you are listening to this, you probably are concerned, regardless of what political hat you wear, regardless of whom you voted for in recent Presidential or congressional elections. You probably don't want the Federal Government in your car monitoring your every move knowing where you are going.

We know that when governments do that, when they start to assume that everything is government's business, bad things happen. It ends in tears and wars. That is none of the Federal Government's darn business. We don't want the Federal Government even developing technology to start snooping on every person's every move.

Which brings me to yet another intrusion on personal privacy and liberty in this legislation. Section 24220 calls for the development and, within just a few years, the formalization and finalization of regulations that would require passenger vehicles manufactured and sold within the United States to have a device that would passively measure the blood alcohol content of the driver and do so in a way that would inhibit or at least impair the ability of the vehicle to operate if the vehicle, in its infinite wisdom, was able to ascertain that the blood alcohol content of the driver was over 0.8.

Now, look, we are all for stopping drunk driving. It is terrible. It results in countless lives lost. But we can all see a lot of things that can go wrong with that. Setting aside for a minute the constitutional implications of the intrusiveness of putting technology in every passenger vehicle that requires, at the outset, without any finding that anyone has done anything wrong, that requires you to take a test mandated by the Federal Government every time you want to do something as simple as turn on your car—then let's consider what happens when, with such a technology, which to my knowledge doesn't yet exist—with such a technology, assuming it is able to come into existence because of these burdensome regulations in a few years, that technology, if they are able to develop it, is going to be costly. Who does that hurt? Well, you guessed it. Poor and middle-class Americans who will all of a sudden find that every passenger vehicle will become a lot more expensive. It is just the way it works.

When we mandate the creation of new Federal regulations, and those Federal regulations apply to any new automobile sold in the United States, the price of new automobiles goes up. And in the case of a particularly novel and particularly sophisticated technology like this one, I suspect it will go up a lot.

This may not be troubling to the millionaires and billionaires out there who don't feel the pinch of that, but to everyone else, the 99 percent of all Americans—more than that, I suppose—this hurts. Moreover, what happens when that technology malfunctions? Not if but when. Look, we have all had cars that will malfunction for one reason or another, and oftentimes it is basic security devices, something as simple as that annoying beeper that goes off until you put your seatbelt on. Sometimes some people will put their seatbelt on, and it still pings. That is a terribly annoying nuisance when that happens. The consequences are much more deeply felt; they are much more severe if someone gets in the car, whether it is to go to work, to come home from work, to take a loved one to the doctor or the hospital, and it doesn't work.

Look, glitches happen, and if you are talking about adding an override to a vehicle—you know, maybe that override to the vehicle mistakenly thinks that it smells alcohol, maybe it doesn't like the aftershave or cologne you are wearing on that particular day, maybe the whole thing stops working, and your car stops working with it. This isn't one of those things where you can just open up the hood and find the presence of an on-off switch, as Jerry Seinfeld might have put it many years ago. No, this is much more sophisticated technology that the average, hard-working American isn't going to be able to fix quickly. They won't even be able to see it. There again, they are going to face more costs as they take their vehicle into the shop to have it evaluated by a certified technician capable of dealing with that brandnew, very sophisticated, very expensive technology.

So with each of these things, we see something of a common theme. The Federal Government, which already plays too prominent a role in too many people's lives, which is already taxing us too much, spying on us too much, and considering everything under the Sun its business—we are making even more things its business, from cryptocurrency to where and how far you drive your car, to whether you can operate your car at all. We are doing all of this so that we can spend even more Federal money on even more Federal infrastructure projects, which are even more expensive by virtue of the fact that we are dealing with Federal dollars, for the simple reason that compliance with all the Federal regulations that accompany the expenditure of Federal infrastructure dollars costs a lot of money. In many States like mine, it can cost 20, 30 percent, sometimes even more, on top of what it would cost if these were just State revenues that they were spending.

So I would ask the question: Is it worth it? I would ask the question: Do we want Big Brother knowing our every move? I would ask the question: Do we want a government that is already requiring you to work weeks or months out of every year just to pay your Federal taxes? Do you want it printing even more money, making sure that the dollars that you spend, which are finite, limited, and sacred, will go even less far? I think not, and I urge my colleagues who support this legislation to reconsider.

The PRESIDING OFFICER. The senior Senator from Illinois.

ORDER OF BUSINESS

Mr. DURBIN. Mr. President, for the information of Members, we are planning to have a vote at 5 o'clock today on the confirmation of Eunice Lee to the Second Circuit Court of Appeals. I wanted Members to make their plans accordingly.

Thank you.

The PRESIDING OFFICER. The senior Senator from Maryland.

UNANIMOUS CONSENT REQUEST—S. 2675

Mr. CARDIN. Mr. President, I rise to speak about the Restaurant Revitalization Fund, and then I will be asking unanimous consent to consider legislation.

We included the Restaurant Revitalization Fund in our March legislation on COVID relief. We did that because, of all of the industries affected by COVID–19, restaurants have been some of the most difficult businesses to survive COVID–19.

They were ordered by government, basically, to shut down at the beginning of COVID–19. Then, as we started

to make progress, they were at much restricted operations. And to this day, restaurants are still not up to their full capacity. Their revenues have been very much decimated as a result of COVID–19.

We came together in March with bipartisan legislation in order to do something about that, and we included that in our legislation—$28.6 billion of relief for restaurants. Now, what it did is cover some of their revenue loss as a result of COVID–19. It gave them a lifeline to be able to survive this pandemic.

We projected that $28.6 billion would be the need, but we were wrong. We were wrong because COVID–19 was more severe than we thought, restaurants were more badly damaged than we had anticipated, and there was a great deal of more demand and need than the $28.6 billion. We are now being told by the Small Business Administration that the right number was $71.3 billion, or an additional $42.7 billion that is needed.

I have introduced bipartisan legislation to provide this additional authority to the SBA to complete this program. It is bipartisan. My partner in this is Senator WICKER. We are joined by Senator SCHUMER, Senator MURKOWSKI, Senator CANTWELL, Senator ERNST, Senator SINEMA, Senator CASSIDY, Senator STABENOW, and Senator HYDE-SMITH. And I might add, there are many, many more Senators on both sides of the aisle who very much support our efforts to live up to our commitment.

Now, why do we need to take this up right now?

This is a matter of life or death for many restaurants in our community. There is also a matter of fairness.

We have two restaurants, side by side, in the exact same circumstances, submitting their applications on the same day, having the exact same need. Both were advised that they will get funding. One got funding before the $28.6 billion was exhausted. The other that was told they were going to get funding, they won't get funding unless we act. That is not right.

There is a matter of the credibility of the U.S. Senate and of Congress and of government. We say we are going to do something. We should live up to our commitments. The urgency of getting this done is now.

I don't think there is a Senator in this Chamber who hasn't heard from restaurants in their State about how badly they need these funds and how they thought these funds were going to be in their bank, and they are no longer in the bank. I have heard from so many Senators about this. The urgency is now.

Let me just anticipate one other argument that I might hear, and that is: Well, where are we getting this money from?

Well, legislation before us takes $36 billion out of the small business programs—$36 billion. So this is paid for by the rescissions that have been made in this legislation that we are considering, that is before us today. So for all of those reasons, this is a fiscally responsible thing to do.

Lastly, before I yield the floor to the majority leader, let me say that we made a commitment to help our small businesses. We did that—Democrats and Republicans—working together. In some cases we overestimated the dollars that we need. In some cases we underestimated the dollars that we need. But we always came back and provided the full funding for the programs we have authorized, and, in total, it is not much different than has previously been authorized.

This is a matter of fairness and a matter of absolute need that we provide the extra money now for the restaurants.

Before I make my unanimous consent request, I would yield the floor so the majority leader can get the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. SCHUMER. Well, I thank my good friend from Maryland for offering this UC, and strongly and fervently support it.

I have been proud to join Senators CARDIN and SINEMA in leading the fight to provide direct relief to this industry. We all know restaurants were particularly hard hit during COVID, and the idea that they have all recovered is just so far from the truth.

You know, any business where people had to gather were hit hard—hit the hardest; restaurants at the very top of the list, and they are a lifeblood to our cities and our communities. They, of course, are a place where people get food, but they get community. They join together. They feel roots. Whether it is a small town or a large city, restaurants in neighborhood after neighborhood, community after community, are often the glue that make communities tick; and they were hurt.

The funds that we provided, provided a lifeline to 100,000 applicants across the country. In my State of New York, $3.6 billion went to 9,775 restaurants. But the job wasn't done. They ran out of money long before restaurants were helped.

And anyone who thinks our restaurants are out of trouble, I just ate at one last night—a Polish couple in Greenpoint—lovely little restaurant: Are you hurting? Yes; we might go under.

And this story could be repeated in restaurant after restaurant after restaurant.

In New York, 27,000 restaurants are waiting in desperation. These are hard-working people—very hard-working people. They struggle. They put their all, their whole heart and soul, into the business and provide, as I said, often the glue for our communities.

This legislation is fair. It is smart. It is right. We will get economic payback over and over and over again from keeping these restaurants going because they employ so many people, contract with so many independent suppliers and others. It just makes such sense.

It is almost cruel to tell these restaurants, ''You are on your own now,'' when, through no fault of their own, they have suffered through with COVID.

So I strongly support this proposal by Senator CARDIN. We are going to keep at it and keep at it and keep at it because our restaurants so desperately need the help.

It was bipartisan in the past. Let's keep it bipartisan, but let's get the job done. Our restaurants need help, and our communities, our cities, our rural towns, our suburbs will be so rewarded when these restaurants are allowed to continue to stay open and to flourish.

I thank the Senator for his leadership.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, let me thank Senator SCHUMER for his comments. I agree completely with everything the Senator said.

I would just make one additional point before I make my unanimous consent request.

What I am asking for now has been what we have been following in regard to small business relief. Let me remind our colleagues that we work together, Democrats and Republicans, to craft the programs that help small business and save so many small businesses in our community.

We misprojected the costs of the Paycheck Protection Program, not by $30 or $40 billion, by over $300 billion when we set it up. And we came back, Democrats and Republicans lived up to our commitment and made the funds available that all small businesses could get fair treatment and equitable treatment under the Paycheck Protection Program.

I am asking my colleagues to do the exact same thing we did for the Paycheck Protection Program for the Restaurant Revitalization Program.

And as already has been pointed out, there have been funds taken away from the small business programs under the bill we are considering on the floor today to almost the same amount that we are asking in supplemental funds.

With that, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2675 introduced earlier today; that the bill be considered read three times and passed; and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. PAUL. Mr. President.

The PRESIDING OFFICER. The junior Senator from Kentucky.

Mr. PAUL. The Treasury has been so thoroughly looted that we are incurring debt at a record-setting and alarming pace. Never in the history of our country have we incurred so much debt so fast.

Our national debt now exceeds $28 trillion. It is now at 128 percent of our GDP. And we are asked by the Democratic Party to add $48 billion without so much as a—could we have a debate in committee?—so much as even a word spoken over this. We are just going to add $48 billion with no discussion. It is a huge mistake.

Now, it has been alleged that, well, the thing is that the restaurants are suffering because of COVID. No. They are suffering because Democrat Governors locked them down. This is a manmade phenomenon. The economic disaster that we are in, that restaurants are in, is completely and entirely caused by Democrat Governors.

In my State, they are suing the Democrat Governor because he won't let them open up. This is a manmade phenomenon. So if you reward a manmade phenomenon, you will get more of it.

You reward Democrat Governors who shut these restaurants down, guess what, they will shut them down longer. The longer you give money to Democrat Governors for their lockdown policies, the more lockdowns you will get.

We need to open up the country. We need to learn to live with this disease. As tragic as it has been, we need to learn to live with it.

But the lockdowns have not worked. Closing the restaurants did not work, did not change the trajectory of this virus one iota. The only thing that is changing the trajectory of this virus now is the vaccine, plus natural immunity. Closing the restaurants did nothing and is doing nothing, except for devastating the bottom line of restaurants.

So with that, I would object to the unanimous consent.

The PRESIDING OFFICER. The objection is heard.

Mr. CARDIN. Mr. President.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I regret the decision of my colleague from Kentucky.

I just really want to point out, we have had hearings in our committee—Small Business Committee—in which the Restaurant Revitalization Act was very much brought up during the hearing.

We have been receiving timely information about this program and how it has been implemented and the need for additional funds. So our committee has had ample opportunity to question how the program was being administered and the need for different funds.

I also regret that my colleague is holding the restaurants pretty much hostage and saying it is all right for us to give money to some but not others, when the administration of this was compromised because of a court case, and certain restaurants are now desperate as a result of not having adequate funds.

I am encouraged by the comments of the majority leader, Senator SCHUMER, that we will continue to focus on this issue. I can tell you, it is urgent. We really need to deal with this immediately, and we will be looking for every available opportunity to treat our restaurants equitably and fairly and provide the money that is needed to implement the Restaurant Revitalization Program.

I regret that we are not able to act today because of the Senator's objection.

I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, I just would like to add a word and thank the Senator from Maryland for his leadership, and the Senator from New York for supporting this, and to reflect for a moment on the comments of the objector, the Senator from Kentucky.

His exact words were: We have got to learn to live with this.

Unfortunately, people are not living with this; they are getting infected and dying. And to accept the status quo and somehow make it a partisan issue—that it is the Democratic Governors who are responsible for what is going on here—is a sad oversimplification. In fact, it is tragic.

We know what is happening. We have a new variant of this COVID–19 virus that has emerged because it is still on the loose and it is changing by the day. We think the Delta variant is dangerous, maybe dramatically more contagious than the original virus.

We know that even people who have been vaccinated can unknowingly transmit this disease, the new Delta variant, and we know that it has taken a deadly toll on 90 percent of the patients who were not vaccinated and were subjected to the illness that came about.

I just want to say, in general, I couldn't agree more with Senator SCHUMER and Senator CARDIN that restaurants in our cities are really the lifeblood. Whether it is my hometown of Springfield, IL, or Chicago, which I am honored to represent, I will tell you that these restaurants are still struggling, and as they struggle, our cities struggle.

And people that I know really measure where we are, as an American nation, recovering by the vibrancy of these restaurant businesses, the ones that are our favorites and bring us together.

They have done their part. We should do our part to give them a helping hand. Let's get through this pandemic together. We are certainly not going to do it by saying that we have to accept the Delta variant and that whatever else follows is just the natural course of things.

We have it within our power to change that. More vaccinations and more careful use of masks and social distancing will make a difference—can make a real difference in this country. Until we come to grips with that reality, we are going to continue to face these devastating disappointments.

Again, I thank the Senator from Maryland for bringing this before us. I hope he will continue to offer it.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

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

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

NOMINATION OF EUNICE C. LEE

Mr. SCHUMER. Mr. President, in a minute, I am going to ask to vote on confirmation for Eunice Lee to be a U.S. circuit judge on the Second Circuit. She is an amazing person. I interviewed her and recommended her to the President. She will be the only public defender on the Second Circuit. We have had very, very few public defenders on that circuit and largely on our Federal bench. They tend to be prosecutors, partners in big law firms. We are changing all of that and getting people who have different walks of life—like public defenders, like people from the ACLU, like people from different organizations—so we have a new perspective on the bench. She is a phenomenal person. I am so proud that she will now get on the bench.

I ask that the Senate now vote on confirmation of the Lee nomination to be a U.S. circuit judge.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider 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 question is, Will the Senate advise and consent to the Lee nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from South Carolina, (Mr. GRAHAM), and the Senator from Florida (Mr. RUBIO).

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 310 Ex.]

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—47

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

NOT VOTING—3

Blackburn	Graham	Rubio

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

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

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Illinois.

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

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

UNANIMOUS CONSENT AGREEMENT—H.R. 3684

Mr. SCHUMER. Mr. President, I ask unanimous consent that the time during any recess, adjournment, or period of morning business count postclosure.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. SCHUMER. For the information of all Senators, the Senate will convene at noon tomorrow and resume consideration of the infrastructure bill.

We have been working hard all day on amendments, and, hopefully, we can come to some agreement tomorrow, but time is burning as we go forward.

So for the information of Members, keep working, and we will resume at 12 noon.

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. LUJÁN). Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 249, 271, and 166; that the Senate vote on the nominations en bloc with no intervening action or debate and that the motions to reconsider be considered made and laid upon the table; that any statements related to nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Bryan Todd Newland, of Michigan, to be an Assistant Secretary of the Interior; Carlos Del Toro, of Virginia, to be Secretary of the Navy; Christopher Paul Maier, of California, to be an Assistant Secretary of Defense.

Thereupon, the senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Newland, Del Toro, and Maier nominations en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

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

RELATIVE TO THE DEATH OF THE HONORABLE MAURICE ROBERT GRAVEL, FORMER SENATOR FROM THE STATE OF ALASKA

Mr. SCHATZ. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 343, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 343) relative to the death of the Honorable Maurice Robert Gravel, former Senator from the State of Alaska.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 343) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MORNING BUSINESS

RESIDENTIAL SATELLITE BROADBAND SERVICE

Mr. CARDIN. Mr. President, my State of Maryland has a proud history of innovation in satellite technology and space exploration. Greenbelt, MD, is home to Goddard, the National Aeronautics and Space Administration's first Space Flight Center Space Flight Center. The National Oceanic and Atmospheric Administration, which operates a fleet of weather satellites, has its headquarters in Silver Spring. Additionally, the largest provider of residential satellite broadband service, Hughes Network Systems, is headquartered in Germantown. Hughes serves consumers in some of the most rural, hard-to-reach areas of the country.

As the Senate considers the bipartisan infrastructure bill, I believe there is broad agreement that the broadband deployment grants established by the bill and administered by the Department of Commerce would help bring broadband service to unserved and underserved households in some of the most rural areas in the U.S. I also believe that satellite technology can and should be one of the technological options for achieving our broadband deployment goals. Because a geo-stationary satellite orbits at 22,500 miles above earth, however, even signals traveling at the speed of light take a split-second longer to reach their destination, causing ''latency''—or delay—in real-time broadband applications. Fortunately, satellite innovators in Maryland and elsewhere have designed measures to reduce latency by using a mix of communications platforms, including low-earth orbit satellites and fixed wireless networks.

I believe that where the broadband grants provision in division F, title I of the infrastructure bill establishes a ''real-time, interactive'' standard for permissible latency, residential satellite broadband service providers may meet this standard by offering a hybrid mix of geostationary and nongeostationary satellite networks or fixed

wireless networks. I look forward to working with Senator CANTWELL in her capacity as chair of the Senate Commerce Committee, Commerce Secretary Raimondo, and the National Telecommunications and Information Administration on this important issue.

ZAMBIA

Mr. MENENDEZ. Mr. President, I rise to discuss Zambia's upcoming elections and the erosion of democracy under President Edgar Lungu. On August 12, the people of Zambia will go to the polls to elect their President and members of the National Assembly. They will do so under the cloud of growing authoritarianism, with troops in the streets, protesters in prison, and dissenting voices muzzled by censorship. Indeed, many Zambians have good reason to be dissatisfied with their present government and, in a free and fair vote, might very well reject President Lungu's bid for reelection. But I fear they may not have that opportunity.

For nearly 30 years, Zambians have enjoyed a relatively free and open political environment. In 1991, Zambia's founding father Kenneth Kaunda lost the country's first multiparty election in decades and gracefully stepped aside after 27 years in power. President Kaunda died in June of this year, at the age of 97, with a complicated legacy; he was a liberator, but also held an iron grip on power for nearly three decades. However, his final act of public service paved the way for democracy to take root in his country in the years that followed. Sadly, President Lungu is erasing that monumental contribution to the Zambian people.

Since President Lungu's rise to power in 2014, he has used the organs of the state to intimidate his political opponents and consolidate power for his Patriotic Front—PF—party. Freedom House rates Zambia as only ''partly free,'' citing laws and government actions which have had the effect of restricting the activities of opposition parties, limiting civil society participation, and curbing free expression. Similarly, the U.S. Department of State, in its 2020 Country Reports on Human Rights Practices, noted ''significant human rights issues'' in Zambia, particularly in the area of elections and political participation.

In March, the Zambian political analyst Dr. Sishuwa Sishuwa published an essay in which he warned that ''Zambia may burn after the August elections.'' He wrote that the public's distrust of Zambia's institutions and the ruthless competition between its political elites had contributed to a climate of fear and anger that could plunge the country into chaos. The subversion of the independence of the courts and other public institutions has led to a lack of confidence. Credible allegations of corruption and impunity have been made against leaders. A collapsing economy, mismanaged by President Lungu to the point of defaulting on its foreign loans, has resulted in mass youth unemployment and rising inequality. Dr. Sishuwa also noted Western countries' declining assistance to Zambia and their silence on its democratic backsliding. He painted a vivid image of a once-peaceful and prosperous country on the brink of calamity. According to the Committee to Protect Journalists, Zambian police began investigating Dr. Sishuwa for sedition shortly after the essay's publication.

Indeed, political violence has already arrived on the streets of Zambia. Fighting between supporters of the PF and the opposition United Party for National Development—UPND—left at least two people dead last week. Troops have been mobilized to restore order, but Zambian security forces have also been accused of using deadly force against peaceful protesters.

The United States has a clear interest in ensuring that Zambia remains a free and stable country. We have provided approximately $500 million in assistance to Zambiaa every year. At a time of increasing instability in Southern Africa, with unrest in South Africa and Eswatini, crackdowns in Zimbabwe, a brutal insurgency in Mozambique, and the rampant spread of COVID–19, the region cannot afford Zambia's collapse. We know that instability anywhere has a rippling effect that impacts U.S. interests and our allies.

Moreover, Zambia presents a test for the Biden administration's commitment to promoting and protecting democracy abroad. I encourage the administration to more address Zambia's democratic backsliding. I hope that is corrected before elections commence. We should be clear with President Lungu that the United States does not tolerate authoritarianism and that the generosity of the American people is not without limits. The United States should increase support for Zambian civil-society and democracy and governance programming in Zambia. Finally, the Biden administration can demonstrate its commitment to the bilateral relationship by nominating a skilled and experienced diplomat to serve as ambassador to Zambia.

While the United States stands with the Zambian people, ultimately, responsibility for Zambia's democratic decline lies squarely with President Lungu and his government. In the short term, President Lungu must commit to holding free and fair elections on August 12 and ensure transparency in the process by permitting election monitors to observe the vote without restrictions. He must also publicly commit to accept the outcome of the election, and step aside should he lose. Regardless of the outcome, the PF, UPND, and all other parties must work together to restore the integrity and independence of public institutions, end impunity for state violence, and address corruption. They must do this by partnering with civil society, restoring freedom of the press, and respecting civil liberties. They must accept that dissent and protest are not a threat to their power, but rather proof of a healthy polity.

This will be a long and difficult process which will test the courage and patriotism of Zambia's elites. Next week's elections may be the first step towards Zambia's renewal or else the next step towards its ruin. Perhaps President Lung can take inspiration from Kenneth Kendal's final act of leadership and put his country before his own political interests.

RECOGNIZING THE MINORITY VETERANS OF AMERICA

Mrs. MURRAY. Mr. President, I rise today to pay tribute to Minority Veterans of America on the occasion of their fourth anniversary on August 7, 2021. Minority Veterans of America is doing important work in home State of Washington and around the country advancing equity and justice for nearly 5 million underrepresented veterans, including women, people of color, LGBTQIA+, and religious and nonreligious minorities. As a nation, we make a promise to take care of our veterans when they return from service. It is the least we can do for those who have sacrificed to defend our freedoms. Minority Veterans of America addresses the additional challenges minority veterans face in receiving the benefits they have earned.

Minority Veterans of America was founded in Washington State in 2017 by two military veterans, Lindsay Church and Katherine Pratt. Over the course of 4 years, Minority Veterans of America has grown to include thousands of members spread across nearly every State. They have worked tirelessly advocating for reforms that address economic and health disparities among minority veterans. In my home State of Washington, they have organized innovative programs that address the unique need of minority veterans in transitioning to civilian life, financial stability, social engagement, and access to resources. At the national level, Minority Veterans of America has organized grassroots movements to address issues such as discrimination in the military, military sexual trauma, and the transgender military ban. They also work directly with the Department of Veterans Affairs to increase equitable and inclusive access to services.

It is clear to me that Minority Veterans of America has made a substantial contribution to veterans in Washington State and across the country. It is my pleasure to thank Minority Veterans of America for their hard work and commitment. I congratulate Minority Veterans of America on 4 years of outstanding service to our military veterans and look forward to working with them in the years to come as we continue to advance equity and inclusion for our veterans.

MEASURES PLACED ON THE CALENDAR

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

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.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. MURRAY, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2401. A bill to reauthorize the Assistive Technology Act of 1998 , and for other purposes.

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 and Mr. VAN HOLLEN):

S. 2672. A bill to authorize the Department of Housing and Urban Development to transform neighborhoods of extreme poverty into sustainable, mixed-income neighborhoods with access to economic opportunities, by revitalizing severely distressed housing, and investing and leveraging investments in well-functioning services, educational opportunities, public assets, public transportation, and improved access to jobs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself and Mr. WICKER):

S. 2673. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to modify the provisions relating to treatment courts; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. CASEY):

S. 2674. A bill to reauthorize funding for programs to prevent, investigate, and prosecute elder abuse, neglect, and exploitation, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. WICKER, Mr. SCHUMER, Ms. MURKOWSKI, Ms. CANTWELL, Ms. ERNST, Ms. SINEMA, Mr. CASSIDY, Ms. STABENOW, and Mrs. HYDE-SMITH):

S. 2675. A bill to amend the American Rescue Plan Act of 2021 to increase appropriations to Restaurant Revitalization Fund, and for other purposes; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. RISCH, Mr. DURBIN, and Mr. BLUNT):

S. Res. 341. A resolution commemorating the 70th anniversary of the signing of the Security Treaty among Australia, New Zealand, and the United States of America; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. CARDIN, Mr. KAINE, Mr. MARKEY, Mr. MERKLEY, Mr. SCHATZ, Mr. VAN HOLLEN, Mrs. SHAHEEN, and Mr. COONS):

S. Res. 342. A resolution expressing the sense of the Senate regarding the practice of politically motivated imprisonment of women around the world and calling on governments for the immediate release of women who are political prisoners; to the Committee on Foreign Relations.

By Ms. MURKOWSKI (for herself, Mr. SULLIVAN, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr. SHELBY, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 343. A resolution relative to the death of the Honorable Maurice Robert Gravel, former Senator from the State of Alaska; considered and agreed to.

ADDITIONAL COSPONSORS

S. 864

At the request of Mr. KAINE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 864, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

S. 2578

At the request of Mr. BROWN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from New Jersey (Mr. BOOKER), the Senator from Vermont (Mr. LEAHY) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 2578, a bill to extend the moratorium on residential evictions, and for other purposes.

S. 2668

At the request of Ms. ROSEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of 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.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from Georgia (Mr. OSSOFF) 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. 2504

At the request of Ms. ERNST, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 2504 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. 2536

At the request of Mrs. HYDE-SMITH, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 2536 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 341—COMMEMORATING THE 70TH ANNIVERSARY OF THE SIGNING OF THE SECURITY TREATY AMONG AUSTRALIA, NEW ZEALAND, AND THE UNITED STATES OF AMERICA

Mr. MENENDEZ (for himself, Mr. RISCH, Mr. DURBIN, and Mr. BLUNT) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 341

Whereas the United States and Australia signed the Security Treaty among Australia, New Zealand, and the United States of America (referred to in this resolution as the ''ANZUS Treaty'') in San Francisco on September 1, 1951;

Whereas the United States Senate provided advice and consent for ratification of the ANZUS Treaty on March 20, 1952, and the ANZUS Treaty entered into force on April 29, 1952;

Whereas the signing of the ANZUS Treaty formalized an alliance that began when United States and Australian forces fought together and won the Battle of Hamel on the Western Front, France on July 4, 1918, under the command of Australian General John Monash;

Whereas since 1915, the United States, Australia, and New Zealand have a longstanding history of supporting each other in the realm of defense and security, fighting alongside each other during World War I, World War II, the Korean War, the Vietnam War, and in Afghanistan and Iraq;

Whereas more than 100,000 Australian and New Zealander service members have paid the ultimate sacrifice alongside their brothers and sisters in arms from the United States;

Whereas Australia is the only party to the treaty to invoke Article IV of the ANZUS Treaty, done so on September 14, 2001, in response to the terrorist attacks on the United States on September 11, 2001, in a show of stalwart support for the American people;

Whereas the Force Posture Agreement between the Government of Australia and the

Government of the United States of America, done at Sydney August 12, 2014, enables closer security and defense cooperation between the two allies;

Whereas the United States and Australia conduct diverse joint military exercises and training to enhance capabilities throughout the world, and Australia hosts United States Marines at its bases in the Northern Territory;

Whereas nearly 600 Australian defense personnel work alongside the United States military in 31 states and the District of Columbia;

Whereas the United States and Australia continue to strengthen their mutual security interests, including through the biennial Talisman Sabre exercise, a joint bilateral military exercise most recently concluded in July 2021, which included forces from other important allies and partners, such as New Zealand;

Whereas in 2020, Australia committed to $438,000,000,000 in defense funding over 10 years, including $206,000,000,000 to grow the Australian Defense Force's self-reliance and to enhance its combined deterrent capabilities with the United States military;

Whereas approximately 60 percent of Australia's defense capability is sourced from the United States;

Whereas the United States and Australia work closely in a number of international fora, including the Group of Twenty;

Whereas the United States and Australia address shared strategic and security concerns through the Quad, the Association of Southeast Asian Nations (ASEAN)-centered regional architecture and emerging groupings, including the East Asia Summit, the ASEAN Regional Forum, and the Trilateral Strategic Dialogue;

Whereas cooperation between the United States and Australia is vital to the security of our digital information and critical infrastructure from the malicious activities of state and non-state actors, through deep operational collaboration and policy innovation;

Whereas the United States and Australia work to improve outcomes for women and girls in conflict areas and to ensure that the perspectives of women are included in peace and security efforts, through the implementation of the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202) and Australia's National Action Plan for Women, Peace, and Security of 2021;

Whereas the United States and Australia have further integrated their economies since entering into the United States–Australia Free Trade Agreement on January 1, 2005, after which 2-way investment has tripled and 2-way trade has doubled, benefitting both countries;

Whereas the United States and Australia have remained steadfast partners in space for more than 60 years, including through collaboration between the Australian Space Agency and the National Aeronautics and Space Administration;

Whereas the United States and Australia have maintained strong bilateral research linkages, collaborating in key areas such as astronomical and space sciences, materials engineering, mathematics, biochemistry, psychology and medicine, with over 80,000 co-authored publications during the past 5 years;

Whereas the United States and Australia share strong people-to-people linkages, with the United States providing the third largest number of tourists to Australia in 2019;

Whereas on May 13, 2021, Secretary of State Antony Blinken reaffirmed the United States' ''unshakeable commitment'' to the United States-Australia alliance as ''an anchor for peace, security, and stability in the Indo-Pacific for decades'';

Whereas New Zealand and the United States have enjoyed strong ties for decades, bolstered by shared cultural traditions, values, and common interests;

Whereas on November 5, 2010, the United States and New Zealand signed the Wellington Declaration, which was then enhanced in 2012 by the signing of the Washington Declaration, strengthening the defense relationship by providing a framework and strategic guidance for security cooperation and defense dialogues;

Whereas in November 2016, the destroyer USS Sampson visited New Zealand at the request of the New Zealand Government, the first bilateral ship visit in more than 30 years, providing humanitarian assistance and disaster relief to affected communities in the aftermath of the 7.8-magnitude Kaikoura earthquake;

Whereas the United States', Australia's, and New Zealand's shared values of democracy, respect for human rights, and adherence to the rule of law provide a strong foundation for broad multilateral cooperation;

Whereas the United States, Australia, and New Zealand share information essential for security and defense through the Five Eyes Intelligence Oversight and Review Council, a partnership that has expanded to include collaboration on economic and homeland security initiatives;

Whereas the United States, Australia, and New Zealand remain resolute partners in addressing environmental issues;

Whereas bilateral and multilateral cooperation among the United States, Australia, and New Zealand has evolved to meet contemporary challenges, including global health security and pandemic preparedness and response, supply chain resilience, environmental and climate-related challenges, and the development, promotion and protection of emerging technologies;

Whereas the United States, Australia, and New Zealand are committed to free and fair trade and the international rules-based trading system by working in collaboration through various mechanisms, including bilateral trade and investment agreements, the World Trade Organization, and the Asia-Pacific Economic Cooperation, and by continuing to address future challenges such as digital trade;

Whereas the United States, Australia, and New Zealand have worked together within the Global Coalition to Defeat ISIS to counter terrorism, restore regional stability and combat the spread of violent extremist ideology;

Whereas the United States, Australia, and New Zealand strive for a free, open, prosperous, and secure Indo-Pacific, unimpeded by economic coercion;

Whereas on April 22, 2021, Secretary Blinken stated, ''Since 1915, U.S., Australian, and New Zealand service members have served alongside one another in many global conflicts. Through our strong and deep interpersonal ties, the partnership between our nations continues to grow each year along with the realization that the kinship our armed forces share is more important than ever in helping ensuring a free, open, and inclusive Indo-Pacific.''; and

Whereas September 1, 2021 marks 70 years since the signing of the ANZUS Treaty: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 70th anniversary of the signing of the ANZUS Treaty;

(2) recognizes the value of the longstanding security commitments between the United States and Australia, and reaffirms the United States' commitments under the ANZUS Treaty;

(3) supports new opportunities to deepen and broaden military and security relations among the United States, Australia, and New Zealand;

(4) supports continued diplomatic, security, and scientific cooperation among the United States, Australia, and New Zealand to advance a free and open Indo-Pacific region; and

(5) supports new opportunities to deepen and broaden economic ties among the United States, Australia, and New Zealand to boost our respective competitiveness and to respond to attempts at economic coercion through mutual action and building resilience in the Indo-Pacific region.

SENATE RESOLUTION 342—EXPRESSING THE SENSE OF THE SENATE REGARDING THE PRACTICE OF POLITICALLY MOTIVATED IMPRISONMENT OF WOMEN AROUND THE WORLD AND CALLING ON GOVERNMENTS FOR THE IMMEDIATE RELEASE OF WOMEN WHO ARE POLITICAL PRISONERS

Mr. MENENDEZ (for himself, Mr. CARDIN, Mr. KAINE, Mr. MARKEY, Mr. MERKLEY, Mr. SCHATZ, Mr. VAN HOLLEN, Mrs. SHAHEEN, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 342

Whereas Article 3 of the Universal Declaration of Human Rights guarantees the right to life, liberty, and security of person, Article 9 of the Declaration prohibits arbitrary arrests or detentions, and Article 18 of the Declaration guarantees the right to freedom of thought, conscience, and religion;

Whereas women around the world face enormous risks when seeking to advance human rights and pursue progress for their communities, including—

(1) discriminatory policies and attitudes;

(2) repressive governments;

(3) abusive authorities; and

(4) critical threats to their health, especially amid the COVID–19 pandemic;

Whereas women activists around the world are being unjustly or wrongfully detained in order to silence their voices and end their activism;

Whereas women journalists are being unjustly or wrongfully detained for speaking truth to power and exposing corruption and abuses by governments and other authorities;

Whereas according to the United Nations Office of the High Commissioner for Human Rights, many women detainees face inhumane and degrading treatment upon arrest, including threats of rape, invasive body searches, and humiliations of a sexual nature, and once unjustly imprisoned, many women are subjected to sexual violence and other forms of torture at the hands of security forces;

Whereas the COVID–19 pandemic presents a severe threat to women who are detained unjustly and who are often housed in overcrowded prisons with limited access to medical care, which can convert unjust prison sentences into death sentences for vulnerable, detained women;

Whereas the People's Republic of China has waged a brutal campaign to suppress political dissent and vibrant ethnic minority communities;

Whereas the People's Republic of China has suppressed and detained human rights defenders and journalists, including—

(1) Li Yuhan, a human rights lawyer jailed for representing cases concerning freedom of belief and access to government information, who has been subject to verbal abuse and other mistreatment while held in extended pre-trial detention; and

(2) Zhang Zhan, a citizen-journalist sentenced to 4 years in prison for reporting on COVID–19 in Wuhan;

Whereas the People's Republic of China has subjected Uyghurs and other ethnic minorities in Xinjiang to mass surveillance, forced labor, forced birth control, forced sterilization, coerced abortion, sexual assault, rape, unjust or wrongful detainment, and extrajudicial internment, including—

(1) Rahile Dawut, a professor of traditional Uyghur culture and recipient of the 2020 ''Courage to Think'' award, who has been held incommunicado since her disappearance in December 2017;

(2) Gulmira Imin, a former Uyghur-language website administrator and writer, who is serving out a 19 year sentence for her alleged role in organizing demonstrations in 2009 and her online criticism of Chinese repression of the Uyghurs; and

(3) Nigare Abdushukur, who was sentenced to 19 years imprisonment after calling her brother in Germany to tell him about their mother's detention;

Whereas the People's Republic of China has targeted Tibetans for peaceful political or cultural expression, including—

(1) Bonkho Kyi, who was sentenced to 7 years imprisonment for organizing a picnic celebration for His Holiness the Dalai Lama's 80th birthday; and

(2) Yeshe Choedron, who was sentenced in 2008 to 15 years imprisonment for allegedly contacting the Tibetan government in exile after participating in the 2008 Lhasa protests;

Whereas the pro-democracy movement in Hong Kong has been subjected to harsh government persecution at the direction of the People's Republic of China, and activists have been unjustly jailed, including Quinn Moon, who was among 12 activists captured while trying to flee persecution in Hong Kong and was subsequently sentenced to 2 years in prison;

Whereas, in Iran, human rights defenders have been steadfast in their advocacy despite repeated abuse and arrest by authorities, including currently detained human rights activists—

(1) Nasrin Sotoudeh, who spoke out against the death penalty and laws forcing women to wear hijabs and who has recently been returned to prison after a medical leave despite serious health conditions; and

(2) Atena Daemi, a human rights activist who has been sentenced to an additional 2 years in prison and 74 lashes for participating in a peaceful sit-in protest in Evin prison during her initial 5-year sentence;

Whereas Iranian authorities have also recently arrested and imprisoned environmentalists working for the Persian Wildlife Heritage Foundation, including Sepideh Kashani and Niloufar Bayani, who previously worked for the United Nations Environment Programme, subjecting them to torture and threats of sexual assault;

Whereas Turkey is the world's second worst jailer of journalists, with 37 journalists imprisoned in 2020 alone, including—

(1) Hatice Duman, owner and editor at Atilim, which published editorials condemning President Erdogan's policies; and

(2) Ayşenur Parildak, journalist for Zaman;

Whereas the Government of Egypt has attempted to quash dissent by jailing and abusing human rights defenders, including Sanaa Seif, who was detained while filing a complaint at the Public Prosecutor's office regarding her violent assault outside Cairo's Tora prison, which houses her brother, who is a political activist;

Whereas Belarusian authorities, as a means of silencing popular protests, have attacked and jailed journalists, human rights defenders, and members of civil society, including—

(1) Katsiaryna Bakhvalova and Darya Chultsova, 2 members of the media covering anti-Lukashenko protests who were sentenced to 2 years in prison for ''organizing and preparing actions that grossly violate public order'';

(2) Yulia Slutskaya, founder of a nongovernmental organization that investigates government persecution of journalists covering protests;

(3) Maryia Kalesnikava, a prominent Belarusian opposition leader abducted and charged with incitement to undermine national security for her pro-democracy advocacy; and

(4) Marfa Rabkova, a human rights defender targeted for observing demonstrations and documenting evidence of law enforcement officials torturing peaceful protestors;

Whereas Saudi Arabian women's rights and human rights activist Maya'a al-Zahrani remains wrongfully imprisoned;

Whereas the Government of Nicaragua has detained human rights defenders Maria Esperanza Sanchez and Karla Vanessa Escobar Maldonado in terrible conditions for their participation in demonstrations in 2018;

Whereas Senator Leila de Lima remains unjustly imprisoned in the Philippines for her vocal criticism of extrajudicial killings carried out during President Duterte's ''war on drugs'';

Whereas the Government of Vietnam has jailed civil and human rights activist Nguyen Thi Ngoc Hanh and journalist Pham Thi Doan Trang for their peaceful work to preserve and expand rights afforded to Vietnamese citizens; and

Whereas in Eritrea, political dissident Aster Fissehatsion and dual United States-Eritrean national Ciham Ali have been held incommunicado without charge or trial since 2001 and 2012, respectively: Now, therefore, be it

Resolved, That the Senate—

(1) supports women who are being unjustly or wrongfully detained around the world;

(2) affirms that a government should never detain its citizens for exercising the rights of freedom of assembly, association, and speech;

(3) calls on governments that are unjustly or wrongfully detaining women for exercising their fundamental rights to immediately and unconditionally release these political prisoners; and

(4) urges the United States Government, in all its interactions with foreign governments—

(A) to raise individual cases of women political prisoners; and

(B) to press for the immediate release of such political prisoners.

SENATE RESOLUTION 343—RELATIVE TO THE DEATH OF THE HONORABLE MAURICE ROBERT GRAVEL, FORMER SENATOR FROM THE STATE OF ALASKA

Ms. MURKOWSKI (for herself, Mr. SULLIVAN, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr. SHELBY, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 343

Whereas Maurice Robert Gravel was born in Springfield, Massachusetts, and graduated from Columbia University before making his home in Alaska;

Whereas Maurice Robert Gravel served in the United States Army from 1951 to 1954;

Whereas Maurice Robert Gravel was elected to the Alaska House of Representatives in 1962 and served as Speaker of the House from 1965 to 1966;

Whereas Maurice Robert Gravel was elected to the United States Senate in 1968 and served the people of Alaska honorably for 2 terms;

Whereas legislation sponsored by Maurice Robert Gravel helped ensure the timely approval and construction of the Trans-Alaska Pipeline System, resulting in decades of economic and other benefits to the State and country; and

Whereas Maurice Robert Gravel dedicated his life to public service and passionately advocated for the State of Alaska: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Maurice Robert Gravel, former Senator from the State of Alaska;

(2) the Secretary of the Senate communicate this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the Honorable Maurice Robert Gravel; and

(3) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Maurice Robert Gravel.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2628. Mr. KAINE submitted 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 2629. 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 2630. Mr. CARDIN (for himself and Mr. TILLIS) submitted 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 2631. Mr. CARPER submitted 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 2632. Mr. CARPER submitted 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 2633. Mr. CARPER proposed an amendment to the bill H.R. 3684, supra.

SA 2634. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2633 proposed by Mr. CARPER to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2635. Ms. CORTEZ MASTO (for herself, Mr. CORNYN, Ms. HASSAN, 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 2636. Mr. ROUNDS submitted 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 2637. Ms. KLOBUCHAR submitted 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 2638. Mr. KING (for himself, Mr. SASSE, Mr. ROUNDS, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, 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 2639. 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 2640. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2620 submitted by Ms. SINEMA 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 2641. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. 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 2642. Mr. INHOFE (for himself and 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 2643. Mr. INHOFE (for himself and 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 2644. Mr. WARNER (for himself 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 2645. Mr. WARNER (for himself 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 2646. Mr. INHOFE (for himself and 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 2647. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. 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 2648. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

SA 2649. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. 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 2650. 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 2651. 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 2628. Mr. KAINE submitted 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 242, line 22, strike ''and''.

On page 242, line 23, strike ''and''.

On page 242, between lines 23 and 24, insert the following:

(iv) greenhouse gas emissions and energy use; and

(v) equitable access to jobs; and

On page 243, line 10, insert ''emissions, equitable access to jobs,'' after ''travel,''.

Beginning on page 243, strike line 24 and all that follows through page 244, line 5, and insert the following:

(2) SECRETARIAL SUPPORT.—

(A) IN GENERAL.—The Secretary shall seek opportunities to support the transportation planning processes under sections 134 and 135 of title 23, United States Code, through the provision of data to States and metropolitan planning organizations, and through working with the private sector to procure relevant data in a competitive process, to improve the quality of plans, models, and forecasts described in this subsection.

(B) ADDITIONAL SUPPORT.—The Secretary shall seek opportunities to provide funds to States and metropolitan planning organizations to work with the private sector to procure relevant data in a competitive process to improve the quality of plans, models, and forecasts described in this subsection.

SA 2629. 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:

Beginning on page 221, strike line 21 and all that follows through page 222, line 2, and insert the following:

enhance public safety; and

(4) the minimum retroreflectivity of traffic control devices and pavement markings.

SA 2630. Mr. CARDIN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 71103(a)(2) of title XI of division G, strike subparagraph (B) and insert the following:

(B) serves rural areas.

SA 2631. Mr. CARPER submitted 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 401, line 8, strike ''60 days'' and insert ''59 days''.

SA 2632. Mr. CARPER submitted 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 1, line 1, strike ''59'' and insert ''58''.

SA 2633. Mr. CARPER proposed an amendment to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; as follows:

On page 15, between lines 5 and 6, insert the following:

SEC. 4. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act take effect on the date that is 1 day after the date of enactment of this Act.

SA 2634. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2633 proposed by Mr. CARPER 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 6, strike ''1 day'' and insert ''2 days''.

SA 2635. Ms. CORTEZ MASTO (for herself, Mr. CORNYN, Ms. HASSAN, 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 2633, line 16, insert after ''appropriations:'' the following: ''*Provided further*, That of the amounts made available under this heading in this Act for personnel, contracting, and other costs to administer and oversee grants, $25,000,000, which shall be made available in equal amounts for each of fiscal years 2022 through 2026, shall be made available to carry out competitive grants, to be awarded by the Federal Aviation Administration, in coordination with the Department of Transportation Human Trafficking Prevention Coordinator, to address human trafficking awareness, education, and prevention efforts, including by coordinating human trafficking prevention efforts across multimodal transportation operations within a community and in line with the best practices and recommendations provided by the Department of Transportation Advisory Committee on Human Trafficking:''.

On page 2684, line 22, strike ''$5,250,000,000'' and insert ''$5,225,000,000''.

On page 2684, line 24, strike ''and''.

On page 2685, line 4, strike ''Code:'' and insert ''Code; and''.

On page 2685, between lines 4 and 5, insert the following:

(4) $25,000,000 shall be to carry out competitive grants, to be awarded by the Federal Transit Administration under section 5314 of title 49, United States Code, in coordination with the Department of Transportation Human Trafficking Prevention Coordinator, to address human trafficking awareness, education, and prevention efforts, including by coordinating human trafficking prevention efforts across multimodal transportation operations within a community and in line with the best practices and recommendations provided by the Department of Transportation Advisory Committee on Human Trafficking:

SA 2636. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 24220(a)(5), strike ''ensure the prevention of'' and insert ''reduce''.

In section 24220(a)(5), strike ''must be standard equipment in all new passenger motor vehicles'' and insert ''shall be examined in a report described in subsection (c)''.

In section 24220(c), in the subsection heading, strike ''SAFETY STANDARD'' and insert ''REPORT''.

In section 24220(c), insert ''report on the appropriateness of issuing a'' after ''shall issue a''.

In section 24220(d), strike ''To allow sufficient time for manufacturer compliance, the compliance date of the rule issued under subsection (c)'' and insert ''If, in the report issued under subsection (c), the Secretary determines that it would be appropriate to issue a final rule as described in that subsection, to allow sufficient time for manufacturer compliance, the Secretary shall ensure that the compliance date of any rule that the Secretary may issue pursuant to that subsection''.

In section 24220(e), in the matter preceding paragraph (1), strike ''If the Secretary determines that the Federal motor vehicle safety standard required under subsection (c)'' and insert ''If, in the report issued under subsection (c), the Secretary determines that a Federal motor vehicle safety standard described in that subsection''.

In section 24220(e), in the matter preceding paragraph (1), strike ''by the applicable date'' and insert ''by the date of the report''.

In section 24220(e)(1), insert ''for considering the appropriateness of issuing such a standard'' after ''the time period''.

In section 24220(e)(2), in the matter preceding subparagraph (A), strike ''the rule under that subsection'' and insert ''a rule described in that subsection, if determined to be appropriate,''.

In section 24220(e)(2)(D), insert '', if determined to be appropriate'' after ''subsection (c)''.

In section 24220(e)(3), in the matter preceding subparagraph (A), strike ''required by'' and insert ''described in''.

SA 2637. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2438, strike lines 6 through 9 and insert the following:

(2) in subsection (n), by striking ''January 1, 2022'' and inserting ''October 1, 2021 (or, in the case of wages paid by an eligible employer which is a recovery startup business or an organization which is described in section 501(c) and exempt from tax under section 501(a), January 1, 2022)''.

SA 2638. Mr. KING (for himself, Mr. SASSE, Mr. ROUNDS, and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, 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 VI of division G, add the following:

Subtitle C—National Cyber Resilience Assistance Fund

SEC. 70621. ESTABLISHMENT OF THE NATIONAL CYBER RESILIENCE ASSISTANCE FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States now operates in a cyber landscape that requires a level of data security, resilience, and trustworthiness that neither the United States Government nor the private sector alone is currently equipped to provide;

(2) the United States must deny benefits to adversaries who have long exploited cyberspace to their advantage, to the disadvantage of the United States, and at little cost to themselves;

(3) this new approach requires securing critical networks in collaboration with the private sector to promote national resilience and increase the security of the cyber ecosystem;

(4) reducing the vulnerabilities adversaries can target denies them opportunities to attack the interests of the United States through cyberspace;

(5) the public and private sectors struggle to coordinate cyber defenses, leaving gaps that decrease national resilience and create systemic risk;

(6) new technology continues to emerge that further compounds these challenges;

(7) while the Homeland Security Grant Program and resourcing for national preparedness under the Federal Emergency Management Agency are well-established, the United States Government has no equivalent for cybersecurity preparation or prevention;

(8) the lack of a consistent, resourced fund for investing in resilience in key areas inhibits the United States Government from conveying its understanding of risk into strategy, planning, and action in furtherance of core objectives for the security and resilience of critical infrastructure;

(9) the Federal Government must fundamentally shift the way it invests in resilience and shift the focus away from reactive disaster spending towards research-supported and risk-driven proactive investment in critical infrastructure cyber resilience;

(10) Congress has worked diligently to establish the Cybersecurity and Infrastructure Security Agency, creating a new agency that can leverage broad authorities to receive and share information, provide technical assistance to operators, and partner with stakeholders across the executive branch, State and local communities, and the private sector;

(11) the Cybersecurity and Infrastructure Security Agency requires strengthening in its mission to ensure the national resilience of critical infrastructure, promote a more secure cyber ecosystem, and serve as the central coordinating element to support and integrate Federal, State, local, and private-sector cybersecurity efforts; and

(12) the Cybersecurity and Infrastructure Security Agency requires further resource investment and clear authorities to realize its full potential.

(b) AMENDMENTS.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended—

(1) in section 2202(c) (6 U.S.C. 652(c))—

(A) in paragraph (11), by striking ''and'' at the end;

(B) in the first paragraph designated as paragraph (12), relating to the Cybersecurity State Coordinator—

(i) by striking ''section 2215'' and inserting ''section 2217''; and

(ii) by striking ''and'' at the end; and

(C) by redesignating the second and third paragraphs designated as paragraph (12) as paragraphs (13) and (14), respectively;

(2) by redesignating section 2218, as added by section 70612 of this Act, as section 2220A;

(3) by redesignating section 2217 (6 U.S.C. 665f) as section 2220;

(4) by redesignating section 2216 (6 U.S.C. 665e) as section 2219;

(5) by redesignating the fourth section 2215 (relating to Sector Risk Management Agencies) (6 U.S.C. 665d) as section 2218;

(6) by redesignating the third section 2215 (relating to the Cybersecurity State Coordinator) (6 U.S.C. 665c) as section 2217;

(7) by redesignating the second section 2215 (relating to the Joint Cyber Planning Office) (6 U.S.C. 665b) as section 2216; and

(8) by adding at the end the following:

''SEC. 2220B. NATIONAL CYBER RESILIENCE ASSISTANCE FUND.

''(a) DEFINITIONS.—In this section:

''(1) CYBERSECURITY RISK.—The term 'cybersecurity risk' has the meaning given that term in section 2209.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that meets the guidelines and requirements for eligible entities established by the Secretary under subsection (d)(4).

''(3) FUND.—The term 'Fund' means the National Cyber Resilience Assistance Fund established under subsection (c).

''(4) NATIONAL CRITICAL FUNCTIONS.—The term 'national critical functions' means the functions of government and the private sector so vital to the United States that their disruption, corruption, or dysfunction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof.

''(b) CREATION OF A CRITICAL INFRASTRUCTURE RESILIENCE STRATEGY AND A NATIONAL RISK MANAGEMENT CYCLE.—

''(1) INITIAL RISK IDENTIFICATION AND ASSESSMENT.—

''(A) IN GENERAL.—The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.

''(B) CONSULTATION.—In establishing the process required under subparagraph (A), the Secretary shall coordinate with the heads of Sector Risk Management Agencies and consult with critical infrastructure owners and operators and the National Cyber Director.

''(C) PUBLICATION.—Not later than 180 days after the date of enactment of this section, the Secretary shall publish in the Federal Register procedures for the process established under subparagraph (A).

''(D) REPORT.—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the President, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on the risks identified by the process established under subparagraph (A).

''(2) INITIAL NATIONAL CRITICAL INFRASTRUCTURE RESILIENCE STRATEGY.—

''(A) IN GENERAL.—Not later than 1 year after the date on which the Secretary delivers the report required under paragraph (1)(D), the President shall deliver to majority and minority leaders of the Senate, the Speaker and minority leader of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a national critical infrastructure resilience strategy designed to address the risks identified by the Secretary.

''(B) ELEMENTS.—In the strategy delivered under subparagraph (A), the President shall—

''(i) identify, assess, and prioritize areas of risk to critical infrastructure that would compromise, disrupt, or impede the ability of the critical infrastructure to support the national critical functions of national security, economic security, or public health and safety;

''(ii) identify and outline current and proposed national-level actions, programs, and efforts to be taken to address the risks identified;

''(iii) identify the Federal departments or agencies responsible for leading each national-level action, program, or effort and the relevant critical infrastructure sectors for each;

''(iv) outline the budget plan required to provide sufficient resources to successfully execute the full range of activities proposed or described by the strategy; and

''(v) request any additional authorities or resources necessary to successfully execute the strategy.

''(C) FORM.—The strategy delivered under subparagraph (A) shall be unclassified, but may contain a classified annex.

''(3) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date on which the President delivers the strategy under subparagraph (A), and every year thereafter, the Secretary, in coordination with the heads of Sector Risk Management Agencies, shall brief the appropriate congressional committees on the national risk management cycle activities undertaken pursuant to the strategy.

''(4) FIVE YEAR RISK MANAGEMENT CYCLE.—

''(A) RISK IDENTIFICATION AND ASSESSMENT.—Under procedures established by the Secretary, the Secretary shall repeat the conducting and reporting of the risk identification and assessment required under paragraph (1), in accordance with the requirements in paragraph (1), every 5 years.

''(B) STRATEGY.—Under procedures established by the President, the President shall repeat the preparation and delivery of the critical infrastructure resilience strategy required under paragraph (2), in accordance with the requirements in paragraph (2), every 5 years, which shall also include assessing the implementation of the previous national critical infrastructure resilience strategy.

''(c) ESTABLISHMENT OF THE NATIONAL CYBER RESILIENCE ASSISTANCE FUND.—There is established in the Treasury of the United States a fund, to be known as the 'National Cyber Resilience Assistance Fund', which shall be available for the cost of risk-based grant programs focused on systematically increasing the resilience of public and private critical infrastructure against cybersecurity risk, thereby increasing the overall resilience of the United States.

''(d) ADMINISTRATION OF GRANTS FROM THE NATIONAL CYBER RESILIENCE ASSISTANCE FUND.—

''(1) IN GENERAL.—In accordance with this section, the Secretary, acting through the Administrator of the Federal Emergency Management Agency and the Director, shall develop and administer processes to—

''(A) establish focused grant programs to address identified areas of cybersecurity risk to, and bolster the resilience of, critical infrastructure;

''(B) accept and evaluate applications for each such grant program;

''(C) award grants under each such grant program; and

''(D) disburse amounts from the Fund.

''(2) ESTABLISHMENT OF RISK-FOCUSED GRANT PROGRAMS.—

''(A) ESTABLISHMENT.—

''(i) IN GENERAL.—The Secretary, acting through the Director and the Administrator of the Federal Emergency Management Agency, may establish not less than 1 grant program focused on mitigating an identified category of cybersecurity risk identified under the national risk management cycle and critical infrastructure resilience strategy under subsection (b) in order to bolster the resilience of critical infrastructure within the United States.

''(ii) SELECTION OF FOCUS AREA.—Before selecting a focus area for a grant program pursuant to this subparagraph, the Director shall ensure—

''(I) there is a clearly-defined cybersecurity risk identified through the national risk management cycle and critical infrastructure resilience strategy under subsection (b) to be mitigated;

''(II) market forces do not provide sufficient private-sector incentives to mitigate the risk without Government investment; and

''(III) there is clear Federal need, role, and responsibility to mitigate the risk in order to bolster the resilience of critical infrastructure.

''(B) FUNDING.—

''(i) RECOMMENDATION.—Beginning in the first fiscal year following the establishment of the Fund and each fiscal year thereafter, the Director shall—

''(I) assess the funds available in the Fund for the fiscal year; and

''(II) recommend to the Secretary the total amount to be made available from the Fund under each grant program established under this subsection.

''(ii) ALLOCATION.—After considering the recommendations made by the Director under clause (i) for a fiscal year, the Director shall allocate amounts from the Fund to each active grant program established under this subsection for the fiscal year.

''(3) USE OF FUNDS.—

''(A) IN GENERAL.—Amounts in the Fund shall be used to proactively mitigate risks identified through the national risk management cycle and critical infrastructure resilience strategy under subsection (b) before cyber incidents occur, through activities such as—

''(i) proactive vulnerability assessments and mitigation;

''(ii) defrayal of costs to invest in backup systems critical to mitigating national or economic security risks, as determined by the Federal Government, with cost-sharing from the recipient entity in accordance with subparagraph (B);

''(iii) defrayal of costs to invest in replacing vulnerable systems and assets critical to mitigating national or economic security risks, as determined by the Federal Government, with more secure alternatives with cost-sharing from the recipient entity in accordance with subparagraph (B);

''(iv) grants to nonprofit entities to develop publicly available low-cost or no-cost cybersecurity tools for small-sized and medium-sized entities;

''(v) proactive threat detection and hunting; and

''(vi) network protections.

''(B) FEDERAL SHARE.—The Federal share of the cost of an activity described in clause (ii) or (iii) of subparagraph (A) carried out using funds made available under this section may not exceed—

''(i) for fiscal year 2022, 90 percent;

''(ii) for fiscal year 2023, 80 percent;

''(iii) for fiscal year 2024, 70 percent;

''(iv) for fiscal year 2025, 60 percent; and

''(v) for fiscal year 2026, and each fiscal year thereafter, 50 percent.

''(4) ELIGIBLE ENTITIES.—

''(A) GUIDELINES AND REQUIREMENTS.—

''(i) IN GENERAL.—In accordance with clause (ii), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives a set of guidelines and requirements for determining the entities that are eligible entities.

''(ii) DEADLINES.—The Secretary shall submit the guidelines and requirements under clause (i)—

''(I) not later than 180 days after the date of enactment of this section, and every 2 years thereafter; and

''(II) not later than 90 days before the date on which the Secretary implements the guidelines and requirements.

''(B) CONSIDERATIONS.—In developing guidelines and requirements for eligible entities under subparagraph (A), the Secretary shall consider—

''(i) number of employees;

''(ii) annual revenue;

''(iii) existing entity cybersecurity spending;

''(iv) current cyber risk assessments, including credible threats, vulnerabilities, and consequences; and

''(v) entity capacity to invest in mitigating cybersecurity risk absent assistance from the Federal Government.

''(5) LIMITATION.—For any fiscal year, an eligible entity may not receive more than 1 grant from each grant program established under this subsection.

''(6) GRANT PROCESSES.—The Secretary, acting through the Administrator of the Federal Emergency Management Agency, shall require the submission of such information as the Secretary determines is necessary to—

''(A) evaluate a grant application against the criteria established under this section;

''(B) disburse grant funds;

''(C) provide oversight of disbursed grant funds; and

''(D) evaluate the effectiveness of the funded project in increasing the overall resilience of the United States with respect to cybersecurity risks.

''(7) GRANT CRITERIA.—For each grant program established under this subsection, the Director, in coordination with the Administrator of the Federal Emergency Management Agency and the heads of appropriate Sector Risk Management Agencies, shall develop and publish criteria for evaluating applications for funding, which shall include—

''(A) whether the application identifies a clearly-defined cybersecurity risk;

''(B) whether the cybersecurity risk identified in the grant application poses a substantial threat to critical infrastructure;

''(C) whether the application identifies a program or project clearly designed to mitigate a cybersecurity risk;

''(D) the potential consequences of leaving the identified cybersecurity risk unmitigated, including the potential impact to the critical functions and overall resilience of the nation; and

''(E) other appropriate factors identified by the Director.

''(8) EVALUATION OF GRANTS APPLICATIONS.—

''(A) IN GENERAL.—Utilizing the criteria established under paragraph (7), the Director, in coordination with the Administrator of the Federal Emergency Management Agency and the heads of appropriate Sector Risk Management Agencies, shall evaluate grant applications made under each grant program established under this subsection.

''(B) RECOMMENDATION.—Following the evaluations required under subparagraph (A), the Director shall recommend to the Secretary applications for approval, including the amount of funding recommended for each such approval.

''(9) AWARD OF GRANT FUNDING.—The Secretary shall—

''(A) review the recommendations of the Director prepared pursuant to paragraph (8);

''(B) provide a final determination of grant awards to the Administrator of the Federal Emergency Management Agency to be disbursed and administered under the process established under paragraph (6); and

''(C) provide to the heads of Sector Risk Management Agencies notice of the eligible entities receiving grant awards and intended uses of funds under the grants.

''(e) EVALUATION OF GRANT PROGRAMS UTILIZING THE NATIONAL CYBER RESILIENCE ASSISTANCE FUND.—

''(1) EVALUATION.—The Secretary shall establish a process to evaluate the effectiveness and efficiency of grants distributed under this section and develop appropriate updates, as needed, to the grant programs.

''(2) ANNUAL REPORT.—Not later than 180 days after the conclusion of the first fiscal year in which grants are awarded under this section, and every fiscal year thereafter, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives a report detailing the grants awarded from the Fund, the status of projects undertaken with the grant funds, any planned changes to the disbursement methodology of the Fund, measurements of success, and total outlays from the Fund.

''(3) GRANT PROGRAM REVIEW.—

''(A) ANNUAL ASSESSMENT.—Before the start of the second fiscal year in which grants are awarded under this section, and every fiscal year thereafter, the Director shall assess the grant programs established under this section and determine—

''(i) for the coming fiscal year—

''(I) whether new grant programs with additional focus areas should be created;

''(II) whether any existing grant program should be discontinued; and

''(III) whether the scope of any existing grant program should be modified; and

''(ii) the success of the grant programs in the prior fiscal year.

''(B) SUBMISSION TO CONGRESS.—Not later than 90 days before the start of the second fiscal year in which grants are awarded under this section, and every fiscal year thereafter, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives the assessment conducted pursuant to subparagraph (A) and any planned alterations to the grant program for the coming fiscal year.

''(f) LIMITATION ON USE OF GRANT FUNDS.—Funds awarded pursuant to this section—

''(1) shall supplement and not supplant State or local funds or, as applicable, funds supplied by the Bureau of Indian Affairs; and

''(2) may not be used—

''(A) to provide any Federal cost-sharing contribution on behalf of a State or local government;

''(B) to pay a ransom;

''(C) by or for a non-United States entity; or

''(D) for any recreational or social purpose.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2022 through 2026.

''(h) TRANSFERS AUTHORIZED.—During a fiscal year, the Secretary or the head of any component of the Department that administers the State and Local Cybersecurity Grant Program may transfer not more than 5 percent of the amounts appropriated pursuant to subsection (g) or other amounts appropriated to carry out the National Cyber Resilience Assistance Fund for that fiscal year to an account of the Department for salaries, expenses, and other administrative costs incurred for the management, administration, or evaluation of this section.

''(i) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 1 year after the date of the enactment of this section, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs in the Senate and the Committee on Homeland Security in the House of Representatives a report containing the results of a study regarding the effectiveness of the programs described in this section.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by striking the item relating to section 2214 and all that follows through the item relating to section 2218, as added by section 70612 of this Act, and inserting the following:

''Sec. 2214. National Asset Database.
''Sec. 2215. Duties and authorities relating to .gov internet domain.
''Sec. 2216. Joint Cyber Planning Office.
''Sec. 2217. Cybersecurity State Coordinator.
''Sec. 2218. Sector Risk Management Agencies.
''Sec. 2219. Cybersecurity Advisory Committee.
''Sec. 2220. Cybersecurity education and training programs.
''Sec. 2220A. State and Local Cybersecurity Grant Program.
''Sec. 2220B. National Cyber Resilience Assistance Fund.''.

(2) ADDITIONAL TECHNICAL AMENDMENT.—

(A) AMENDMENT.—Section 904(b)(1) of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260) is amended, in the matter preceding subparagraph (A), by striking ''Homeland Security Act'' and inserting ''Homeland Security Act of 2002''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116–260).

SA 2639. 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 under any division of this Act (including an amendment made by any division of this Act) 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 under any division of this Act 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 2640. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 2620 submitted by Ms. SINEMA 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 2, line 15, strike ''placed''.

SA 2641. Ms. MURKOWSKI (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. 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 1592, strike lines 6 through 13 and insert the following:

''(2) is 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)''.

SA 2642. Mr. INHOFE (for himself and 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 2095, strike lines 18 through 20.

SA 2643. Mr. INHOFE (for himself and 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 2149, lines 11 and 12, strike ''gender identity, sexual orientation,''.

SA 2644. Mr. WARNER (for himself 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 5 though 18 and insert the following:

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed, and statements required to be furnished, after December 31, 2023.

(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, without providing other functions or services, 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 2645. Mr. WARNER (for himself 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, without providing other functions or services, 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 2646. Mr. INHOFE (for himself and 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:

Beginning on page 2095, strike line 18 and all that follows through line 2 on page 2150 and insert the following:

(15) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

(16) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education''—

(A) has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); and

(B) includes a postsecondary vocational institution.

(17) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 8101(30) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(30)).

(18) POSTSECONDARY VOCATIONAL INSTITUTION.—The term ''postsecondary vocational institution'' has the meaning given the term in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c)).

(19) RURAL AREA.—The term ''rural area'' has the meaning given the term in section 601(b)(3) of the Rural Electrification Act of 1936 (7 U.S.C. 950bb(b)(3)).

(20) STATE.—The term ''State'' means—

(A) any State of the United States;

(B) the District of Columbia; and

(C) the Commonwealth of Puerto Rico.

(21) VETERAN.—The term ''veteran'' has the meaning given the term in section 101 of title 38, United States Code.

(22) WORKFORCE DEVELOPMENT PROGRAM.—The term ''workforce development program'' has the meaning given the term in section 3(66) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(66)).

SEC. 60303. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) a broadband connection and digital literacy are increasingly critical to how individuals—

(A) participate in the society, economy, and civic institutions of the United States; and

(B) access health care and essential services, obtain education, and build careers;

(2) digital exclusion—

(A) carries a high societal and economic cost;

(B) materially harms the opportunity of an individual with respect to the economic success, educational achievement, positive health outcomes, social inclusion, and civic engagement of that individual; and

(C) exacerbates existing wealth and income gaps, especially those experienced by covered populations;

(3) achieving digital equity for all people of the United States requires additional and sustained investment and research efforts;

(4) the Federal Government, as well as State, tribal, territorial, and local governments, have made social, legal, and economic obligations that necessarily extend to how the citizens and residents of those governments access and use the internet; and

(5) achieving digital equity is a matter of social and economic justice and is worth pursuing.

SEC. 60304. STATE DIGITAL EQUITY CAPACITY GRANT PROGRAM.

(a) ESTABLISHMENT; PURPOSE.—

(1) IN GENERAL.—The Assistant Secretary shall establish in the Department of Commerce the State Digital Equity Capacity Grant Program (referred to in this section as the ''Program'')—

(A) the purpose of which is to promote the achievement of digital equity, support digital inclusion activities, and build capacity for efforts by States relating to the adoption of broadband by residents of those States;

(B) through which the Assistant Secretary shall make grants to States in accordance with the requirements of this section; and

(C) which shall ensure that States have the capacity to promote the achievement of digital equity and support digital inclusion activities.

(2) CONSULTATION WITH OTHER FEDERAL AGENCIES; NO CONFLICT.—In establishing the Program under paragraph (1), the Assistant Secretary shall—

(A) consult with—

(i) the Secretary of Agriculture;

(ii) the Secretary of Housing and Urban Development;

(iii) the Secretary of Education;

(iv) the Secretary of Labor;

(v) the Secretary of Health and Human Services;

(vi) the Secretary of Veterans Affairs;

(vii) the Secretary of the Interior;

(viii) the Federal Communications Commission;

(ix) the Federal Trade Commission;

(x) the Director of the Institute of Museum and Library Services;

(xi) the Administrator of the Small Business Administration;

(xii) the Federal Co-Chair of the Appalachian Regional Commission; and

(xiii) the head of any other agency that the Assistant Secretary determines to be appropriate; and

(B) ensure that the Program complements and enhances, and does not conflict with, other Federal broadband initiatives and programs.

(b) ADMINISTERING ENTITY.—

(1) SELECTION; FUNCTION.—The governor (or equivalent official) of a State that wishes to be awarded a grant under this section shall, from among entities that are eligible under paragraph (2), select an administering entity for that State, which shall—

(A) serve as the recipient of, and administering agent for, any grant awarded to the State under this section;

(B) develop, implement, and oversee the State Digital Equity Plan for the State described in subsection (c);

(C) make subgrants to any entity described in subsection (c)(1)(D) that is located in the State in support of—

(i) the State Digital Equity Plan for the State; and

(ii) digital inclusion activities in the State generally; and

(D) serve as—

(i) an advocate for digital equity policy and digital inclusion activities; and

(ii) a repository of best practice materials regarding the policies and activities described in clause (i).

(2) ELIGIBLE ENTITIES.—Any of the following entities may serve as the administering entity for a State for the purposes of this section if the entity has demonstrated a capacity to administer the Program on a statewide level:

(A) The State, a political subdivision, agency, or instrumentality of the State, an Indian Tribe located in the State, an Alaska Native entity located in the State, or a Native Hawaiian organization located in the State.

(B) A foundation, corporation, institution, association, or coalition that is—

(i) a not-for-profit entity;

(ii) providing services in the State; and

(iii) not a school.

(C) A community anchor institution, other than a school, that is located in the State.

(D) A local educational agency that is located in the State.

(E) An entity located in the State that carries out a workforce development program.

(F) An agency of the State that is responsible for administering or supervising adult

education and literacy activities in the State.

(G) A public or multi-family housing authority that is located in the State.

(H) A partnership between any of the entities described in subparagraphs (A) through (G).

(c) STATE DIGITAL EQUITY PLAN.—

(1) DEVELOPMENT; CONTENTS.—A State that wishes to be awarded a grant under subsection (d) shall develop a State Digital Equity Plan for the State, which shall include—

(A) the identification of the barriers to digital equity faced by covered populations in the State;

(B) measurable objectives for documenting and promoting, among each group described in subparagraphs (A) through (H) of section 60302(8) located in that State—

(i) the availability of, and affordability of access to, fixed and wireless broadband technology;

(ii) the online accessibility and inclusivity of public resources and services;

(iii) digital literacy;

(iv) awareness of, and the use of, measures to secure the online privacy of, and cybersecurity with respect to, an individual; and

(v) the availability and affordability of consumer devices and technical support for those devices;

(C) an assessment of how the objectives described in subparagraph (B) will impact and interact with the State's—

(i) economic and workforce development goals, plans, and outcomes;

(ii) educational outcomes;

(iii) health outcomes;

(iv) civic and social engagement; and

(v) delivery of other essential services;

(D) in order to achieve the objectives described in subparagraph (B), a description of how the State plans to collaborate with key stakeholders in the State, which may include—

(i) community anchor institutions;

(ii) county and municipal governments;

(iii) local educational agencies;

(iv) where applicable, Indian Tribes, Alaska Native entities, or Native Hawaiian organizations;

(v) nonprofit organizations;

(vi) organizations that represent—

(I) individuals with disabilities, including organizations that represent children with disabilities;

(II) aging individuals;

(III) individuals with language barriers, including—

(aa) individuals who are English learners; and

(bb) individuals who have low levels of literacy;

(IV) veterans; and

(V) individuals in that State who are incarcerated in facilities other than Federal correctional facilities;

(vii) civil rights organizations;

(viii) entities that carry out workforce development programs;

(ix) agencies of the State that are responsible for administering or supervising adult education and literacy activities in the State;

(x) public housing authorities in the State; and

(xi) a partnership between any of the entities described in clauses (i) through (x); and

(E) a list of organizations with which the administering entity for the State collaborated in developing and implementing the Plan.

(2) PUBLIC AVAILABILITY.—

(A) IN GENERAL.—The administering entity for a State shall make the State Digital Equity Plan of the State available for public comment for a period of not less than 30 days before the date on which the State submits an application to the Assistant Secretary under subsection (d)(2).

(B) CONSIDERATION OF COMMENTS RECEIVED.—The administering entity for a State shall, with respect to an application submitted to the Assistant Secretary under subsection (d)(2)—

(i) before submitting the application—

(I) consider all comments received during the comment period described in subparagraph (A) with respect to the application (referred to in this subparagraph as the ''comment period''); and

(II) make any changes to the plan that the administering entity determines to be worthwhile; and

(ii) when submitting the application—

(I) describe any changes pursued by the administering entity in response to comments received during the comment period; and

(II) include a written response to each comment received during the comment period.

(3) PLANNING GRANTS.—

(A) IN GENERAL.—Beginning in the first fiscal year that begins after the date of enactment of this Act, the Assistant Secretary shall, in accordance with the requirements of this paragraph, award planning grants to States for the purpose of developing the State Digital Equity Plans of those States under this subsection.

(B) ELIGIBILITY.—In order to be awarded a planning grant under this paragraph, a State—

(i) shall submit to the Assistant Secretary an application under subparagraph (C); and

(ii) may not have been awarded, at any time, a planning grant under this paragraph.

(C) APPLICATION.—A State that wishes to be awarded a planning grant under this paragraph shall, not later than 60 days after the date on which the notice of funding availability with respect to the grant is released, submit to the Assistant Secretary an application, in a format to be determined by the Assistant Secretary, that contains the following materials:

(i) A description of the entity selected to serve as the administering entity for the State, as described in subsection (b).

(ii) A certification from the State that, not later than 1 year after the date on which the Assistant Secretary awards the planning grant to the State, the administering entity for that State shall develop a State Digital Equity Plan under this subsection, which—

(I) the administering entity shall submit to the Assistant Secretary; and

(II) shall comply with the requirements of this subsection, including the requirement under paragraph (2)(B).

(iii) The assurances required under subsection (e).

(D) AWARDS.—

(i) AMOUNT OF GRANT.—A planning grant awarded to an eligible State under this paragraph shall be determined according to the formula under subsection (d)(3)(A)(i).

(ii) DURATION.—

(I) IN GENERAL.—Except as provided in subclause (II), with respect to a planning grant awarded to an eligible State under this paragraph, the State shall expend the grant funds during the 1-year period beginning on the date on which the State is awarded the grant funds.

(II) EXCEPTION.—The Assistant Secretary may grant an extension of not longer than 180 days with respect to the requirement under subclause (I).

(iii) CHALLENGE MECHANISM.—The Assistant Secretary shall ensure that any eligible State to which a planning grant is awarded under this paragraph may appeal or otherwise challenge in a timely fashion the amount of the grant awarded to the State, as determined under clause (i).

(E) USE OF FUNDS.—An eligible State to which a planning grant is awarded under this paragraph shall, through the administering entity for that State, use the grant funds only for the following purposes:

(i) To develop the State Digital Equity Plan of the State under this subsection.

(ii)(I) Subject to subclause (II), to make subgrants to any of the entities described in paragraph (1)(D) to assist in the development of the State Digital Equity Plan of the State under this subsection.

(II) If the administering entity for a State makes a subgrant described in subclause (I), the administering entity shall, with respect to the subgrant, provide to the State the assurances required under subsection (e).

(d) STATE CAPACITY GRANTS.—

(1) IN GENERAL.—Beginning not later than 2 years after the date on which the Assistant Secretary begins awarding planning grants under subsection (c)(3), the Assistant Secretary shall each year award grants to eligible States to support—

(A) the implementation of the State Digital Equity Plans of those States; and

(B) digital inclusion activities in those States.

(2) APPLICATION.—A State that wishes to be awarded a grant under this subsection shall, not later than 60 days after the date on which the notice of funding availability with respect to the grant is released, submit to the Assistant Secretary an application, in a format to be determined by the Assistant Secretary, that contains the following materials:

(A) A description of the entity selected to serve as the administering entity for the State, as described in subsection (b).

(B) The State Digital Equity Plan of that State, as described in subsection (c).

(C) A certification that the State, acting through the administering entity for the State, shall—

(i) implement the State Digital Equity Plan of the State; and

(ii) make grants in a manner that is consistent with the aims of the Plan described in clause (i).

(D) The assurances required under subsection (e).

(E) In the case of a State to which the Assistant Secretary has previously awarded a grant under this subsection, any amendments to the State Digital Equity Plan of that State, as compared with the State Digital Equity Plan of the State previously submitted.

(3) AWARDS.—

(A) AMOUNT OF GRANT.—

(i) FORMULA.—Subject to clauses (ii), (iii), and (iv), the Assistant Secretary shall calculate the amount of a grant awarded to an eligible State under this subsection in accordance with the following criteria, using the best available data for all States for the fiscal year in which the grant is awarded:

(I) 50 percent of the total grant amount shall be based on the population of the eligible State in proportion to the total population of all eligible States.

(II) 25 percent of the total grant amount shall be based on the number of individuals in the eligible State who are members of covered populations in proportion to the total number of individuals in all eligible States who are members of covered populations.

(III) 25 percent of the total grant amount shall be based on the comparative lack of availability and adoption of broadband in the eligible State in proportion to the lack of availability and adoption of broadband of all eligible States, which shall be determined according to data collected from—

(aa) the annual inquiry of the Federal Communications Commission conducted under section 706(b) of the Telecommunications Act of 1996 (47 U.S.C. 1302(b));

(bb) the American Community Survey or, if necessary, other data collected by the Bureau of the Census;

(cc) the NTIA Internet Use Survey, which is administered as the Computer and Internet Use Supplement to the Current Population Survey of the Bureau of the Census; and

(dd) any other source that the Assistant Secretary, after appropriate notice and opportunity for public comment, determines to be appropriate.

(ii) MINIMUM AWARD.—The amount of a grant awarded to an eligible State under this subsection in a fiscal year shall be not less than 0.5 percent of the total amount made available to award grants to eligible States for that fiscal year.

(iii) ADDITIONAL AMOUNTS.—If, after awarding planning grants to States under subsection (c)(3) and capacity grants to eligible States under this subsection in a fiscal year, there are amounts remaining to carry out this section, the Assistant Secretary shall distribute those amounts—

(I) to eligible States to which the Assistant Secretary has awarded grants under this subsection for that fiscal year; and

(II) in accordance with the formula described in clause (i).

(iv) DATA UNAVAILABLE.—If, in a fiscal year, the Commonwealth of Puerto Rico (referred to in this clause as ''Puerto Rico'') is an eligible State and specific data for Puerto Rico is unavailable for a factor described in subclause (I), (II), or (II) of clause (i), the Assistant Secretary shall use the median data point with respect to that factor among all eligible States and assign it to Puerto Rico for the purposes of making any calculation under that clause for that fiscal year.

(B) DURATION.—With respect to a grant awarded to an eligible State under this subsection, the eligible State shall expend the grant funds during the 5-year period beginning on the date on which the eligible State is awarded the grant funds.

(C) CHALLENGE MECHANISM.—The Assistant Secretary shall ensure that any eligible State to which a grant is awarded under this subsection may appeal or otherwise challenge in a timely fashion the amount of the grant awarded to the State, as determined under subparagraph (A).

(D) USE OF FUNDS.—The administering entity for an eligible State to which a grant is awarded under this subsection shall use the grant amounts for the following purposes:

(i)(I) Subject to subclause (II), to update or maintain the State Digital Equity Plan of the State.

(II) An administering entity for an eligible State to which a grant is awarded under this subsection may use not more than 20 percent of the amount of the grant for the purpose described in subclause (I).

(ii) To implement the State Digital Equity Plan of the State.

(iii)(I) Subject to subclause (II), to award a grant to any entity that is described in section 60305(b) and is located in the eligible State in order to—

(aa) assist in the implementation of the State Digital Equity Plan of the State;

(bb) pursue digital inclusion activities in the State consistent with the State Digital Equity Plan of the State; and

(cc) report to the State regarding the digital inclusion activities of the entity.

(II) Before an administering entity for an eligible State may award a grant under subclause (I), the administering entity shall require the entity to which the grant is awarded to certify that—

(aa) the entity shall carry out the activities required under items (aa), (bb), and (cc) of that subclause;

(bb) the receipt of the grant shall not result in unjust enrichment of the entity; and

(cc) the entity shall cooperate with any evaluation—

(AA) of any program that relates to a grant awarded to the entity; and

(BB) that is carried out by or for the administering entity, the Assistant Secretary, or another Federal official.

(iv)(I) Subject to subclause (II), to evaluate the efficacy of the efforts funded by grants made under clause (iii).

(II) An administering entity for an eligible State to which a grant is awarded under this subsection may use not more than 5 percent of the amount of the grant for a purpose described in subclause (I).

(v)(I) Subject to subclause (II), for the administrative costs incurred in carrying out the activities described in clauses (i) through (iv).

(II) An administering entity for an eligible State to which a grant is awarded under this subsection may use not more than 3 percent of the amount of the grant for a purpose described in subclause (I).

(e) ASSURANCES.—When applying for a grant under this section, a State shall include in the application for that grant assurances that—

(1) if an entity described in section 60305(b) is awarded grant funds under this section (referred to in this subsection as a ''covered recipient''), provide that—

(A) the covered recipient shall use the grant funds in accordance with any applicable statute, regulation, and application procedure;

(B) the administering entity for that State shall adopt and use proper methods of administering any grant that the covered recipient is awarded, including by—

(i) enforcing any obligation imposed under law on any agency, institution, organization, or other entity that is responsible for carrying out the program to which the grant relates;

(ii) correcting any deficiency in the operation of a program to which the grant relates, as identified through an audit or another monitoring or evaluation procedure; and

(iii) adopting written procedures for the receipt and resolution of complaints alleging a violation of law with respect to a program to which the grant relates; and

(C) the administering entity for that State shall cooperate in carrying out any evaluation—

(i) of any program that relates to a grant awarded to the covered recipient; and

(ii) that is carried out by or for the Assistant Secretary or another Federal official;

(2) the administering entity for that State shall—

(A) use fiscal control and fund accounting procedures that ensure the proper disbursement of, and accounting for, any Federal funds that the State is awarded under this section;

(B) submit to the Assistant Secretary any reports that may be necessary to enable the Assistant Secretary to perform the duties of the Assistant Secretary under this section;

(C) maintain any records and provide any information to the Assistant Secretary, including those records, that the Assistant Secretary determines is necessary to enable the Assistant Secretary to perform the duties of the Assistant Secretary under this section; and

(D) with respect to any significant proposed change or amendment to the State Digital Equity Plan for the State, make the change or amendment available for public comment in accordance with subsection (c)(2); and

(3) the State, before submitting to the Assistant Secretary the State Digital Equity Plan of the State, has complied with the requirements of subsection (c)(2).

(f) TERMINATION OF GRANT.—

(1) IN GENERAL.—The Assistant Secretary shall terminate a grant awarded to an eligible State under this section if, after notice to the State and opportunity for a hearing, the Assistant Secretary—

(A) presents to the State a rationale and supporting information that clearly demonstrates that—

(i) the grant funds are not contributing to the development or execution of the State Digital Equity Plan of the State, as applicable; and

(ii) the State is not upholding assurances made by the State to the Assistant Secretary under subsection (e); and

(B) determines that the grant is no longer necessary to achieve the original purpose for which Assistant Secretary awarded the grant.

(2) REDISTRIBUTION.—If the Assistant Secretary, in a fiscal year, terminates a grant under paragraph (1), the Assistant Secretary shall redistribute the unspent grant amounts—

(A) to eligible States to which the Assistant Secretary has awarded grants under subsection (d) for that fiscal year; and

(B) in accordance with the formula described in subsection (d)(3)(A)(i).

(g) REPORTING AND INFORMATION REQUIREMENTS; INTERNET DISCLOSURE.—The Assistant Secretary—

(1) shall—

(A) require any entity to which a grant, including a subgrant, is awarded under this section to publicly report, for each year during the period described in subsection (c)(3)(D)(ii) or (d)(3)(B), as applicable, with respect to the grant, and in a format specified by the Assistant Secretary, on—

(i) the use of that grant by the entity;

(ii) the progress of the entity towards fulfilling the objectives for which the grant was awarded; and

(iii) the implementation of the State Digital Equity Plan of the State;

(B) establish appropriate mechanisms to ensure that each eligible State to which a grant is awarded under this section—

(i) uses the grant amounts in an appropriate manner; and

(ii) complies with all terms with respect to the use of the grant amounts; and

(C) create and maintain a fully searchable database, which shall be accessible on the internet at no cost to the public, that contains, at a minimum—

(i) the application of each State that has applied for a grant under this section;

(ii) the status of each application described in clause (i);

(iii) each report submitted by an entity under subparagraph (A);

(iv) a record of public comments made regarding the State Digital Equity Plan of a State, as well as any written responses to or actions taken as a result of those comments; and

(v) any other information that is sufficient to allow the public to understand and monitor grants awarded under this section; and

(2) may establish additional reporting and information requirements for any recipient of a grant under this section.

(h) SUPPLEMENT NOT SUPPLANT.—A grant or subgrant awarded under this section shall supplement, not supplant, other Federal or State funds that have been made available to carry out activities described in this section.

(i) SET ASIDES.—From amounts made available in a fiscal year to carry out the

Program, the Assistant Secretary shall reserve—

(1) not more than 5 percent for the implementation and administration of the Program, which shall include—

(A) providing technical support and assistance, including ensuring consistency in data reporting;

(B) providing assistance to—

(i) States, or administering entities for States, to prepare the applications of those States; and

(ii) administering entities with respect to grants awarded under this section; and

(C) developing the report required under section 60306(a);

(2) not less than 5 percent to award grants to, or enter into contracts or cooperative agreements with, Indian Tribes, Alaska Native entities, and Native Hawaiian organizations to allow those tribes, entities, and organizations to carry out the activities described in this section; and

(3) not less than 1 percent to award grants to, or enter into contracts or cooperative agreements with, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States that is not a State to enable those entities to carry out the activities described in this section.

(j) RULES.—The Assistant Secretary may prescribe such rules as may be necessary to carry out this section.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) $60,000,000 for the award of grants under subsection (c)(3), which shall remain available until expended;

(2) for the award of grants under subsection (d)—

(A) $240,000,000 for fiscal year 2022; and

(B) $300,000,000 for each of fiscal years 2023 through 2026; and

(3) such sums as may be necessary to carry out this section for each fiscal year after the end of the 5-fiscal year period described in paragraph (2).

SEC. 60305. DIGITAL EQUITY COMPETITIVE GRANT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 30 days after the date on which the Assistant Secretary begins awarding grants under section 60304(d), and not before that date, the Assistant Secretary shall establish in the Department of Commerce the Digital Equity Competitive Grant Program (referred to in this section as the ''Program''), the purpose of which is to award grants to support efforts to achieve digital equity, promote digital inclusion activities, and spur greater adoption of broadband among covered populations.

(2) CONSULTATION; NO CONFLICT.—In establishing the Program under paragraph (1), the Assistant Secretary—

(A) may consult a State with respect to—

(i) the identification of groups described in subparagraphs (A) through (H) of section 60302(8) located in that State; and

(ii) the allocation of grant funds within that State for projects in or affecting the State; and

(B) shall—

(i) consult with—

(I) the Secretary of Agriculture;

(II) the Secretary of Housing and Urban Development;

(III) the Secretary of Education;

(IV) the Secretary of Labor;

(V) the Secretary of Health and Human Services;

(VI) the Secretary of Veterans Affairs;

(VII) the Secretary of the Interior;

(VIII) the Federal Communications Commission;

(IX) the Federal Trade Commission;

(X) the Director of the Institute of Museum and Library Services;

(XI) the Administrator of the Small Business Administration;

(XII) the Federal Co-Chair of the Appalachian Regional Commission; and

(XIII) the head of any other agency that the Assistant Secretary determines to be appropriate; and

(ii) ensure that the Program complements and enhances, and does not conflict with, other Federal broadband initiatives and programs.

(b) ELIGIBILITY.—The Assistant Secretary may award a grant under the Program to any of the following entities if the entity is not serving, and has not served, as the administering entity for a State under section 60304(b):

(1) A political subdivision, agency, or instrumentality of a State, including an agency of a State that is responsible for administering or supervising adult education and literacy activities, or for providing public housing, in the State.

(2) An Indian Tribe, an Alaska Native entity, or a Native Hawaiian organization.

(3) A foundation, corporation, institution, or association that is—

(A) a not-for-profit entity; and

(B) not a school.

(4) A community anchor institution.

(5) A local educational agency.

(6) An entity that carries out a workforce development program.

(7) A partnership between any of the entities described in paragraphs (1) through (6).

(8) A partnership between—

(A) an entity described in any of paragraphs (1) through (6); and

(B) an entity that—

(i) the Assistant Secretary, by rule, determines to be in the public interest; and

(ii) is not a school.

(c) APPLICATION.—An entity that wishes to be awarded a grant under the Program shall submit to the Assistant Secretary an application—

(1) at such time, in such form, and containing such information as the Assistant Secretary may require; and

(2) that—

(A) provides a detailed explanation of how the entity will use any grant amounts awarded under the Program to carry out the purposes of the Program in an efficient and expeditious manner;

(B) identifies the period in which the applicant will expend the grant funds awarded under the Program;

(C) includes—

(i) a justification for the amount of the grant that the applicant is requesting; and

(ii) for each fiscal year in which the applicant will expend the grant funds, a budget for the activities that the grant funds will support;

(D) demonstrates to the satisfaction of the Assistant Secretary that the entity—

(i) is capable of carrying out—

(I) the project or function to which the application relates; and

(II) the activities described in subsection (h)—

(aa) in a competent manner; and

(bb) in compliance with all applicable Federal, State, and local laws; and

(ii) if the applicant is an entity described in subsection (b)(1), shall appropriate or otherwise unconditionally obligate from non-Federal sources funds that are necessary to meet the requirements of subsection (e);

(E) discloses to the Assistant Secretary the source and amount of other Federal, State, or outside funding sources from which the entity receives, or has applied for, funding for activities or projects to which the application relates; and

(F) provides—

(i) the assurances that are required under subsection (f); and

(ii) an assurance that the entity shall follow such additional procedures as the Assistant Secretary may require to ensure that grant funds are used and accounted for in an appropriate manner.

(d) AWARD OF GRANTS.—

(1) FACTORS CONSIDERED IN AWARD OF GRANTS.—In deciding whether to award a grant under the Program, the Assistant Secretary shall, to the extent practicable, consider—

(A) whether an application shall, if approved—

(i) increase internet access and the adoption of broadband among covered populations to be served by the applicant; and

(ii) not result in unjust enrichment;

(B) the comparative geographic diversity of the application in relation to other eligible applications; and

(C) the extent to which an application may duplicate or conflict with another program.

(2) USE OF FUNDS.—

(A) IN GENERAL.—In addition to the activities required under subparagraph (B), an entity to which the Assistant Secretary awards a grant under the Program shall use the grant amounts to support not less than 1 of the following activities:

(i) To develop and implement digital inclusion activities that benefit covered populations.

(ii) To facilitate the adoption of broadband by covered populations in order to provide educational and employment opportunities to those populations.

(iii) To implement, consistent with the purposes of this title—

(I) training programs for covered populations that cover basic, advanced, and applied skills; or

(II) other workforce development programs.

(iv) To make available equipment, instrumentation, networking capability, hardware and software, or digital network technology for broadband services to covered populations at low or no cost.

(v) To construct, upgrade, expend, or operate new or existing public access computing centers for covered populations through community anchor institutions.

(vi) To undertake any other project and activity that the Assistant Secretary finds to be consistent with the purposes for which the Program is established.

(B) EVALUATION.—

(i) IN GENERAL.—An entity to which the Assistant Secretary awards a grant under the Program shall use not more than 10 percent of the grant amounts to measure and evaluate the activities supported with the grant amounts.

(ii) SUBMISSION TO ASSISTANT SECRETARY.—An entity to which the Assistant Secretary awards a grant under the Program shall submit to the Assistant Secretary each measurement and evaluation performed under clause (i)—

(I) in a manner specified by the Assistant Secretary;

(II) not later than 15 months after the date on which the entity is awarded the grant amounts; and

(III) annually after the submission described in subclause (II) for any year in which the entity expends grant amounts.

(C) ADMINISTRATIVE COSTS.—An entity to which the Assistant Secretary awards a grant under the Program may use not more than 10 percent of the amount of the grant for administrative costs in carrying out any of the activities described in subparagraph (A).

(D) TIME LIMITATIONS.—With respect to a grant awarded to an entity under the Program, the entity—

(i) except as provided in clause (ii), shall expend the grant amounts during the 4-year period beginning on the date on which the entity is awarded the grant amounts; and

(ii) during the 1-year period beginning on the date that is 4 years after the date on which the entity is awarded the grant amounts, may continue to measure and evaluate the activities supported with the grant amounts, as required under subparagraph (B).

(e) FEDERAL SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of any project for which the Assistant Secretary awards a grant under the Program may not exceed 90 percent.

(2) EXCEPTION.—The Assistant Secretary may grant a waiver with respect to the limitation on the Federal share of a project described in paragraph (1) if—

(A) the applicant with respect to the project petitions the Assistant Secretary for the waiver; and

(B) the Assistant Secretary determines that the petition described in subparagraph (A) demonstrates financial need.

(f) ASSURANCES.—When applying for a grant under this section, an entity shall include in the application for that grant assurances that the entity shall—

(1) use any grant funds that the entity is awarded—

(A) in accordance with any applicable statute, regulation, and application procedure; and

(B) to the extent required under applicable law;

(2) adopt and use proper methods of administering any grant that the entity is awarded, including by—

(A) enforcing any obligation imposed under law on any agency, institution, organization, or other entity that is responsible for carrying out a program to which the grant relates;

(B) correcting any deficiency in the operation of a program to which the grant relates, as identified through an audit or another monitoring or evaluation procedure; and

(C) adopting written procedures for the receipt and resolution of complaints alleging a violation of law with respect to a program to which the grant relates;

(3) cooperate with respect to any evaluation—

(A) of any program that relates to a grant awarded to the entity; and

(B) that is carried out by or for the Assistant Secretary or another Federal official;

(4) use fiscal control and fund accounting procedures that ensure the proper disbursement of, and accounting for, any Federal funds that the entity is awarded under the Program;

(5) submit to the Assistant Secretary any reports that may be necessary to enable the Assistant Secretary to perform the duties of the Assistant Secretary under the Program; and

(6) maintain any records and provide any information to the Assistant Secretary, including those records, that the Assistant Secretary determines is necessary to enable the Assistant Secretary to perform the duties of the Assistant Secretary under the Program.

(g) DEOBLIGATION OR TERMINATION OF GRANT.—In addition to other authority under applicable law, the Assistant Secretary may—

(1) deobligate or terminate a grant awarded to an entity under this section if, after notice to the entity and opportunity for a hearing, the Assistant Secretary—

(A) presents to the entity a rationale and supporting information that clearly demonstrates that—

(i) the grant funds are not being used in a manner that is consistent with the application with respect to the grant submitted by the entity under subsection (c); and

(ii) the entity is not upholding assurances made by the entity to the Assistant Secretary under subsection (f); and

(B) determines that the grant is no longer necessary to achieve the original purpose for which Assistant Secretary awarded the grant; and

(2) with respect to any grant funds that the Assistant Secretary deobligates or terminates under paragraph (1), competitively award the grant funds to another applicant, consistent with the requirements of this section.

(h) REPORTING AND INFORMATION REQUIREMENTS; INTERNET DISCLOSURE.—The Assistant Secretary—

(1) shall—

(A) require any entity to which the Assistant Secretary awards a grant under the Program to, for each year during the period described in subsection (d)(2)(D) with respect to the grant, submit to the Assistant Secretary a report, in a format specified by the Assistant Secretary, regarding—

(i) the amount of the grant;

(ii) the use by the entity of the grant amounts; and

(iii) the progress of the entity towards fulfilling the objectives for which the grant was awarded;

(B) establish mechanisms to ensure appropriate use of, and compliance with respect to all terms regarding, grant funds awarded under the Program;

(C) create and maintain a fully searchable database, which shall be accessible on the internet at no cost to the public, that contains, at a minimum—

(i) a list of each entity that has applied for a grant under the Program;

(ii) a description of each application described in clause (i), including the proposed purpose of each grant described in that clause;

(iii) the status of each application described in clause (i), including whether the Assistant Secretary has awarded a grant with respect to the application and, if so, the amount of the grant;

(iv) each report submitted by an entity under subparagraph (A); and

(v) any other information that is sufficient to allow the public to understand and monitor grants awarded under the Program; and

(D) ensure that any entity with respect to which an award is deobligated or terminated under subsection (g) may, in a timely manner, appeal or otherwise challenge that deobligation or termination, as applicable; and

(2) may establish additional reporting and information requirements for any recipient of a grant under the Program.

(i) SUPPLEMENT NOT SUPPLANT.—A grant awarded to an entity under the Program shall supplement, not supplant, other Federal or State funds that have been made available to the entity to carry out activities described in this section.

(j) SET ASIDES.—From amounts made available in a fiscal year to carry out the Program, the Assistant Secretary shall reserve—

(1) 5 percent for the implementation and administration of the Program, which shall include—

(A) providing technical support and assistance, including ensuring consistency in data reporting;

(B) providing assistance to entities to prepare the applications of those entities with respect to grants awarded under this section;

(C) developing the report required under section 60306(a); and

(D) conducting outreach to entities that may be eligible to be awarded a grant under the Program regarding opportunities to apply for such a grant;

(2) 5 percent to award grants to, or enter into contracts or cooperative agreements with, Indian Tribes, Alaska Native entities, and Native Hawaiian organizations to allow those tribes, entities, and organizations to carry out the activities described in this section; and

(3) 1 percent to award grants to, or enter into contracts or cooperative agreements with, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States that is not a State to enable those entities to carry out the activities described in this section.

(k) RULES.—The Assistant Secretary may prescribe such rules as may be necessary to carry out this section.

(l) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $250,000,000 for each of the first 5 fiscal years in which funds are made available to carry out this section; and

(2) such sums as may be necessary for each fiscal year after the end of the 5-fiscal year period described in paragraph (1).

SEC. 60306. POLICY RESEARCH, DATA COLLECTION, ANALYSIS AND MODELING, EVALUATION, AND DISSEMINATION.

(a) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than 1 year after the date on which the Assistant Secretary begins awarding grants under section 60304(d)(1), and annually thereafter, the Assistant Secretary shall—

(A) submit to the appropriate committees of Congress a report that documents, for the year covered by the report—

(i) the findings of each evaluation conducted under subparagraph (B);

(ii) a list of each grant awarded under each covered program, which shall include—

(I) the amount of each such grant;

(II) the recipient of each such grant; and

(III) the purpose for which each such grant was awarded;

(iii) any deobligation, termination, or modification of a grant awarded under the covered programs, which shall include a description of the subsequent usage of any funds to which such an action applies; and

(iv) each challenge made by an applicant for, or a recipient of, a grant under the covered programs and the outcome of each such challenge; and

(B) conduct evaluations of the activities carried out under the covered programs, which shall include an evaluation of—

(i) whether eligible States to which grants are awarded under the program established under section 60304 are—

(I) abiding by the assurances made by those States under subsection (e) of that section;

(II) meeting, or have met, the stated goals of the Digital Equity Plans developed by the States under subsection (c) of that section;

(III) satisfying the requirements imposed by the Assistant Secretary on those States under subsection (g) of that section; and

(IV) in compliance with any other rules, requirements, or regulations promulgated by the Assistant Secretary in implementing that program; and

(ii) whether entities to which grants are awarded under the program established under section 60305 are—

(I) abiding by the assurances made by those entities under subsection (f) of that section;

(II) meeting, or have met, the stated goals of those entities with respect to the use of the grant amounts;

(III) satisfying the requirements imposed by the Assistant Secretary on those States under subsection (h) of that section; and

(IV) in compliance with any other rules, requirements, or regulations promulgated by the Assistant Secretary in implementing that program.

(2) PUBLIC AVAILABILITY.—The Assistant Secretary shall make each report submitted under paragraph (1)(A) publicly available in an online format that—

(A) facilitates access and ease of use;

(B) is searchable; and

(C) is accessible—

(i) to individuals with disabilities; and

(ii) in languages other than English.

(b) AUTHORITY TO CONTRACT AND ENTER INTO OTHER ARRANGEMENTS.—The Assistant Secretary may award grants and enter into contracts, cooperative agreements, and other arrangements with Federal agencies, public and private organizations, and other entities with expertise that the Assistant Secretary determines appropriate in order to—

(1) evaluate the impact and efficacy of activities supported by grants awarded under the covered programs; and

(2) develop, catalog, disseminate, and promote the exchange of best practices, both with respect to and independent of the covered programs, in order to achieve digital equity.

(c) CONSULTATION AND PUBLIC ENGAGEMENT.—In carrying out subsection (a), and to further the objectives described in paragraphs (1) and (2) of subsection (b), the Assistant Secretary shall conduct ongoing collaboration and consult with—

(1) the Secretary of Agriculture;

(2) the Secretary of Housing and Urban Development;

(3) the Secretary of Education;

(4) the Secretary of Labor;

(5) the Secretary of Health and Human Services;

(6) the Secretary of Veterans Affairs;

(7) the Secretary of the Interior;

(8) the Federal Communications Commission;

(9) the Federal Trade Commission;

(10) the Director of the Institute of Museum and Library Services;

(11) the Administrator of the Small Business Administration;

(12) the Federal Co-Chair of the Appalachian Regional Commission;

(13) State agencies and governors of States (or equivalent officials);

(14) entities serving as administering entities for States under section 60304(b);

(15) national, State, tribal, and local organizations that provide digital inclusion, digital equity, or digital literacy services;

(16) researchers, academics, and philanthropic organizations; and

(17) other agencies, organizations (including international organizations), entities (including entities with expertise in the fields of data collection, analysis and modeling, and evaluation), and community stakeholders, as determined appropriate by the Assistant Secretary.

(d) TECHNICAL SUPPORT AND ASSISTANCE.—The Assistant Secretary shall provide technical support and assistance, assistance to entities to prepare the applications of those entities with respect to grants awarded under the covered programs, and other resources, to the extent practicable, to ensure consistency in data reporting and to meet the objectives of this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section, which shall remain available until expended.

SEC. 60307. GENERAL PROVISIONS.

(a) NONDISCRIMINATION.—

(1) IN GENERAL.—No individual in the United States may, on the basis of actual or perceived race, color, religion, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that is funded in whole or in part with funds made available to carry out this title.

(2) ENFORCEMENT.—The Assistant Secretary shall effectuate paragraph (1) with respect to any program or activity described in that paragraph by issuing regulations and taking actions consistent with section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–1).

(3) JUDICIAL REVIEW.—Judicial review of an action taken by the Assistant Secretary under paragraph (2) shall be available to the extent provided in section 603 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–2).

SA 2647. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. 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. _____. TARGETED MEANS-TESTED ASSISTANCE.

(a) IN GENERAL.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by inserting after section 1308A (42 U.S.C. 4015a) the following:

''SEC. 1308B. FLOOD INSURANCE ASSISTANCE.

''(a) DEFINITIONS.—In this section:

''(1) COVERED PROPERTY.—The term 'covered property' means—

''(A) a primary residential dwelling designed for the occupancy of from 1 to 4 families; or

''(B) personal property relating to a dwelling described in subparagraph (A).

''(2) ELIGIBLE POLICYHOLDER.—The term 'eligible policyholder' means a policyholder with a household income that is not more than 20 percent of the area median income for the area in which the property to which the policy applies is located.

''(3) HOUSING EXPENSES.—The term 'housing expenses' means, with respect to a household, the total amount that the household spends in a year on—

''(A) mortgage payments, and rent;

''(B) property taxes;

''(C) homeowners insurance; and

''(D) premiums for flood insurance under the national flood insurance program.

''(4) INSURANCE COSTS.—The term 'insurance costs' means, with respect to a covered property for a year—

''(A) risk premiums and fees estimated under section 1307 and charged under section 1308;

''(B) surcharges assessed under sections 1304 and 1308A; and

''(C) any amount established under section 1310A(c).

''(b) AUTHORITY.—Subject to the availability of appropriations, the Administrator is authorized to carry out a means-tested program under which the Administrator provides assistance to eligible policyholders in the form of graduated discounts for insurance costs with respect to covered properties.

''(c) ELIGIBILITY.—To determine eligibility for means-tested assistance under this section, the Administrator may require any of the following with respect to an eligible policyholder:

''(2) Income verification from the National Directory of New Hires established under section 453(i) of the Social Security Act (42 U.S.C. 653(i)).

''(3) A self-certification of eligibility by the eligible policyholder that is provided under penalty of perjury pursuant to section 1746 of title 28, United States Code.

''(4) Any other method identified by the Administrator in interim guidance, or a final rule, issued under subsection (e).

''(d) DISCOUNT.—The Administrator may establish graduated discounts available to eligible policyholders under this section, which may be based on the following factors:

''(1) The percentage by which the household income of an eligible policyholder is equal to, or less than, 120 percent of the area median income for the area in which the property to which the policy applies is located.

''(3) The number of eligible policyholders participating in the program established under this section.

''(4) The availability of funding.

''(5) Any other factor that the Administrator finds reasonable and necessary to carry out the purposes of this section.

''(e) IMPLEMENTATION.—

''(1) IN GENERAL.—The Administrator shall issue final rules to implement this section.

''(2) INTERIM GUIDANCE.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator shall issue interim guidance to implement this section, which shall—

''(i) include—

''(I) a description of how the Administrator will determine—

''(aa) eligibility for households to participate in the program established under this section; and

''(bb) assistance levels for eligible households to which assistance is provided under this section;

''(II) the methodology that the Administrator will use to determine the amount of assistance provided to eligible households under this section; and

''(III) any requirements to which eligible policyholders to which assistance is provided under this section will be subject; and

''(ii) expire on the later of—

''(I) the date that is 84 months after the date of enactment of this section; or

''(II) the date on which the final rules issued under paragraph (1) take effect.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) may be construed to preclude the Administrator from amending the interim guidance issued under that subparagraph.

''(f) COLLECTION OF DEMOGRAPHIC INFORMATION.—The Administrator, in order to evaluate and monitor the effectiveness of this section, and to comply with the reporting requirements under subsection (g), may request demographic information, and other information, with respect to an eligible policyholder to which assistance is provided under this section, which may include—

''(1) the income of the eligible policyholder, as compared with the area median income for the area in which the property to which the policy applies is located; and

''(2) demographic characteristics of the eligible policyholder, including the race and ethnicity of the eligible policyholder.

''(g) REPORTS TO CONGRESS.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this section, and biennially thereafter, the Administrator shall submit to Congress a report regarding the implementation and effectiveness of this section.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include information regarding, for the period covered by the report—

''(A) the distribution of household area median income for eligible policyholders to which assistance is provided under this section;

''(B) the number of eligible policyholders to which assistance is provided under this section, which shall be disaggregated by income and demographic characteristics;

''(C) the cost of providing assistance under this section; and

''(D) the average amount of assistance provided to an eligible policyholder under this section, which shall be disaggregated as described in subparagraph (B).

''(h) RISK COMMUNICATION.—For the purposes of the communication required under section 1308(l), the Administrator shall provide to an eligible policyholder to which assistance is provided under this section a full flood risk determination with respect to the property of the eligible policyholder, which shall reflect the insurance costs with respect to the property before that assistance is provided.

''(i) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $800,000,000 for each of fiscal years 2022 through 2025 to carry out this section.

''(2) NOTIFICATION.—If, in a fiscal year, the Administrator determines that the amount made available to carry out this section is insufficient to provide assistance under this section, the Administrator shall submit to Congress a notification of the remaining amounts necessary to provide that assistance for that fiscal year.

''(3) DISTRIBUTION OF PREMIUM.—With respect to the amount of the discounts provided under this section in a fiscal year, and any administrative expenses incurred in carrying out this section for that fiscal year, the Administrator shall, from amounts made available to carry out this section for that fiscal year, deposit in the National Flood Insurance Fund established under section 1310 an amount equal to those discounts and administrative expenses, except to the extent that section 1310A applies to any portion of those discounts or administrative expenses, in which case the Administrator shall deposit an amount equal to those amounts to which section 1310A applies in the National Flood Insurance Reserve Fund established under section 1310A.''.

(b) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) in section 1308(e) (42 U.S.C. 4015(e))—

(A) in paragraph (1)—

SA 2648. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, 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. _____. REVITALIZING MAIN STREETS IN SMALL TOWNS AND CITIES OF THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE COMMUNITY.—The term ''eligible community'' means a city, town, village, or other incorporated unit of a municipal local government that has a population of less than 40,000 individuals.

(2) MAIN STREET.—The term ''Main Street'', with respect to an eligible community, means a main street and the area around the main street that constitute the cultural, historical, economic, civic, and emotional heart of the eligible community.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(4) STATE.—The term ''State'' means each of the several States and the territories and possessions of the United States.

(b) GRANTS.—The Secretary, in accordance with subsection (f)(1), shall award grants on a competitive basis to eligible communities for the purpose of revitalizing Main Streets in the eligible communities.

(c) SEPARATE COMPETITIONS.—In awarding grants to eligible communities under subsection (b), the Secretary shall hold a separate grant competition for each State.

(d) APPLICATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall initiate the grant competitions described in subsection (c) by soliciting grant applications from eligible communities by publishing a notice of funding opportunity in the Federal Register that provides sufficient notice of the grant competition, the terms of the grant competition, and the submission requirements of an application for the grant competition.

(2) CONTENTS.—An application submitted by an eligible entity for a grant under this section shall include—

(A) a description of how the eligible community plans to spend amounts from a grant under this section and the non-Federal funds of the eligible community described in subsection (e)(2)(A) to revitalize the Main Street of the eligible community; and

(B) a description of how the eligible community meets the factors described in subsection (f)(3).

(3) PROHIBITION.—The Secretary may not impose additional application or evaluation requirements with respect to an application submitted under paragraph (1).

(e) MAXIMUM AMOUNTS.—

(1) STATE MAXIMUM.—The maximum amount of funds that may be awarded to eligible communities in a particular State under this section shall be an amount that bears the same proportion to the total amount awarded to eligible communities in all States under this section as the total population of all eligible communities within the State, bears to the total population of all eligible communities in all States.

(2) ELIGIBLE COMMUNITY MAXIMUM.—

(A) IN GENERAL.—The maximum amount of funds that may be awarded to an eligible

community under this section shall be equal to the amount of non-Federal funds that the eligible community dedicates specifically for revitalizing the Main Street in the eligible community, as specified by the eligible community in the application submitted under subsection (d).

(B) TAXES.—

(i) IN GENERAL.—An eligible community may not include in the amount of dedicated non-Federal funds specified in an application under subsection (d), for purposes of subparagraph (A) of this paragraph, any amounts that will be raised by new taxes or increased taxes unless voters in the eligible community have approved the new tax or increased tax.

(ii) CONDITIONAL TAXES.—In proposing a new tax or increased tax described in clause (i) to voters, an eligible community may propose a new tax or increased tax that is conditioned upon the eligible community receiving a grant under this section.

(f) SELECTION.—

(1) SELECTION COMMITTEES.—In awarding grants to eligible communities in a particular State under this section, the Secretary shall select the eligible communities in the State recommended by the selection committee for the State established under paragraph (2).

(2) ESTABLISHMENT OF COMMITTEES.—

(A) IN GENERAL.—The Secretary shall establish a selection committee for each State, which shall be comprised of—

(i) 1 official of the National Trust for Historic Preservation designated by the National Trust for Historic Preservation;

(ii) 1 official of the Main Street America Institute designated by the Main Street America Institute; and

(iii) 3 licensed architects—

(I) selected jointly by the United States Senators from the State; or

(II) with respect to a State that is a territory or possession of the United States, selected by the delegate or resident commissioner to the House of Representatives from the territory or possession.

(B) EMPLOYMENT.—The Secretary shall appoint each member of a selection committee selected under subparagraph (A) that is not a Federal employee as an employee of the Department of Housing and Urban Development for the purpose of performing the duties described in subparagraph (C).

(C) DUTIES.—Each selection committee of a State established under subparagraph (A) shall—

(i) meet to jointly review applications for a grant under this section submitted by eligible communities located in the State under subsection (d); and

(ii) provide to the Secretary recommendations with respect to the eligible communities located in the State that should receive a grant under this section.

(D) TERMINATION.—Notwithstanding section 14 of the Federal Advisory Committee Act (5 U.S.C. App), each selection committee established under this section shall terminate on the day after the date on which the selection committee completes the recommendations required under subparagraph (C)(ii).

(3) SELECTION FACTORS.—In providing recommendations to the Secretary under paragraph (2)(C)(ii), the selection committee of a State shall evaluate the application of an eligible community based on the following factors:

(A) The economic vitality of the eligible community, which shall be based on whether the eligible community focuses on capital, incentives, and other economic and financial tools to—

(i) assist new and existing businesses;

(ii) catalyze property development; and

(iii) create a supportive environment for entrepreneurs and innovators that drive local economies.

(B) The proposed design of the eligible community, which shall be based on the transformation of the eligible community by enhancing the physical and visual assets that set the Main Street of the eligible community apart.

(C) The promotion of the Main Street by the eligible community, which shall be based on whether the eligible community—

(i) positions the Main Street of the eligible community as the center and hub of the economic activity of the eligible community; and

(ii) creates a positive image of the Main Street that showcases the unique characteristics of the eligible community.

(D) The organization of the eligible community, which shall be based on whether the plan of the eligible community involves creating a strong foundation for a sustainable revitalization effort, including cultivating partnerships, community involvement, and resources for the Main Street.

(E) The preservation proposed by the eligible community, which shall be based on the proposed quality of preservation, rehabilitation, restoration, and reconstruction of the historic Main Street facades.

(F) The quality of any new buildings proposed by the eligible community on the Main Street of the eligible community and whether those buildings—

(i) fit with the architecture of the existing historic buildings; and

(ii) project the architecture of the time, as of the date of enactment of this Act.

(g) FUNDING.—

(1) REDUCTION.—Notwithstanding any other provision of this Act or an amendment made by this Act, any amount appropriated under this Act or an amendment made by this Act shall be reduced by 1 percent.

(2) DIRECT APPROPRIATION.—Out of any money in the Treasury not otherwise appropriated, there is appropriated to the Secretary to carry out this section for fiscal year 2022 an amount equal to the amount of the reductions made under paragraph (1).

SA 2649. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. 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. _____. TARGETED MEANS-TESTED ASSISTANCE.

(a) IN GENERAL.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by inserting after section 1308A (42 U.S.C. 4015a) the following:

"SEC. 1308B. FLOOD INSURANCE ASSISTANCE.

''(a) DEFINITIONS.—In this section:

''(1) COVERED PROPERTY.—The term 'covered property' means—

''(A) a primary residential dwelling designed for the occupancy of from 1 to 4 families; or

''(B) personal property relating to a dwelling described in subparagraph (A).

''(2) ELIGIBLE POLICYHOLDER.—The term 'eligible policyholder' means a policyholder with a household income that is not more than 120 percent of the area median income for the area in which the property to which the policy applies is located.

''(3) HOUSING EXPENSES.—The term 'housing expenses' means, with respect to a household, the total amount that the household spends in a year on—

''(A) mortgage payments, and rent;

''(B) property taxes;

''(C) homeowners insurance; and

''(D) premiums for flood insurance under the national flood insurance program.

''(4) INSURANCE COSTS.—The term 'insurance costs' means, with respect to a covered property for a year—

''(A) risk premiums and fees estimated under section 1307 and charged under section 1308;

''(B) surcharges assessed under sections 1304 and 1308A; and

''(C) any amount established under section 1310A(c).

''(b) AUTHORITY.—Subject to the availability of appropriations, the Administrator is authorized to carry out a means-tested program under which the Administrator provides assistance to eligible policyholders in the form of graduated discounts for insurance costs with respect to covered properties.

''(c) ELIGIBILITY.—To determine eligibility for means-tested assistance under this section, the Administrator may require any of the following with respect to an eligible policyholder:

''(2) Income verification from the National Directory of New Hires established under section 453(i) of the Social Security Act (42 U.S.C. 653(i)).

''(3) A self-certification of eligibility by the eligible policyholder that is provided under penalty of perjury pursuant to section 1746 of title 28, United States Code.

''(4) Any other method identified by the Administrator in interim guidance, or a final rule, issued under subsection (e).

''(d) DISCOUNT.—The Administrator may establish graduated discounts available to eligible policyholders under this section, which may be based on the following factors:

''(1) The percentage by which the household income of an eligible policyholder is equal to, or less than, 120 percent of the area median income for the area in which the property to which the policy applies is located.

''(3) The number of eligible policyholders participating in the program established under this section.

''(4) The availability of funding.

''(5) Any other factor that the Administrator finds reasonable and necessary to carry out the purposes of this section.

''(e) IMPLEMENTATION.—

''(1) IN GENERAL.—The Administrator shall issue final rules to implement this section.

''(2) INTERIM GUIDANCE.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator shall issue interim guidance to implement this section, which shall—

''(i) include—

''(I) a description of how the Administrator will determine—

''(aa) eligibility for households to participate in the program established under this section; and

''(bb) assistance levels for eligible households to which assistance is provided under this section;

''(II) the methodology that the Administrator will use to determine the amount of assistance provided to eligible households under this section; and

''(III) any requirements to which eligible policyholders to which assistance is provided under this section will be subject; and

''(ii) expire on the later of—

''(I) the date that is 84 months after the date of enactment of this section; or

''(II) the date on which the final rules issued under paragraph (1) take effect.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) may be construed to preclude the Administrator from amending the interim guidance issued under that subparagraph.

''(f) COLLECTION OF DEMOGRAPHIC INFORMATION.—The Administrator, in order to evaluate and monitor the effectiveness of this section, and to comply with the reporting requirements under subsection (g), may request demographic information, and other information, with respect to an eligible policyholder to which assistance is provided under this section, which may include—

''(1) the income of the eligible policyholder, as compared with the area median income for the area in which the property to which the policy applies is located; and

''(2) demographic characteristics of the eligible policyholder, including the race and ethnicity of the eligible policyholder.

''(g) REPORTS TO CONGRESS.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this section, and biennially thereafter, the Administrator shall submit to Congress a report regarding the implementation and effectiveness of this section.

''(2) CONTENTS.—Each report submitted under paragraph (1) shall include information regarding, for the period covered by the report—

''(A) the distribution of household area median income for eligible policyholders to which assistance is provided under this section;

''(B) the number of eligible policyholders to which assistance is provided under this section, which shall be disaggregated by income and demographic characteristics;

''(C) the cost of providing assistance under this section; and

''(D) the average amount of assistance provided to an eligible policyholder under this section, which shall be disaggregated as described in subparagraph (B).

''(h) RISK COMMUNICATION.—For the purposes of the communication required under section 1308(l), the Administrator shall provide to an eligible policyholder to which assistance is provided under this section a full flood risk determination with respect to the property of the eligible policyholder, which shall reflect the insurance costs with respect to the property before that assistance is provided.

''(i) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator $800,000,000 for each of fiscal years 2022 through 2025 to carry out this section.

''(2) NOTIFICATION.—If, in a fiscal year, the Administrator determines that the amount made available to carry out this section is insufficient to provide assistance under this section, the Administrator shall submit to Congress a notification of the remaining amounts necessary to provide that assistance for that fiscal year.

''(3) DISTRIBUTION OF PREMIUM.—With respect to the amount of the discounts provided under this section in a fiscal year, and any administrative expenses incurred in carrying out this section for that fiscal year, the Administrator shall, from amounts made available to carry out this section for that fiscal year, deposit in the National Flood Insurance Fund established under section 1310 an amount equal to those discounts and administrative expenses, except to the extent that section 1310A applies to any portion of those discounts or administrative expenses, in which case the Administrator shall deposit an amount equal to those amounts to which section 1310A applies in the National Flood Insurance Reserve Fund established under section 1310A.''.

(b) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) in section 1308(e) (42 U.S.C. 4015(e))—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''or'' at the end;

(ii) in subparagraph (C)(iii), by adding ''or'' at the end; and

(iii) by adding at the end the following:

''(D) in the case of a property with respect to which assistance is provided under section 1308B, if—

''(i) the applicable policyholder is no longer eligible to receive assistance under that section;

''(ii) the assistance so provided has been decreased under that section; or

''(iii) the Administrator is not authorized, or lacks appropriated funds, to carry out that section;''; and

(B) in paragraph (3), by striking ''period; and'' and inserting the following: ''period, except in the case of a property with respect to which assistance is provided under section 1308B if a condition described in clause (i), (ii), or (iii) of paragraph (1)(D) is applicable; and''; and

(2) in section 1366(d) (42 U.S.C. 4104c(d))—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following:

''(3) FLOOD INSURANCE ASSISTANCE.—In the case of mitigation activities to structures insured by policyholders that are eligible for assistance under section 1308B, in an amount up to 100 percent of all eligible costs.''.

(c) INFORMATION COMPARISONS WITH THE NATIONAL DIRECTORY OF NEW HIRES FOR FLOOD INSURANCE ASSISTANCE INCOME VERIFICATION.—Section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended by adding at the end the following new paragraph:

''(12) INFORMATION COMPARISONS FOR FLOOD INSURANCE ASSISTANCE.—

''(A) FURNISHING OF INFORMATION BY FEMA.—The Administrator of the Federal Emergency Management Agency (in this paragraph, referred to as the 'Administrator') shall furnish to the Secretary, on such periodic basis as determined by the Administrator in consultation with the Secretary, information in the custody of the Administrator for comparison with information in the National Directory of New Hires, in order to obtain information in such Directory with respect to individuals who are applying for, or receiving benefits under, section 1308B of the National Flood Insurance Act of 1968.

''(B) REQUIREMENT TO SEEK MINIMUM INFORMATION.—The Administrator shall seek information pursuant to this paragraph only to the extent necessary to verify the employment and income of individuals described in subparagraph (A).

''(C) DUTIES OF THE SECRETARY.—

''(i) INFORMATION DISCLOSURE.—The Secretary, in cooperation with the Administrator, shall compare information in the National Directory of New Hires with information provided by the Administrator with respect to individuals described in subparagraph (A), and shall disclose information in such Directory regarding such individuals to the Administrator, in accordance with this paragraph, for the purposes specified in this paragraph.

''(ii) CONDITION ON DISCLOSURE.—The Secretary shall make disclosures in accordance with clause (i) only to the extent that the Secretary determines that such disclosures do not interfere with the effective operation of the program under this part.

''(D) USE OF INFORMATION BY FEMA.—The Administrator may use information resulting from a data match pursuant to this paragraph only—

''(i) for the purpose of verifying the employment and income of individuals described in subparagraph (A); and

''(ii) after removal of personal identifiers, to conduct analyses of the employment and income reporting of individuals described in subparagraph (A).

''(E) DISCLOSURE OF INFORMATION BY FEMA.—

''(i) PURPOSE OF DISCLOSURE.—The Administrator may make a disclosure under this subparagraph only for the purpose of verifying the employment and income of individuals described in subparagraph (A).

''(ii) DISCLOSURES PERMITTED.—Subject to clause (iii), the Administrator may disclose information resulting from a data match pursuant to this paragraph only to contractors of the Federal Emergency Management Agency, private insurance companies participating in the Write Your Own Program of the Federal Emergency Management Agency, the Inspector General of the Department of Homeland Security, and the Attorney General, in connection with the administration of a program described in subparagraph (A). Information obtained by the Administrator pursuant to this paragraph shall not be made available under section 552 of title 5, United States Code.

''(iii) CONDITIONS ON DISCLOSURE.—Disclosures under this paragraph shall be—

''(I) made in accordance with data security and control policies established by the Administrator and approved by the Secretary;

''(II) subject to audit in a manner satisfactory to the Secretary; and

''(III) subject to the sanctions under subsection (l)(2).

''(iv) RESTRICTIONS ON REDISCLOSURE.—A person or entity to which information is disclosed under this subparagraph may use or disclose such information only as needed for verifying the employment and income of individuals described in subparagraph (A), subject to the conditions in clause (iii) and such additional conditions as agreed to by the Secretary and the Administrator.

''(F) REIMBURSEMENT OF HHS COSTS.—The Administrator shall reimburse the Secretary, in accordance with subsection (k)(3), for the costs incurred by the Secretary in furnishing the information requested under this paragraph.

''(G) CONSENT.—The Administrator shall not seek, use, or disclose information under this paragraph relating to an individual without the prior written consent of such individual (or of a person legally authorized to consent on behalf of such individual).''.

(d) DIRECT APPROPRIATION.—

(1) IN GENERAL.—There is appropriated, out of any money in the Treasury not otherwise appropriated, in addition to amounts otherwise available, for each of fiscal years 2022 through 2025, $800,000,000 to the National Flood Insurance Fund established under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017), which, subject to paragraph (2), shall be used to carry out section 1308B of that Act, as added by subsection (a) of this section.

(2) FAILURE TO ISSUE GUIDANCE.—If the Administrator of the Federal Emergency Management Agency fails to issue the interim guidance required under section 1308B(e)(2) of the National Flood Insurance Act of 1968, as added by subsection (a) of this section, the amounts made available under paragraph (1) may be used to provide financial assistance under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c).

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 2650. 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 5 though 18 and insert the following:

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to returns required to be filed, and statements required to be furnished, after December 31, 2023.

(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 proof of stake (staking), without providing other functions or services, 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 2651. 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 proof of stake (staking), without providing other functions or services, 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.

ORDERS FOR SUNDAY, AUGUST 8, 2021

Mr. SCHATZ. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Sunday, August 8; 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; and that upon the conclusion of morning business, the Senate resume consideration of H.R. 3684.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL TOMORROW

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 provisions of S. Res. 343.

There being no objection, the Senate, at 7:25 p.m., adjourned until Sunday, August 8, 2021, at 12 noon, under the previous order and pursuant to S. Res. 343, as a further mark of respect to the late Maurice Robert ''Mike'' Gravel, former Senator from the State of Alaska.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 7, 2021:

DEPARTMENT OF DEFENSE

CHRISTOPHER PAUL MAIER, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

DEPARTMENT OF THE INTERIOR

BRYAN TODD NEWLAND, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR.

THE JUDICIARY

EUNICE C. LEE, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

DEPARTMENT OF DEFENSE

CARLOS DEL TORO, OF VIRGINIA, TO BE SECRETARY OF THE NAVY.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5993–S6030

Measures Introduced: Four bills and three resolutions were introduced, as follows: S. 2672–2675, and S. Res. 341–343. **Page S6012**

Measures Reported:

S. 2401, to reauthorize the Assistive Technology Act of 1998, with an amendment in the nature of a substitute. **Page S6012**

Measures Passed:

Death of former Senator Maurice Robert Gravel: Senate agreed to S. Res. 343, relative to the death of the Honorable Maurice Robert Gravel, former Senator from the State of Alaska. **Page S6010**

Measures Considered:

Invest in America Act—Agreement: Senate resumed consideration of H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Pages S5995–S6009, S6010**

Pending:

Schumer (for Sinema) Amendment No. 2137, in the nature of a substitute. **Pages S5995–S6009, S6010**

Carper/Capito Amendment No. 2131 (to Amendment No. 2137), to strike a definition. **Page S5995**

Carper Amendment No. 2633, to change the enactment date. **Pages S5997–S6009**

During consideration of this measure today, Senate also took the following action:

By 67 yeas to 27 nays (Vote No. 309), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Schumer (for Sinema) Amendment No. 2137 (listed above). **Page S5997**

A unanimous-consent agreement was reached providing that time during any recess, adjournment, or period of morning business count post-cloture. **Page S6010**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 12 noon, on Sunday, August 8, 2021. **Page S6029**

Nominations Confirmed: Senate confirmed the following nominations:

By 50 yeas to 47 nays (Vote No. EX. 310), Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit. **Pages S6009–10**

Bryan Todd Newland, of Michigan, to be an Assistant Secretary of the Interior.

Christopher Paul Maier, of California, to be an Assistant Secretary of Defense.

Carlos Del Toro, of Virginia, to be Secretary of the Navy. **Page S6010**

Measures Placed on the Calendar: **Page S6012**

Additional Cosponsors: **Page S6012**

Statements on Introduced Bills/Resolutions: **Pages S6012–14**

Additional Statements:

Amendments Submitted: **Pages S6014–29**

Record Votes: Two record votes were taken today. (Total—310) **Pages S5997, S6009–10**

Adjournment: Senate convened at 11 a.m. and adjourned, as a further mark of respect to the memory of the late Maurice Robert Gravel, former Senator from the State of Alaska, in accordance with S. Res. 343, at 7:25 p.m., until 12 noon on Sunday, August 8, 2021. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6029.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet in Pro Forma session at 10 a.m. on Tuesday, August 10, 2021.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D887)*

H.R. 3325, to award four congressional gold medals to the United States Capitol Police and those who protected the U.S. Capitol on January 6, 2021. Signed on August 5, 2021. (Public Law 117–32)

H.R. 208, to designate the facility of the United States Postal Service located at 500 West Main Street, Suite 102 in Tupelo, Mississippi, as the ''Colonel Carlyle 'Smitty' Harris Post Office''. Signed on August 6, 2021. (Public Law 117–33)

H.R. 264, to designate the facility of the United States Postal Service located at 1101 Charlotte Street in Georgetown, South Carolina, as the ''Joseph Hayne Rainey Memorial Post Office Building''. Signed on August 6, 2021. (Public Law 117–34)

H.R. 772, to designate the facility of the United States Postal Service located at 229 Minnetonka Avenue South in Wayzata, Minnesota, as the ''Jim Ramstad Post Office''. Signed on August 6, 2021. (Public Law 117–35)

H.R. 1002, to amend the Controlled Substances Act to authorize the debarment of certain registrants. Signed on August 6, 2021. (Public Law 117–36)

COMMITTEE MEETINGS FOR SUNDAY, AUGUST 8, 2021

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

12 noon, Sunday, August 8

Senate Chamber

Program for Sunday: Senate will continue consideration of Schumer (for Sinema) Amendment No. 2137, to H.R. 3684, INVEST in America Act, post-cloture.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m, Tuesday, August 10

House Chamber

Program for Tuesday: House will meet in a Pro Forma session at 10 a.m.

Congressional Record

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