United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

Vol. 167 WASHINGTON, SUNDAY, AUGUST 8, 2021 No. 143

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

SUNDAY, AUGUST 8, 2021

The Senate met at 12 noon and was called to order by the Honorable MARTIN HEINRICH, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by our guest Chaplain, the Reverend Lisa Schultz, Church of the Advent, Washington, DC.

The guest Chaplain offered the following prayer:

Let us pray.

Eternal God, our hope for the years to come, we praise You that You have rescued our Nation throughout its history. Through dangers, toils, and snares, You have sustained this land we love. Through wars, drought, and pestilent, You have been a fortress for our faith.

Lord, when all seemed hopeless, You have continued to be an unfailing bulwark. Continue to inspire our Senators with manifestations of Your wonderful love and power. Provide our lawmakers with the confidence to believe that You have not brought us safely this far to leave us.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, August 8, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARTIN HEINRICH, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

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

BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Mr. President, well, this afternoon we pick up where we left off last night. The Senate has voted to advance the bipartisan infrastructure bill and bring debate on the substitute amendment to an end.

I would repeat that Democrats are ready and willing to vote on additional amendments to the bill before moving to final passage. Once again, that will require the cooperation of our Republican colleagues. I hope they will cooperate so we can move more quickly. Otherwise, we will proceed by the book and finish the bill.

I said yesterday that we could do this the easy way or the hard way. Yesterday, it appeared that some Republicans would like the Senate to do this the hard way. In any case, we will keep proceeding until we get this bill done.

INVEST IN AMERICA ACT

Mr. SCHUMER. Mr. President, now, on another related matter, as the Senate approaches final passage of the bipartisan infrastructure bill, I want to shine a spotlight on a part of the legislative process that doesn't see the light often enough: the Office of the Senate Legislative Counsel.

There is an old political yarn that the legislative process is like watching sausage get made; you would rather not know.

Well, the Office of Legislative Counsel occupies a particularly difficult part of the sausage-making: turning Senators' broad outlines for legislation into specific and precise legislative language. It is a very hard job. For over a century, this group of hidden experts have had a hand in crafting every major piece of legislation introduced in this Chamber.

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

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A century ago, many scoffed at the notion of having a team of professionals help the Senate write legislation. It was actually a New Yorker, I am proud to say, Elihu Root, who originally suggested in 1912 that, maybe, this body could use a little help in constructing well-written laws. It took a few years after he made his plea, but the complexity of tax legislation to raise revenue during World War I led to the creation of the original drafting service.

During its first 4 years, the Legislative Drafting Service handled 518 requests. By the 114th Congress, however, they were receiving more than 65,000. It is an amazing workload, unglamorous but vital and essential.

Over the past few weeks, as we have worked on the bipartisan infrastructure bill, the members of the legislative counsel have sacrificed weekends, family gatherings, and many, many hours of sleep to allow the Senate to do its work. I have seen it. We have called them up at 11 p.m. and said: You are needed to get this ready by the morning. And they don't flinch. They just roll up their sleeves and work in their professional way.

So we have always asked a lot of the legislative counsel, but they stepped up and did their job with excellence. There are a lot of members of the team who deserve recognition, beginning with the team's laudable and impressive leader on this bill, Deanna Edwards.

I also want to thank Diane Nesmeyer and her team of assistants, who have all contributed very long hours, and let me mention them. They each deserve their own acknowledgement: Heather Burnham, Mark Mazzone, Christina Kennelly, Chris Patterson, Patrick Ryan, Karson Katz, Heather Lowell, Matt McGhie, John Goetcheus, Ruth Ernst, Mark McGunagle, Allison Otto, Vince Gaiani, Phil Lynch, John Henderson, James Ollen-Smith, Kim Albrecht-Taylor, Christine Miranda, Rob Silver, Evan Frank, and Molly Dunlop.

To every single person I mentioned, thank you, thank you, thank you for your incredible and indispensable work. Your skill and dedication makes it possible for this Chamber to serve the American public.

I yield the floor.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

GUN VIOLENCE

Mr. DURBIN. Mr. President, the random violence on the streets of Chicago results in Monday morning reports that break your heart: 100 people shot on the Fourth of July weekend; the following weekend, 50; the weekend after that, 70.

It never stops. These mass shootings have become part of life in many cities across America, and it is a heartbreaking reality.

There are many ways to look at it. I have tried my best to understand it and to respond from a legislative point of view, but as we kind of play the possibilities and debate the opportunities we have to change things, the killing just goes on and on.

The city of Chicago, like many cities in the United States, is awash in guns—awash in guns. Police—I believe the statistic is—have confiscated 16,000 so far this year and still counting; thousands and thousands and thousands of guns.

In the roughest parts of Chicago, you wave a couple of $20 bills and you have a handgun in a matter of minutes. And there really is no age check involved; and young kids, as much as older folks, buy these guns right and left, claiming they are for self-defense and many times just putting them into the machinery of crime and death that has become such a predictable part of life in that great city.

Chicagoans across every possible demographic this morning are shocked and grieving to learn that another Chicago police officer was killed in the early morning hours.

The slain officer was just 29 years old—29. She was assigned to the Community Safety Team, a special unit of officers from various districts who are pooled and sent to the meanest, most dangerous ''hot spots'' in the city. Her name has not been released.

She and another Chicago police officer were shot last night when they pulled over a car in the Englewood neighborhood on Chicago South Side. The second officer is hospitalized as well and fighting for his life.

Two suspects have been arrested, and a third is being sought.

Gun violence and gun deaths are daily threats in many neighborhoods, neighborhoods where it is easier to find a gun than to find a job. Sadly, it is increasingly a mortal threat to the Chicago police officers who work in these neighborhoods.

Several months ago, I had an impromptu, unreported meeting with the Chicago police force and invited anyone in who wanted to sit with a Senator and try to explain what is going on. Eight of them showed up and were pretty well representative of the Chicago police department—Black, White, Brown; male, female; Hispanic, African American; young and old—and they talked about the world they lived in and how the odds were against them on the streets of Chicago.

The bad guys just have too damn many guns, and that is a reality. They don't buy those guns in the city of Chicago, incidentally. They buy them outside of Chicago—northwest Indiana, at gun shows, with no background checks. The gangbangers just take a 15-, 20-minute trip over the Indiana-Illinois border to a gun show and load up their truck with more guns, bring them back in, and sell them on the streets of Chicago. That is a reality.

Guns come from unlikely places. Too many guns come from States like Louisiana and Mississippi, where they have gun standards that are weaker than some other places. But they also come from downstate Illinois. I am not going to try to sugarcoat that. Those are the reports.

It troubles me, too, because when I talk to the police, they say: We need Federal help.

What they would like to be able to do is try to track these guns, try to determine their sources and cut them off. The Agency that does it is the Alcohol, Tobacco, and Firearms Agency.

We are trying now—desperately trying now to get the approval in the Senate for a person to head that Agency, and, no surprise, the ranks are closed against this person on the other side of the aisle.

Those who are listening closely to the gun lobby are trying their best to make sure ATF, this Federal Agency, doesn't have strong leadership, doesn't exercise all its authority under the law to make us safer. That doesn't make it any easier for the Chicago police, and they end up paying the price.

The latest fallen hero is the first Chicago police officer killed by gunfire in more than 2½ years. But nearly 40 Chicago police officers have been shot, or shot at, in the line of duty this year. That is part of the duty, the responsibility they face as they prowl the streets and alleys of the great city.

Chicagoans mourn for the police officer who lost her life. We are going to pray desperately for recovery of the wounded officer. Thoughts and prayers are not enough to end gun violence in Chicago and nearly every community in America. We all know that. We need better laws to keep guns out of the hands of criminals and also out of the hands of people with serious mental illness and others who shouldn't have them either.

America's families and police officers deserve our best effort to make the streets safer in Chicago and many other American cities.

THE ECONOMY

Mr. DURBIN. Mr. President, I have been listening to criticism from the other side of the aisle about our plan to improve American families' economic security and the long-term strength in our economy.

And I have to wonder, why do Republicans never worry about deficits when they are passing trillion-dollar tax cuts that shower nearly all of the benefits on millionaires and wealthy corporations?

Why do Republicans only rediscover a concern about the debt when they are asked to support policies to help middle-class, working families, low-income

individuals—people struggling to get into the middle class?

Or when someone proposes a long-term solution to make America's economy resilient and more prosperous for everyone, they are opposed to that. That is ''big spending.''

Republican welfare for the rich has always been a bad investment. Forty years of trickle-down economics has given America the greatest income inequality since the Gilded Age in our history and the largest national debt in our history. Republicans' devotion to trickle-down tax cuts has given us a shrinking middle class, a hollowed-out industrial base, and crumbling infrastructure. It has made a small sliver of America lavishly wealthy and left the rest behind.

The Republican economic agenda has left the majority of Americans asking: How are we supposed to pay for childcare, our kids' college education, medical bills, or for the skilled nurses that mom and dad are going to need? Will we ever be able to retire?

Trickle-down economics doesn't have answers for those real-life questions, but our Republican colleagues keep doubling down on them.

I predict, without fear of contradiction, now that we have a Democratic President, someone on the Republican side of the aisle will come around again with a balanced budget constitutional amendment. It happens without fail. Republicans always turn to that whenever there is a Democratic President, even though the debt that President inherited was historic.

But when their trickle-down tax cuts add trillions to the national debt, are they really worried?

They never say a word about deficit and debt until they are in the minority.

Donald Trump proposed more than a trillion dollars in tax cuts, with most of the benefits going to wealthy corporations and individuals.

Did the Republicans complain about the national debt then? No.

Did they insist that such an expensive gift must have bipartisan support? No.

They passed their trickle-down tax cut through reconciliation without a single Democratic vote.

Donald Trump promised that his tax cut would be ''rocket fuel for the economy.''

That may be a rare Trump boast that turned out to be true, although not exactly the way he meant it. We now have a handful of billionaires who have decided to launch their own personal space programs. They are so wealthy they are racing each other into space while regular working people worry about rent, childcare, and getting on here on Earth.

The Trump tax cut gave the wealthiest Americans a fat windfall. According to Americans for Tax Fairness, the Nation's 651 billionaires saw their net worth spike by more than $1 trillion during the first 9 months of the pandemic while the rest of America worried about how to pay the bills with a smaller paycheck or no paycheck at all.

After Donald Trump signed his tax bill, surrounded by quite a few of my Republican colleagues in the Senate, he headed to a Christmas Eve dinner at Mar-a-Lago in Florida, and like Santa Claus, he announced to the wealthy members at his own private club at Mar-a-Lago: ''You all just got richer.'' That was the real effect of the Trump tax cuts—the real intent.

The Congressional Budget Office estimated in 2018 that Trump tax cuts will add $1.9 trillion to the national debt over 11 years. Where is the Republican outcry over that? The notion of $3 trillion to help working families pay less for the essentials of life, to cut their taxes, and give them an opportunity to be in an economy creating jobs really pales in comparison to the $1.9 trillion of tax cuts to the wealthy.

Economists at the London School of Economics analyzed the effects of trickle-down tax cuts over 50 years, 1965 to 2015. They found that trickle-down tax cuts consistently benefit the wealthy but had no meaningful effect on employment or economic growth, and they led inevitably to wider economic inequality.

The authors of the study were asked why some politicians still continue to push for these tax cuts for wealthy people. They pointed to one reason: the power of wealthy individuals and corporations to set policy agendas through their lobbying and campaign contributions.

You know what is going on, the fabulously wealthy people, who are contributing to politicians and causes that support their lifestyle, but they don't want us to know.

Is that why no Republican Senator supports President Biden's Build Back Better plan to help American families and our economy, because billionaires have more lobbyists and deeper pockets than struggling kids and families?

Two renowned economists from Princeton University—Alan Blinder, former Vice Chair of the Federal Reserve, and Mark Watson—looked at the major economic indicators of America's economy for every President back to Franklin Roosevelt.

They found by almost any major indicator—gross domestic product, employment, incomes, productivity, even stock prices—America's economy has grown significantly faster under Democratic Presidents than Republican. On jobs, since 1933, the six Presidents who presided over the fastest job growth have all been Democrats—the four Presidents with the slowest job growth, Republicans.

Donald Trump campaigned, promising to be the ''greatest jobs President God ever created.'' There were 3 million fewer jobs when he left office than at the beginning of his term. He is the first President since Herbert Hoover to lose jobs on his watch.

The Democrats are once again cleaning up the Republican mess. With the help of the American Rescue Plan, which not a single Republican Senator or Congressman supported, America's economy has added 4 million jobs during the first 6 months of Joe Biden's Presidency. That is the fastest growth for the start of any President ever in American history.

Here is another fact from the National Bureau of Economic Research. Between 1953 and 2020, America's economy was in a recession for 23 percent of the time that the Republicans held the White House, compared to just 4 percent of the time that a Democrat sat in the Oval Office.

For the past 40 years, Republican Presidents have run up larger deficits than Democrats. Let me say that again. In the past 40 years, Republican Presidents have run up larger deficits than Democratic Presidents.

Donald Trump promised to get rid of the national debt in 8 years through trade policy. Instead, his trade policies were a costly disaster, and the national debt skyrocketed by more than $7 trillion during his tenure.

A ProPublica-Washington Post analysis found that growth in annual deficit under Donald Trump is the third-biggest increase relative to the size of the economy of any U.S. President, with his tax cuts being the major culprit.

I could go on citing facts and figures. Democrats look at human priorities like quality childcare, medical research, renewable energy, and climate resilience, investments that grow the economy and raise wages and living standards for everyone.

We should have no apologies as Democrats for the programs that we support, particularly when it comes to climate change. That is a fact of life, sadly, in America, and we see the results reported every night on the news. Whether it is fires or extraordinary weather events, they are happening with increased frequency. It seems that Republicans ignore that reality. We cannot afford as a nation to do that any longer.

History shows that our approaches work in responding to many of these challenges. Our solutions produce stronger, more sustainable economic growth that benefits everyone. Stronger economic growth allows us to pay down our debt rather than continuing to add to it with more tax cuts for the top 1 percent.

Republicans can refuse to support our plan to Build Back Better; that is their choice. But please spare us lectures about fiscal responsibility. There is nothing responsible about repeating the same trillion-dollar mistake over and over and making small businesses and working families pay for it.

I always thought the Laffer curve, which is the inspiration to the Republicans for trickle-down economics, was the most appropriately named economic device in history—it is a ''laugher''—and we see over and over again

why that is. Giving tax breaks to the wealthy might make for a happy Christmas at Mar-a-Lago but not for the rest of the country.

The real test is not whether we put votes on the board—and that is the bottom line in the Senate—but whether the center will hold, whether or not we have a strong enough center in the Senate dedicated to responsible investment and infrastructure and can overcome the forces outside.

Former President Trump has been making all these speeches about how bad it is to have an infrastructure program. Well, I would just like to remind the former President: He had no infrastructure program. Talked big. Delivered nothing. Now, we have a chance under President Biden to have one that is bipartisan in nature and truly will help this economy and this country over the long run.

In addition, I believe that we have to move further—and we certainly will with the budget resolution—in investing in America. The notion of having childcare—quality childcare—available and affordable to families is something that, unless you are a grandparent or a parent and know the reality, you may overlook and shouldn't. It is a critical factor in family welfare and good outcomes for children.

In addition, 2 extra years of education beyond the 12th grade, provided by our quality community colleges across America, is the ticket for better jobs and better training and better workers in the 21st century.

As we stand here, our major challenge, I suppose—our nemesis, foe—is China. Some of us can remember something called ping-pong diplomacy, which occurred roughly when I came out of college. That was opening up what we called ''Red China'' then to the world and giving them an opportunity to compete and to be part of the world conversation, and it happened dramatically.

I remember visiting China several times and the first time, watching them in their Mao jackets on their bicycles, taking their kids to school. What I found in later visits was a really developed economy. The Chinese have a plan. They are mercantilists first, and they are marketing around the world successfully—successfully—because they have a plan. We don't have a plan, not until this President arrived.

President Joe Biden has started this plan by saying: First, we invest in our people and make certain that their lives are easier and successful. I support him completely in that effort. I hope many will. It should be bipartisan. If we have sympathy for the wealthiest in our country, I beg my Republican friends: Have some sympathy for the middle-income families, who are struggling every day to get by.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

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

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 3684, which the clerk will report.

The senior assistant legislative clerk read as follows:

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

Pending:

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.

Carper Amendment No. 2633, to change the enactment date.

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

IMMIGRATION

Mr. CARPER. Mr. President, we just heard from the senior Senator from Illinois. I remember when he was a junior Congressman from Illinois, elected in 1982, along with about 80 other Democrats and Republicans from all over the country. One of them was me. One of them was me. And he has been a colleague off and on. I left the House to become the Governor of Delaware, and he came over to the U.S. Senate, and now, we get to work together again.

He is a smart guy, a very bright guy, and a very caring person and very good at not just working with Democrats but working across the aisle. I admired that about him in the House, and I admire that about him in the Senate.

He is passionate about a lot of things, but one of those is an important one, immigration reform. And immigration reform may seem like it is far afield from what we are talking about here today, but for the 8 years I was privileged to be the Governor of Delaware, it was a good economy—Bill Clinton was the President—and it was a good economy for the country. More jobs were created in Delaware in those 8 years than in any 8 years in Delaware's history. As Governor, I didn't create one of them, but we did see a lot of job creation and economic growth, and I was the beneficiary of that, as were other people in my State and around the country.

One of the reasons why I believe that comprehensive immigration reform is something we should have done and ought to do is not just because we are reminded on Sunday afternoon of Matthew 25—when I was a stranger in your land, you welcomed me—but also, it makes good business sense. One of the keys to economic growth, whether it is my State or the State of New Mexico, where the Presiding Officer is from, one of the keys is the workforce, having people who are either already trained or trainable and able and willing to do the work that needs to be done.

We have a little bit of a mismatch right now in our economy with respect to the skills that a lot of folks who are without jobs would like to be having; they would like to have a job or maybe a better job. There is a mismatch in what employers are looking for and what a lot of workers bring to the workplace. A big part of what we have done in these legislative packages—I call them cares packages—in the last year or 2 is to provide money for workforce development and redevelopment to better equip people with the tools that they need.

H.R. 3684

Mr. President, the reason why I mention these things—comprehensive immigration reform, workforce training, retraining—is those are important ingredients to get our economy and to keep our economy moving. Our economy is moving in the right direction now, but we have to keep it going.

When I was privileged to be Governor of the First State, we built a highway. I took the handoff from Republican Governor Mike Castle, and we built a highway all the way from I–95, in the northern part of our State, down past Dover, past the Dover Air Force Base, all the way to our beaches. Dover has, I think, more five-star beaches than any State in America, I am told, and it is a significant part of our economy, our tourist economy. And, just as tourism is an important component, I think, in the economies of most of ours, we found that, for folks to be able to get to our beaches, they needed to have roads, highways, and bridges.

We built State Route 1—a limited highway—from one end of the State almost to the other. We took I–495, which basically circles the city of Wilmington, and essentially shut it down and resurfaced it. We resurfaced I–95 from Wilmington all the way up to the Pennsylvania line.

We did a lot of things that were designed not just to help the people of Delaware get where they needed to go, wanted to go, and move products, but also to help interstate commerce, and that is a key ingredient for those serious about growing the economy of our country. We have got to invest in our roads, highways, bridges, and in our rail.

As it turns out, I came down here today on a train, as I do many days. God willing, I will go home tonight on a train. It is an Amtrak train.

Interestingly enough, if you were to take a ton of freight and move it from, we will say, Washington, DC, to Boston, you can do it on about a gallon of diesel fuel. Think about that—a ton of freight from Washington, DC, to Boston, MA, on about a gallon of diesel fuel.

You can move a lot of people on Amtrak. In the Northeast corridor, they travel on electricity. Out of the corridor, they use different fuels to move their locomotives.

But one of the beauties about the legislation that we have been debating here for the last week or two is that actually, in terms of getting our economy moving, keeping our economy moving, we provide significant investments in passenger rail service. We also provide significant investments in roads, highways, and bridges. We provide significant investments in rail to be used by freight, and we make significant investments in our ports.

A lot of people are going to be involved, as the Presiding Officer knows, in doing all the work involving the different kinds of investments I just mentioned. Those are good jobs. Many of them are union jobs. They all pay the prevailing wage and provide a lot of income for communities and for the folks who do that work.

The other thing, at the end of the day, when work is more or less completed—we have made a lot of progress on roads, highways, and bridges, on broadband deployment, on our ports and our rail and our airports—at the end of the day, we will have created a ton of jobs, and we are going to leave in place an economy that is more efficient and more productive at the same time and will enable us to grow our economy.

One of the things that I most enjoyed in the last campaign was hearing Joe Biden talk about climate change or global warming. He said that when he heard the words ''climate change'' or ''global warming,'' the word that came to mind for him was ''jobs.'' ''Jobs.''

I like to say it is possible to do good and do well at the same time. It is possible to build a more efficient, more productive economy and a cleaner economy, but it puts people to work as we do that, and then they will continue to work in the years to follow.

At the end of all those investments and all that work, we will end up with far fewer emissions from our cars, trucks, and vans. God willing, we will end up with a lot fewer emissions from our stationary emitters of greenhouse gasses.

The second major source of emissions in our country is powerplants, and the third greatest source of emissions in our country is from manufacturing operations—cement plants for example. Those are the three top ones. The legislation that is before us enables us to—we will make greater progress with respect to those three sources of carbon pollution than just about anything I can think of.

The President hosted a press conference the other day at the White House. He invited several of our colleagues to join him and participate. He also invited the auto industry, auto big three, to come and the other auto companies as well. There were folks there from the environmental community. It was a great celebration.

What the President did is he signed an Executive order that said basically, why don't we—just like this legislation before us builds on a foundation of legislation that was reported out of the Environment and Public Works Committee on drinking water, wastewater sanitation investments, and also legislation reported out of the Environment and Public Works Committee that Senator CAPITO and I have the privilege of leading that focuses on roads, highways, bridges, and the climate. But the press conference was designed to really complement what we are doing here today. The Presiding Officer was there, along with others, as I recall.

But the President, in concert with the auto industry, has basically come to an agreement that, just like our legislation on the floor today and for the last week, was built on the work of several committees, including the Commerce Committee, rail safety; including the Energy and Natural Resources Committee, energy—nuclear energy. It is built on the work of the Banking Committee with respect to investments in transit and built on the work of our committee too.

The President's Executive order was based on an agreement between really five auto companies from about a year ago in the State of California, the California Resources Board, to gradually step up over a period of years, from 2022 to 2026, the requirements for required reductions by mobile sources, reductions in greenhouse gases, with the idea that after 2026, we will expedite and increase the amount of reduction that will be expected in greenhouse gases from our mobile source.

In any event, it is going to be hard for the auto industry, which was represented at that press conference. It is going to be hard for them to meet the kind of goals that are laid out in the President's Executive order unless we make investments not just in roads, highways, and bridges but also in charging stations and fueling stations.

As the Presiding Officer knows, there are investments in our committee's bill and in this bill that is before us today that make significant investments in charging stations and fueling stations. When we say ''fueling stations,'' I am not talking about necessarily gasoline and diesel; I actually am thinking of hydrogen.

In the Finance Committee piece—it will probably be in the reconciliation package that we take up—there is legislation that provides tax incentives to really build a much more efficient and clean economy in a variety of ways.

Our Presiding Officer has worked a lot on methane, to reduce methane emissions, and to provide maybe an economic structure where leakage of methane, which is a potent greenhouse gas—we want to reduce that—but to develop an economic model that rewards companies, refineries, and others to reduce their methane emissions and figure out how to reinvest that money and ways to create clean energy.

But one of the most encouraging investments in clean energy is with respect to hydrogen. I remember going to the Detroit auto—Delaware used to build more cars, trucks, and vans per capita than any other State. We are not a big State. We have about a million people. But we had, as recently as, gosh, 10 years ago about 3,000 or 4,000 men and women working at a Chrysler plant near Newark, where the University of Delaware is located, and a GM plant near Wilmington, and it also had about 3,000 employees. When we went into the great recession a decade or so ago, both companies went into bankruptcy. We lost both of those plants.

The question is, What do we do about it? How do we recapture those jobs—really good jobs, union jobs, high-wage jobs, high-skill jobs? How do we recapture those jobs? One of the ways that we can do it is providing an infrastructure that supports energy-efficient vehicles, electric vehicles, and hydrogen-powered vehicles.

I remember being at the Detroit auto show 10 years ago. It was the first time I met Mary Barra, who was a rising star at General Motors, later to become the first woman CEO, and DEBBIE STABENOW, Senator STABENOW, was nice enough to introduce me to Mary Barra that day.

I also remember that that day, I think it was the Chevrolet Volt was named the Car of the Year, and the Chevrolet Volt had its—you know, it runs on battery, and at the time, it got about 38 miles on a charge, and then when the electricity went away, it was all used up, the battery could run on gasoline. It was a classic hybrid. But that was 38 miles to a charge. Ten years later, my family and I just bought an electric-powered vehicle, and it gets 326 miles on a charge—326 miles on a charge. You think about 38 miles on a charge a decade ago to 326 miles on a charge today, that is one heck of an improvement, an increase. If we want to lead the—and that is where people are going to go.

I drove to the train station this morning. It is just a fun car to drive. It has great torque, and it is just a fun car, a great looking car. When you drive it, you have the joy of knowing that you are not polluting our planet. If we can provide the electricity in sustainable ways, renewable ways—offshore wind, for example, solar—that is even better. It is even better.

So we are at a point right now where I think about 3 percent of the vehicles on the road in this country are powered by electricity or hydrogen or some other sustainable source—3 percent. That is up from about 1 percent just a couple years ago. That may seem small, but when you look at the market capitalization of Tesla and compare it to, I think, any of the big three, the market capitalization of Tesla is enormous compared to the other companies from which I bought our family's cars for decades, and they are getting into the race.

You know, renewable energy, electric vehicles, hydrogen-powered vehicles have a little bit of catching up to do, but the market signal here that we are getting from Tesla's market capitalization is the market says EVs—hydrogen-powered fuel cells—that is where the market is going. It sends a very strong signal for investment purposes, and that is where we are going. We in this country can choose to follow the parade, or we are going to lead the parade, and we can follow the parade led by the Chinese and Japanese and others toward this new future or not.

I want to go back to the Detroit auto show. I was there a couple of years after the Chevrolet Volt was named the Car of the Year, and I was walking around the place, a huge place, and I was walking around, and I came across a—they call it a stand, and at the auto show—it is not really a stand, but they have these platforms for vehicles, you know, maybe 2 or 3 feet up. They have platforms that they have for different models. Sometimes they are models that are just being launched; sometimes they are models of the future, you know.

One day I was at the Detroit auto show, about 5 years ago. I think it might have been Toyota—I went by their stand, and they had this—really different—they had built around the vehicle on the stand, and they had framing. It was like 2 by 4's of what I was told was a garage. There was a car in the—you have to use your imagination, but there was a car in the garage, and there was a house, part of a house, attached to the garage.

I asked the person from I believe Toyota—I said: What is this?

They said: This is the future.

They had actually named their future of—division of the company—I think it is called Mirai, something like that, which means ''future.''

The idea there is to use fuel cells and hydrogen. They told that day—they said that combination can help propel that vehicle that is in that make-believe garage. It can heat the house that is there alongside of it using—image, heat that house in the winter and cool that house in the summer.

I said: Really?

They said: Yes. That is the future.

They were going to call it, I think, Mirai. And that is becoming real. That is becoming real.

One of the pieces of legislation that a bunch of us have worked on is how do we provide hydrogen in a clean way so we don't contribute to more greenhouse gases. There is a process—I studied economics, but I know relatively little about chemistry, but there is a process called electrolysis where you can use electricity and water and create oxygen and hydrogen and do it in a clean, sustainable way.

So those are some of the things that are going on. The reason why I mention them is because, in order for us to lead the parade on cars, trucks, and vans, low-emission vehicles around the world; in order for us to create the kinds of good-paying jobs that will flow from that economic activity; in order to get reduction in not just carbon dioxide and greenhouse gases but in other pollutants, the way to do that is to invest, and it is not all on the Federal Government.

We provide R&D for technology through a variety of ways, but the idea is for us to make those investments in ways that can be monetized, if you will, by businesses, by industry to create good-paying jobs and do good and do well at the same time, create economic value, create good-paying jobs, and help us meet our targets to reduce greenhouse gases in this country by a great deal by the year 2050. That is the goal of the current administration. It is the goal of a lot of us here in this body and across the country.

I hadn't really thought about giving a talk, but it was just playing off of what Senator DURBIN was talking about, and I wanted to share that with everybody today.

I love to quote Albert Einstein. A lot of people remember Albert Einstein used to say: The definition of ''insanity'' is to do the same thing over and over again and expect a different result. That is a pretty good quote, but my favorite is, in adversity lies opportunity. In adversity lies opportunity. I believe that with every fiber of my being.

We face plenty of adversity politically here in this country today, with direct threats against our country from terrorism and threats against our planet from too much carbon in the air and greenhouse gases. But it turns out, on almost every one of those fronts, there is opportunity to make a better world and to make a better world by providing a lot of jobs and a lot of economic opportunity.

With that being said, I don't see anyone waiting to speak, so I am going to give my prepared remarks. I should be finished by about sundown, or it may seem that way, but it won't be. But these are too good not to enumerate.

It is good to see the Presiding Officer this morning—this afternoon. I rise to talk about the downpayment that the bill before us makes in terms of climate by making investments in clean vehicles and clean vehicle infrastructure.

Long before I began representing Delaware in the U.S. House of Representatives and later as Governor and as Senator, I was a naval flight officer in the Vietnam var. I am the last Vietnam veteran serving in the U.S. Senate today.

In the Navy, we had a lot of sayings, but the Navy has one saying that I think is most fitting for our fight against climate change, and it is this: ''All hands on deck.'' ''All hands on deck.'' This is an all-hands-on-deck moment, and it requires us to move past divisive rhetoric and to work together to find solutions.

Today, we are showing that we can work together and make real progress here in our Nation's Capital, and that is what the people who sent us here want us to do. Fortunately, we now have a President and even a majority of Members of Congress who understand that we can no longer wait for climate action. We need to take that action, take those steps.

On President Biden's first day in office, he put the United States back in the Paris climate agreement. Soon after, President Biden told the world we would put this country on a path to reduce over half of our climate emissions by the end of the current decade.

The President then laid out a roadmap through the American Jobs Plan on how he would reduce emissions, replace our crumbling infrastructure, and grow our economy all at the same time.

The bill before us today does not fully realize that transformative vision, as some of us had hoped. In many areas, it falls short of the investments we need to reach our climate goals. But this bill does make significant and in some cases historic investments in sustainable infrastructure and a cleaner economy.

As many of our colleagues know, some of the most important climate investments we can make in the Federal Government are investments in clean transportation. The transportation sector is the largest source, as I said earlier, of greenhouse gas emissions in our economy. Roughly 28 percent comes from cars, trucks, and vans that we drive. So reducing emissions from our mobile sources—our cars, trucks, and vans—is a critical part of reaching our Nation's climate goals.

In the Environment and Public Works Committee, I am privileged to lead with Senator CAPITO of West Virginia and our colleagues on both sides of the aisle. We worked together earlier this year to pass the surface transportation reauthorization that advances many of the climate goals in President Biden's American Jobs Plan.

I might add that we have 20 members of our committee—10 Democrats, 10 Republicans—and we voted unanimously to report the bill out of committee and to send it to the Senate floor, where it became part of this legislation that is before us today.

Our bill includes a historic climate title with over $18 billion in investments to reduce greenhouse gas emissions and make our roads more resilient to a changing climate.

Within the surface transportation climate title is significant funding in support of a national network of clean vehicle recharging and refueling infrastructure throughout our Nation's highways and our State roads. This investment is about giving Americans a real choice when it comes to figuring out what they want to drive and ensuring that every driver in America in every region of our country can conveniently access fueling and charging stations for electric or hydrogen-powered vehicles.

Investments in clean vehicle infrastructure is more important today than ever. Every CEO of our Nation's car manufacturers tells us the same thing: The future of the auto industry is zero-emission vehicles. Let me say that again. The future of the auto industry in this country and around the world is zero-emission vehicles. The global market is rushing to zero-emission vehicles, and our car companies need to invest in electric vehicles or be left behind.

I mentioned Mary Barra earlier. I met her at the Detroit auto show a number of years ago. I called her last year and urged her and General Motors to join five car companies that had found common cause with the California Air Resources Board and several dozen other States in stepping down and reducing greenhouse gas emissions from vehicles in manufacture. I urged her to bring GM into the fold and join with the other five or so companies that had found common cause with California and lots of States, including my State of Delaware.

She said to me: We are not prepared to do that just yet. She went on to say that the future is electric. She said the future of her industry is electric. I am all in on electric. She said: We need three things in order to be able to be successful in doing that, in making that transition. The first thing we need is a 300-mile range on recharging.

I just bought a vehicle a month or two ago that gets 326 miles on a charge—326. That is up from 38 miles on a charge on a Car of the Year 10 years ago, a Chevrolet product, and it was a huge improvement.

Anyway, Mary Barra said: We need a 300-mile range. And they have it in their cars now, several models. Ford has it. Chrysler is moving in that direction and a bunch of foreign companies as well.

Anyway, she said: In addition to a 300-mile range, we need fueling stations, charging stations. We need them, she said, not just in a couple of places, but we need them all over the country.

The third thing she said: We need technology where people can charge and recharge their batteries and not in hours around the country but in minutes.

My wife and our son and I drove over the Fourth of July weekend. We drove from Wilmington, DE, to Wilmington, NC, in our new electric vehicle. We had to recharge it a couple of times, but it has a 326-mile range.

The other thing: Along I–95, we have a lot of charging stations. We have a vehicle that actually tells us where the charging stations are, so you don't have to worry about having range anxiety.

But we don't have enough charging stations, and the legislation that is before us today will not create enough in and of itself. But the investment tax credit that will be part of our Finance Committee package later on will help encourage a whole lot of investment from the private sector. So we are using a little bit of Federal money—actually quite a bit of Federal money to incent investment by the private sector.

I was talking to some folks from a company; I think it is a Tennessee-based company. I don't want to mess up their name. But they have truckstops throughout the country where larger trucks can fill up on diesel fuel. They sell gasoline, and they have food and that kind of thing. They are interested in investing in charging stations and fueling stations, hydrogen fueling stations, and what they need is an incentive to do that. The legislation that is before the Finance Committee provides that kind of incentive, and I think it will make a difference.

So the need for charging stations and fueling stations is not going to be just on the Federal Government's dime. It is not going to be just the State and local governments. It is not going to just be the Wawas of the world or the convenience stores of the world. It is not going to just be the auto industry. It is really all of us, with a major role that the Federal Government could play to encourage those investments.

Speaking of General Motors, General Motors has announced its intention to produce only electric vehicles by 2035—only electric vehicles by 2035. Ford has announced that all the vehicles it sells in Europe will be electric by 2030. Jaguar will go electric in 2025. Volvo has announced that it will sell only electric cars by 2030. Volkswagen has announced its plan to increase its sales of electric vehicles by 2030 such that 70 percent of the vehicles it sells in Europe and 50 percent of the vehicles it sells in the United States and China will be electric. Mini, like Mini Cooper, has also announced its transition to electric vehicles. Mercedes just announced its new cars would all be electric by 2030 in markets that are ready for electrification. And the list goes on.

The leading trade association for the auto sector states that it is committed to ''net zero carbon transportation'' and believes that the nation that leads development and adoption of electrification and other innovative technologies will ''shape supply chains, define global standards, and potentially reshape the international marketplace.''

A recent letter from the Alliance for Automotive Innovation, United Auto Workers, and the Motor and Equipment Manufacturers Association states that both business and labor are ''committed to working toward a netzero carbon transportation future that includes a shift to electric-drive vehicles.'' To accomplish this, they believe that the United States must have a ''comprehensive national vision and strategy''—a ''comprehensive national vision and strategy.''

Expanding and improving access to clean vehicle infrastructure will facilitate increased consumer demand for more clean vehicles, spurring cleaner air and a healthier climate and growing economy.

You know, the thing that we love most of all about our electric vehicle is it is just fun to drive. It is, as we say in Delaware, a hoot, and great torque, great acceleration, and a lot of fun to be out on the road. That more than anything else will help sell it and provide the infrastructure that they need.

With all the good work we did in our EPW Committee on the surface transportation bill, it should be no surprise that the EPW bill is part of the foundation of the $1.2 trillion bipartisan deal that is before us today. The bipartisan compromise before us expands investments for charging and refueling infrastructure to a total of I think about $7.5 billion. The bill also includes funding for electric schoolbuses and electric transit buses.

Specifically, our bill authorizes a grant program for alternative fuel corridors that will provide much needed funding to strategically deploy publicly accessible electric vehicle charging infrastructure along designated alternative fuel corridors that will be accessible to all drivers.

We also create a community grant program to provide funding to expand access to electric vehicle charging infrastructure, especially in rural and disadvantaged communities.

This bill will also provide an additional $5 billion distributed by formula to the States to build out EV charging so that drivers and car buyers can be confident of having access to a nationwide network of charging infrastructure.

As I said before, this is just a downpayment on what we can and must do in terms of climate action. However, as everyone who has bought a house knows, sometimes downpayments are hard to do and the most important step toward success.

Let me close with this. My colleagues know that I try to focus on the areas where we can find consensus.

We just had a funeral out in Wyoming a couple of days ago to say goodbye to our beloved colleague, Senator Mike Enzi, who is sort of—I call him—the author of the 80–20 rule that says: We agree—this is in his words. He used to work with Ted Kennedy on the Health, Education, Labor, and Pensions Committee. It is an amazingly productive committee and an important committee. Ted Kennedy was the senior Democrat, and Mike Enzi was the senior Republican.

And I always asked Mike Enzi on this floor—I said: How can the two leaders in this committee, one a Democrat and one a real conservative Republican—how can you get so much done?

And he said: We believe in the 80–20 rule. We focus on the 80 percent that we agree on most of the time; and the other 20 percent, we set it aside to work on it some other time.

If Mike Enzi is looking down today, I know that he will be saying ''amen.'' And we should follow his lead there, and this is one good place to do that.

I always want to get things done by working with my colleagues across the aisle because I think bipartisan solutions are lasting solutions. I like to find those where we can. I am committed to working with my Republican friends in the Senate on getting all these actions across the finish line.

We will continue to work toward these urgent needs in the budget reconciliation process. Again, it is an all-hands-on-deck moment, requiring meaningful investments in climate actions in a lot of different ways. The last thing we cannot afford is inaction. The last thing we cannot afford to do is to wait until later.

We got to put in place commonsense policies, some of which we talked about today, and a lot of which is included in the legislation before us. These are policies that can spur economic investments in our Nation's aging infrastructure, reduce our transportation pollution, and support the millions of Americans who are considering buying a clean car today or sometime soon.

My hope is that we can work together to support our Nation's clean energy infrastructure and move our economy to a brighter future.

And before I yield the floor, I will just say to the Presiding Officer my appreciation to her and the work that she and the committee that she serves on and helps to lead, the Energy and Natural Resources Committee.

I mentioned that a major source—a large source of carbon emissions comes from our mobile sources, but No. 2 is power plants, and the Presiding Officer is doing good work that helps to address emissions there. The rest of us look forward to being able to partner with her on that in the days ahead, so I thank the Presiding Officer for her good leadership.

Before the gentleman from Ohio speaks, I just want to acknowledge my friend and the friend of the Democrats. I shouldn't say complimentary things like that to our Republican colleagues, I suppose, but I just want to applaud him for the leadership that he and Senator SINEMA and 20 other colleagues have fought for us in trying to get us to a good place and bringing the legislation here before us. We are grateful for his leadership. He has about another year, year and a half to serve in the Senate, and I and the rest of us want to make sure that that is a very productive period of time. We are hopeful we can get this done, and we will not just celebrate together, but we will do good work. We will have done really good work together.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Ohio.

Mr. PORTMAN. Madam President, I appreciate my colleague from Delaware. He is the chair of the committee that produced a lot of the work that went into this package. Roads, bridges, the highway bill, and the surface transportation bill comes through his committee. He and Senator CAPITO from West Virginia worked together, on a bipartisan basis. And my recollection is the underlying bill that we pick up in this broader bill that has to do with roads and bridges and so on passed with a vote of 22 to nothing out of this committee, and that is because they did good work in finding out where there was common ground. And, frankly, you know, the American people deserve to have good roads and bridges and infrastructure to drive on and travel on. So it is a big part of this bill, and I thank him for his work on that.

We have now voted twice to proceed to this very important legislation, to finally, after a lot of years of talking about it, making major improvements to our Nation's roads and bridges and railroads and ports and waterways and water infrastructure, electrical grids, our broadband networks, and more. It is overdue.

And I am delighted to say that twice now we have voted to proceed to final passage. One was a vote of 66 to 28, and the other was a vote of 67 to 27. And, frankly, there were a couple of people on our side of the aisle who were not able to come vote, one of whom has COVID and the other, in both cases, somebody had travel difficulties. So we would have had two more votes on our side that were positive votes as well.

So this is a supermajority, and it is because the legislation makes sense for the States represented here in this Chamber and for the American people. It will improve the lives of all Americans. It will make life better. So the mom who is stuck commuting, who would rather be spending time with her family every day, you know, is going to have the ability, through better transportation infrastructure, to have fewer minutes and hours every day in gridlock.

The truck driver who leaves the home, you know, and says goodbye to his family and goes on a long haul and thinks, ''You know, am I going to be safe?'' it will be safer, thanks to this legislation.

We had two trucks collide on a bridge in Ohio recently. It is not safe. There is no shoulder on the bridge anymore because the traffic is bearing twice the number of vehicles that it was designed for.

The mom who has been taking her daughter to the public library parking lot 30, 40 miles from their home to get internet access in order for her daughter to do her homework will now be able to have internet and be able to have broadband in her community right up to her home because of this historic investment in ensuring that the digital infrastructure is put in place. So you don't have this divide.

We have got counties in Ohio that just don't have internet, period, and others have very slow internet. We have got about 30 counties that are a part of Appalachia. We have got about 18 of those counties that are unserved and another large group that are underserved.

And that digital divide makes a huge difference because, again, those kids are going to fall behind, certainly during the pandemic, when they had to be accessing the internet to just stay up with school. But even postpandemic, you know, we want to be sure that that learning opportunity is there.

And then in terms of telehealth, you know, there are veterans in southeast Ohio who aren't able to make the drive to the VA clinic in Columbus or elsewhere, but they can take advantage of telehealth; and they have, to the extent they have access to it during the pandemic, and it has been actually quite helpful. But if they don't have access to the internet and high enough speed internet, they can't get the healthcare at home that they need for appointments.

It is also important for business. If you are a small business owner in these parts of the country that don't have internet access, it is really tough to get off the ground. And these are the very areas of the country where we want to have more economic development, so that is in this legislation as well.

And in terms of water infrastructure, Ohio has got a lot of aging water infrastructure. I saw someone wrote a story recently, saying that only about a quarter of this bill goes into hard assets. That is just not accurate. In fact, a quarter of it goes to roads and bridges and even more, I guess. But water infrastructure is a hard asset.

Ask the communities in Ohio that have been told by the EPA, in Republican and Democrat administrations: You got to fix your sewer system; you got to fix your drinking water system; you can't have combined sewer overflow.

And they just can't afford it, particularly in these mid-size cities. They are really excited about water infrastructure.

Our ports, that is hard infrastructure too. So ships are lined up at some ports right now, including out West. And so if you are a consumer, you are trying to buy something and you are wondering why you can't get it, including, you know, maybe an electronic device you want, or maybe it is a part to an automobile that you want, a lot of it is it is stuck. Stuff is stuck right now because our ports are not efficient enough and capable enough to handle what they should be able to do.

Our land ports, if you are concerned about the southern border and the ability to screen trucks and cars coming in to try to keep some of this deadly fentanyl and other drugs from coming over our southern border, you should want this legislation because it is going to provide more infrastructure for our ports.

So there is a lot in here that will make people's lives better, and that is obviously one reason that this is so popular, because people do expect it here in America. This great economy we have, we should be able to also lead

the road in infrastructure, and we don't. There is a study out saying, in fact, we are not even in the top 10 in terms of infrastructure around the world.

It also will make our infrastructure more resilient to natural disasters and other crises. It will make our Nation safer and more secure. It will grow our economy in a million small but meaningful ways. What the economists say when they look at this legislation—and by the way, again, every President in modern times has proposed this big infrastructure package for this reason. They say it will make your economy more efficient.

So we have fallen behind on infrastructure, and if we can catch up, the economy is more efficient; therefore, we are more productive; therefore, the economy grows; therefore, more tax revenue comes in from infrastructure. So it is a good long-term investment. It is not money that is going to be spent next year. Think of the projects in your community that might be helped. That project may last for 10, 15 years, even before it is finally completed.

So this money goes out over time for hard infrastructure. That is one reason it doesn't affect inflation in a negative way. In fact, it is counterinflationary because it invests in hard assets and in jobs over time. If you are in business, think about your capital expenditures. Your capex budget is going to be different than your day-to-day spending than you probably thought of from your capex.

It is going to also take some important steps to repair, replace, and build assets that will last for decades. Again, that makes life better for people. It makes the economy more efficient. It also is something that, as economists look at it, they believe will be counterinflationary.

It has been made clear in poll after poll this is something that brings this country together. So, unbelievably, there is a poll by CNBC showing 87 percent of the American people think it is important that we, here in Congress, invest in improving our roads and our bridges.

Within a couple of months, another poll by CBS found exactly the same number, that 87 percent of the American people support more Federal spending on repairing roads and bridges.

An Associated Press poll found that 8 in 10 Americans favor plans to increase funding for roads, bridges, and ports, and for pipes that supply drinking water. That is what the bill does.

And we need the investment. Let's be honest. The American Society of Civil Engineers gives our infrastructure in America a grade of C-minus. That is not very high. And they project our economy stands to lose more than $10 trillion in GDP—$10 trillion in our economy—by 2039, if we fail to invest in these repairs. We have fallen to 13th in the world in infrastructure while key foreign competitors, like China, spend now four times more on infrastructure than we do.

China is spending four times more as a percent of their economy on infrastructure than we do. Why? Because they want their economy to be more efficient. They want to compete with us and win. We want to compete with them and have American workers win.

Thirteenth in the world is based on a study that is done periodically. To ensure that we are comparing apples to apples, they look at all kinds of things. America has a very strong, competitive economy, generally, but infrastructure is a weakness for us.

So this is the World Economic Forum. They put this study out periodically. I follow it. I look at it because it has a lot of different things in it—not just infrastructure—as to how our economy is working.

How are we doing on permitting?

Not so good. Guess what. We have permitting reform in this package, and the permitting reform will allow the Federal dollar to go further.

So think about it: If it takes 6, 8, 10 years to permit a project, the enormous cost involved in that. But if you can do it in 2 years, which is the goal of our permitting reform, that makes a huge difference. And a lot of it is because you have a lot of different Federal Agencies that are requiring permits. If you have an energy project, whether it is a fossil fuel project or whether it is a renewable energy project, you can have as many as 30—I am told, in 1 case, 35 different permits. By the time you finish the first 30, you have to go back to the first one again to get fit in. It is crazy.

We had a project in Ohio actually shut down because they just couldn't handle the permitting. It was actually a hydropower along the Ohio River.

So that is in this legislation, too—historic permitting reform—and that should make sense to every taxpayer. Yet we want to go through the environmental studies. That is fine, but let's do it quickly and efficiently and require one Agency to be in charge and accountable. That is what this does. It requires that there be a dashboard that anybody can look up and find out where that project is. That keeps it moving, very transparent. That is in this proposal.

So there are some good things in here that ensure that the money that is spent is spent more wisely than it has been in the past.

Let's be sure people can't come back and sue after the fact. We take the amount of time that someone can come back after the fact and sue on a project from 6 years to 2 years. That is very important to developers. That is very important to our workforce. That is very important to the building trades in this country.

You look at the list of supporters of this project, and, I mean, it is unbelievable. The American Farm Bureau and over 30 farm groups have now come out for this proposal. So for those in Big Ag States, I would say, listen to your Farm Bureau—you usually do—and they will tell you this is very good for the farmer who wants to get his crops to the market.

In Ohio, we have a lot of soybeans. We want to get them to the elevator in order to be efficient, but we also send them all over the world. So we want our ports to be efficient.

But it is not just the Farm Bureau. You have the National Association of Manufacturers supporting this, the American Chamber of Commerce, the Business Roundtable, and the AFL–CIO Building Trades Council. The men and women who do the work strongly support this legislation. So it is going to help in terms of jobs, competitiveness.

And, again, it is no wonder that so many people over the years have said: We need to fix our infrastructure.

Every President in modern times, by the way, has had a proposal to do so. The joke here in Washington is, ''Oh, it is infrastructure week again'' because, frankly, administrations over time have had infrastructure week—''We are going to get infrastructure done this week''—and nothing has happened. Congress has been stuck.

We have been in gridlock on this, kind of like the gridlock during rush hour in so many of our cities today that we want to fix with this bill. Well, that gridlock here has kept us from doing what we are trying to do in this legislation.

Five hundred and fifty billion dollars in additional funding over the next 5 years is what this is. Others have said it is a trillion. I don't—it is $550 billion. It is actually a little less: $548 billion is what the final number was over 5 years, as a shot in the arm to help get these projects going, not just in the next year or 5 years but over the next 20 or 30 years. This money will be spread out over time.

But this is part of how we get America on a track where we have good-paying jobs and more efficiency in our economy long term.

Every President, as I said, has tried to get the infrastructure bill done. One of those Presidents is our most recent President, President Donald Trump, who pushed to pass a $1.5 trillion infrastructure bill during his time in office in his budget. As a developer, he gets it. He understands the importance of infrastructure, and I applaud him for that.

And, honestly, I think he changed the discussion a little bit on my side of the aisle. I think he got more Republicans thinking. One of my colleagues told me recently the two things government ought to do and do well is national defense and infrastructure. I think there are other things that government does as well, but that is not a bad list for what the priorities ought to be for the Federal Government. Look at the Interstate Highway System as an example of what needs help now.

So I appreciate the fact that President Trump got the discussion going

among Republicans who might not previously have focused on that.

Here are just a few highlights of what we secured in this legislation.

We are going to provide billions in funding for some of our most pressing hard infrastructure needs: $110 billion in new spending over the next 5 years to construct, rebuild, and maintain our Interstate Highway System, our roads, and our bridges.

That is going to make a big difference for us in Ohio. We have 123,000 miles of roads. And where traffic congestion occurs in Ohio, we have an estimated $4.7 billion lost each year—lost time, wasted fuel, according to the American Society of Civil Engineers—$4.7 billion because of traffic congestion in Ohio alone.

They also say there are currently more than 46,000 bridges in our country that are considered structurally deficient and in poor condition. Think about that: 46,000 bridges considered structurally deficient and in poor condition—46,000. And yet, 178 million trips are taken across these deficient bridges every single day. One hundred and seventy-eight million cars or trucks go over these same structurally deficient bridges.

Ohio, by the way, is No. 2 in the Nation for bridges. We like bridges in Ohio. We have lots of creeks and rivers and railroad tracks to go over. We have over 40,000 bridges, but nearly half of those are not in good condition. That is the reason I am pleased this bill provides $12.5 billion to fund the bipartisan Bridge Investment Act that will award competitive grants to improve our Nation's bridges based on whether they are major bridges of commercial activity, based on their condition, based on their safety.

We have $60 billion total to help State and local government fund major construction projects, like the long-awaited Brent Spence Bridge Corridor in my hometown of Cincinnati, OH. We have been talking about replacing the Brent Spence Bridge as long as I have been in elected office, and that has been a while. It has been probably 25 years of talking about this. Let's get it done.

We are going to make immediate reforms to the permitting process, as I said, because that will help with regard to that bridge and others to do it more quickly, more efficiently, with less cost to the taxpayer dollars.

Again, I want to commend the Trump administration because they prioritized that issue. But the legislation that we had passed here to help with speeding up permitting sunsets. So this legislation that we are voting on here actually ends that sunset and, therefore, ensures we can continue that permitting going forward.

If we don't do it in this bill and don't do it soon, we are not going to have projects signing up for this interagency council on permitting because they will have the sunset. They know that they are not going to be able to take advantage of it. So that is really important.

We also strengthen the provision, make it cover more projects, and ensure that, again, we are going to get these permitting reforms to make this dollar—this Federal dollar—go further.

And we are going to make a necessary investment in the future of our economy by providing $65 billion to increase access to broadband services to connect more Americans to the internet.

In Ohio, it is estimated that about 300,000 households lack access to the high-speed broadband that many of us just take for granted. We assume everybody has it. People don't. It is holding folks back from being able to get the schooling they need, the healthcare they need, or to have the economic opportunities that come with being connected to the internet.

These are just a few highlights, and I can go on. But the bottom line is that we are dedicating almost $550 billion to new infrastructure spending over the next 5 years to go toward a wide range of priorities that will collectively have a positive impact on the people I represent and all Americans.

Importantly, we have funded our bill through a number of responsible pay-fors without any new taxes on working families, on small businesses, on large businesses, on anybody. This is being done without tax hikes.

That is significant because, remember, when we first started talking about infrastructure, it was in the context of a proposal from the Biden administration for a huge increase in taxes. It was a $2.65 trillion package and included incredibly steep tax increases. In fact, taxes increased to much more than taxes were cut back in 2017 in that proposal, about four times more. Some say five times more.

But we decided: No, let's not do that. Let's pull infrastructure from this package—really core infrastructure, because infrastructure is being defined in ways that it had never been defined before, including so-called soft infrastructure: social spending for nursing homes or for healthcare or for electric car companies outside of infrastructure.

We said: No, let's just pull the core infrastructure out of it, and let's take the taxes off. And that is how we got down to, again, $548 billion and without taxes.

So from the start, we have said some of our pay-fors will not be fully reflected in the formal CBO score that came out on Thursday. But, instead, it will be reflected in CBO estimates.

What is CBO? CBO is the Congressional Budget Office. It is the group up here that we have to rely on in terms of our legislation to say how much something costs.

Republicans and Democrats alike love to complain about CBO. In fact, often, it is my Republicans complaining about them on my side of the aisle because they don't give enough credit to the feedback effect from tax cuts.

Democrats are kind of just the opposite. They think there should be more feedback effect—in other words, a dynamic score as relates to spending.

And we disagree on their calculation of scoring. But that is who we have to rely on.

So the CBO estimate that just came out, including what they said about their official score, was disappointing to me because they didn't follow what we wrote in the law. We have had this discussion, and, you know, they are the arbiter. So my same Republican colleagues who have complained about CBO over the years in other contexts are now saying: Well, look, the CBO score isn't high enough. You know, you said about half of it would be paid for by official CBO scores. Well, it is, but they didn't give us credit for it.

One example is CBO's limitation that they can't account for States returning to the Federal Treasury the money that we dictated they had to return in our bill. They just won't do it.

Fifty-three billion dollars was in our legislation for unused funds from the enhanced COVID UI supplemental put in place during COVID–19. Recouping this outdated supplement is a win for the American taxpayers, and everyone should support sending it back toward projects like infrastructure that help move our economy forward rather than for other purposes. And yet CBO gives us no credit for that.

CBO is not fully able to reflect the funding streams that will help pay for our legislation in other ways as well. I will give you, perhaps, the two most striking examples of this.

One is that working with the White House, working with the Office of Management and Budget, working with the individual Agencies, we were able to determine that some of the COVID–19 funds that this Congress had sent back to the States through Agencies was not being spent, and so we wanted to repurpose that money through this purpose. Remember, we spent a lot of money, including $1.9 trillion recently. But even before that, four different pieces of legislation were sending money out to the States for COVID–19 purposes.

And so we said: Well, if it is unused COVID funds, let's return it to the Treasury and apply it to this. And it makes sense. Infrastructure is something States and localities are eager to have—better infrastructure—and it is appropriate to use some of that funding.

So we said in our proposal that $41.8 billion would be rescinded based on what we got from OMB, from the individual Agencies on their unobligated funds. The White House signed off on it. We all signed off on it, Republican and Democrat. Unfortunately, CBO chose to give us credit for just $13.4 billion rather than $41.8 billion. It is frustrating. It is a difference of $28.4 billion in savings.

Now, what they say is that we are not convinced that even though these

are unobligated balances—which we have been able to prove, by the way, and we have documents from the White House, now, after the fact, showing this again. But they have said: Well, we don't believe that these Agencies that have extra money are going to spend the money. That is one of the reasons they gave. We think they will just keep the money.

When has an Agency not spent the money that Congress provides them, I would ask my colleagues?

I will give you a real-world example of this. As we started to look for these unused COVID funds, it turns out that the U.S. Department of Agriculture, USDA, had some extra funds that they had not sent out to anybody and weren't planning to. When they heard that we were nosing around with the Office of Management and Budget and with the White House to pull back some of those funds for this purpose, for a good purpose, for infrastructure—guess what—they came up with another program. They had the discretion to send the money out under another program. So they came up with one and said: Oh, now we have got this money covered. You are not allowed to touch it.

So I am just telling you that is one of the challenges with these CBO scores. They took $28.4 billion in savings and just decided, because they knew best, that this was not going to be available because the Agencies were going to spend it, even though they haven't spent it, they had no reasons to spend it, they had no plans to spend it. And, again, the Office of Management and Budget at the White House had confirmed that.

Another example: We went from a savings of $65 billion from the next auction for spectrum down to $20 billion in response to concerns by colleagues on our side of the aisle that this might affect our national security. So $65 billion in savings, CBO-scored savings, in this legislation, went to $20 billion—working with the Department of Defense, carefully; working with the Office of Management and Budget; working with the Armed Services Committee here, ensuring that we weren't going to touch any spectrum in that future sale that had a national security implication.

So that reduced our CBO score. We understood that, but we wanted to be sure that we weren't taking any risks by having any issue with regard to DOD spectrum that they didn't want to provide.

CBO then, in their report on Thursday, decided that they weren't going to give us credit for that $20 billion. They took it down to about $10 billion. We lost $9.8 billion on a CBO score there.

And, again, when we pushed on that, they said: Well, we just need to know that the White House is going to move ahead with a spectrum auction.

Well, they are, and they have sent us a letter saying they are.

So, again, this is a little arbitrary, don't you think? How can CBO decide?

So just as they took $30 billion away from the CBO score with regard to repurposing COVID money, which is based on the unobligated balances that the White House agreed to, that OMB agreed to—but CBO is saying somehow the Agencies aren't going to spend that money. I mean, all the records, if you look at what happens, is that they will spend the money.

So we are saving the money. We are pulling it back and applying it to a good purpose: infrastructure.

So I would just caution my colleagues who, again, traditionally are skeptical of CBO and somehow, in this case, think CBO is perfect, to look a little closer at these scores and look at the fact that they are not necessarily accurate.

What this legislation does not do—the Infrastructure Investment and Jobs Act—is it does not include the grab bag of massive new social spending that Democrats included in their first package and certainly that they are now including in their $3.5 trillion spending proposal they unveiled earlier this month.

And this is an important point that my colleagues shouldn't miss. The President has said that the package—the $3.5 trillion—will not include more core infrastructure spending. Now, remember, that was pulled out of his original package, the $2.65 trillion. We took about half of the core infrastructure out of there and took out all the taxes, so we are at $548 billion.

And he made a commitment, both privately and publicly, as have Democrats up here, that that is the negotiation on the core infrastructure. So the roads and bridges we have talked about earlier, the water infrastructure, the rail, the ports—that can't be double dipped in terms of also including that in the $3.5 trillion.

Now, they will have a lot of other spending in there that is social spending, that is not this capital expenditure spending we talked about. Many of my colleagues know what capex means, that you typically borrow for your capex, and it is long-term spending for hard assets. But that is not what the $3.5 trillion is about, and that is why I strongly oppose it, as do my colleagues on this side of the aisle.

The President having said that the package will not double dip, that we won't have that in there, is very important to remember because we have saved taxpayers not only huge tax increases by finding a bipartisan solution here, but we saved taxpayers from a lot of additional spending that otherwise would have occurred.

This investment in repairing and upgrading our Nation's infrastructure will have real, lasting benefit for our country through building out hard assets that improve productivity and improve efficiency without adding to inflation. It will create hundreds of thousands of good-paying jobs in industries ranging from construction and plumbing to electrical engineering and software development, with one recent study from the Association of Equipment Manufacturers finding that the legislation could create around half a million jobs by 2024.

This is why every business group in America is supporting this legislation, as well as all the ag groups—over 30 ag groups—including the American Farm Bureau. It is why the AFL–CIO Building & Construction Trades Council is supporting it, because they are going to provide a lot of the workers for this.

Even more importantly, given the recent economic news we have seen, is this proposal will not cause inflation to increase. As Democratic economist Larry Summers on the other side of the aisle and many of us here on the Republican side of the aisle had been warning about for months, including me, inflation is here, with prices for consumers up 5.4 percent over this time last year.

And this rate of inflation, in my view, could well go up even further. Douglas Holtz-Eakin, former CBO Director, now head of the American Action Forum, a conservative economist; Michael Strain, director of economic policy studies at the American Enterprise Institute, AEI, also a conservative scholar, has said that our bipartisan infrastructure package will slow down inflation.

They said: ''Improving roads, bridges, and ports would make it less costly for businesses to operate, allowing them to increase their output per hour, and putting downward pressure on consumer prices.''

So I know some of my colleagues want to conflate these two, the $3.5 trillion extravaganza with huge tax increases and immediate social spending and this long-term spending we have talked about here, where very little money is going to go out the door even in the next year or two. But they are not the same, and I think it is irresponsible to say they are the same.

The bottom line is that the Infrastructure Investment and Jobs Act will provide a historic investment in hard infrastructure, with input from a bipartisan group of Senators, while avoiding the tax hikes that would hurt our economy, destroy jobs, and undermine our competitiveness around the world.

And importantly, for the sake of future bipartisanship here in Congress, it is an infrastructure plan that allows us to avoid the repeat of the COVID–19 spending bill, the $1.9 trillion that passed under this partisan process of reconciliation.

It is also the alternative way that we ought to operate around here instead of the $3.5 trillion reconciliation package that is coming next. It demonstrates to the American people that we can, in fact, work together to get big things done in a responsible way.

President Biden promised to govern in a bipartisan manner, in his inaugural address and in his campaign. Unfortunately, he hasn't done that with

regard to the COVID package, the $1.9 trillion under reconciliation, the $3.5 trillion that they are now going to attempt to pass here in this Chamber. But this bipartisan package is an opportunity for all of us to fulfill that pledge, to figure out how to work together to get big things done.

It is a genuine compromise. It is not the bill I would write. It is not the bill my colleague KYRSTEN SINEMA would write on the Democratic side of the aisle. But it is good for the country. It builds our core infrastructure. It doesn't raise taxes on the American people. It will grow the economy. It will lead to more tax revenue coming in to the Treasury, and yet it includes responsible pay-fors.

Soon, I hope we will all be able to vote on final passage of this legislation. As I indicated, we have already had two votes to proceed to final passage. One was 66 to 28; the other was 67 to 27. I think it is time for us to come together and to enact this bipartisan achievement for our Nation, for our economy, and for the people we represent.

CRYPTOCURRENCY

Madam President, I want to address a specific part of the legislation that is before us. It relates to cryptocurrency. As we know, cryptocurrency is a digital asset that more and more people are investing in, and we should want that to continue and continue in a healthy and sustainable way.

There is consensus here in Washington and around the country that there should be better and more consistent reporting on cryptocurrency transactions. By the way, this would be a good thing for honest, taxpaying holders of cryptocurrency, which is the vast majority of them who, today, have to figure out their basis and sometimes their gross proceeds when filing taxes because they don't get a 1099.

The form 1099 that a financial institution would give you if you invested in stocks or bonds or other financial instruments often is not available for holders of cryptocurrency, which creates problems.

Standardizing this basic information reporting by crypto brokers for tax purposes is going to help provide more certainty for everyday Americans looking to invest in these digital assets.

The experts at the nonpartisan Congressional Joint Committee on Taxation and the Department of the Treasury say that this would lead to better tax compliance as well. So the information reporting would lead to better compliance with the Tax Code.

The question is who should issue that 1099 in a cryptocurrency context. Again, the consensus is that it should be the brokers of cryptocurrency, just as it is for stocks and bonds and other financial instruments.

In the underlying bill, a broker is defined as any person responsible for regularly providing any service effectuating transfers of digital assets by cryptocurrency—which, for tax purposes, means a sale—on behalf of someone else.

Some crypto brokers already comply with these standard information-reporting obligations, but for those who have not yet adopted these practices, this rule change is going to make it easier for their customers to pay their taxes due.

The concern has been expressed that some in the cryptocurrency industry who are not brokers could be inadvertently caught up in this definition. The Department of the Treasury, the nonpartisan Congressional Joint Committee on Taxation, and others believe that the current language is clear and that the reporting requirements only covers brokers.

But my view is that we should work to clarify this, given the potential for confusion on an extremely important issue. In particular, we want to be sure miners and stakers and others, now or in the future, who play a key role by validating transactions, or sellers of hardware or software for digital wallets, or node operators, or others who are not brokers are clearly exempted.

While it is not the intent of the underlying bill to include them, I believe we can do more to make this clear, which is why I will continue to work with colleagues to clarify the intent of the information-reporting language.

There have been a number of amendments that have been filed to try and make this provision more clear, and I have been working with my colleagues Senator WARNER, Senator WYDEN, Senator TOOMEY, Senator LUMMIS, Senator OSSOFF, and Senator SINEMA on a potential solution that I believe will help reassure stakeholders that these individuals will not be considered brokers, while maintaining the information reporting in this bipartisan legislation.

Today, we will continue these important discussions, and I am hopeful we can come to a solution that will provide certainty for taxpayers and avoid any potential loopholes for bad actors.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

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Mr. SULLIVAN. Madam President, I want to thank Senator PORTMAN for his outstanding work, all the great work that he is doing on this bill with Senator SINEMA and others, and I am hopeful that we can get some of these amendments—bipartisan amendments—on the infrastructure bill onto the floor.

I know my colleague Senator HAGERTY is going to work on that here in a minute. I support what he is trying to do.

I have an amendment, for example, that is very bipartisan and would help all the Tribes in America—Alaska Native Tribes, lower 48 Tribes—to simply get the authority to extend the spending of their original CARES Act money that they got in March of 2020.

They just got authority to actually start spending it. All we want to do is extend the deadline. No additional money for anybody. I think every Senator here supports it.

These are some of the bipartisan amendments that we are debating, and, hopefully, we are going to get votes on these because whether you are going to be for the bill or against the bill, I think most of us would agree they are going to improve the bill. My amendment would. But I know a bunch of amendments—Senator CORNYN has one that I am supportive of and cosponsoring. So there are a number of amendments that we hope we can get and debate here on the floor.

But, as you know, the Senate has a lot of other work besides just this, and I just want to talk a little bit about that work that is going on. Right now, we are going to turn to the Senate majority leader, Senator SCHUMER. After this debate, he is going to want to turn to a completely different bill, and that is the $3.5-trillion partisan tax-and-spend spree that is just completely inappropriate right now for our country, especially after the Democrats finished up a partisan bill in February of $2 trillion.

This is a reckless amount of spending that they are looking at doing, and I am pretty sure some of my colleagues know that. But part of what is going on here is a hijacking of the Democratic Party by the far left. You have seen that in a whole host of areas.

NOMINATIONS

Let me give one other area that is really important, from the Senate's perspective, where that is starting to happen, and that is on nominees. I have been coming down to the floor to talk about nominees, where we have an advice and consent role as U.S. Senators. One in particular is being put up for a position for the Bureau of Land Management, which has enormous power over my State and my constituents—enormous. And yet, somehow, the President of the United States has decided to put forward someone who is not just an extremist but a violent extremist, a former ecoterrorist, named Tracy Stone-Manning, to be the head of the Bureau of Land Management.

I have been coming down to the floor and speaking out against this. This nominee clearly undertook activities as part of a group called Earth First!—tree spiking, they call it, that is actually meant to harm Americans who are legally harvesting logs and timber. This is unbelievable that we are actually even debating this nominee.

Now, some of my colleagues said: Well, that was a while ago; she is sorry about that.

But then she came before the Senate and didn't tell the truth to Senators. That should be No. 2—strike two, you are out.

But here is strike three, and this just happened. Her husband, in a Harper's Magazine—I guess he is some sort of far-left radical, too—said that firefighters who are trying to put out fires in national forests should just let the

homes built there burn to the ground—burn to the ground. Ten months ago, she applauded her husband's views on that. The person who looks like they are going to be BLM manager is saying that if there is a fire in, say, a national forest in Alaska and you have a cabin there: ''Let the fire burn the cabin down.'' I mean, this is outrageous. It was just 10 months ago. It is disturbing. And, again, I ask that the President pull that nominee.

I would also request that another nominee—here we go again—who has been put forward by the Biden administration should also be withdrawn. And I think some of even my Democratic colleagues have concerns about Mr. David Chipman to head up the Bureau of Alcohol, Tobacco, Firearms and Explosives, ATF. He is another extreme activist, this time against the Second Amendment and Second Amendment rights. He will be in charge of an Agency, if confirmed, that is actually in charge of law enforcement with regard to firearms.

As the senior Senator from Iowa so aptly put it, many see putting a committed gun control proponent like David Chipman in charge of the ATF like putting a tobacco executive in charge of the Department of Health and Human Services, or Antifa in charge of the Portland police department.

Well said, Senator GRASSLEY. I agree 100 percent with you. Count me in and the vast majority of my constituents in Alaska for feeling the same way.

I want to talk briefly about why I feel so strongly about this nominee and am coming down to speak out against this nominee as well.

The Second Amendment is not some lower class constitutional right. It is the Second Amendment to the Constitution. In my office, I actually have the Bill of Rights emblazoned on the wall of my office—every word of it—to remind me, and others who come there, just how important this is for our country. If my colleagues believed that the Second Amendment was as important as other amendments—freedom of speech, the right to a jury trial, protections against search and seizures—they wouldn't be supporting Mr. Chipman as head of ATF, the law enforcement Agency tasked with enforcing our Nation's firearm laws. They just wouldn't.

Let me talk a little bit about his background. I respect Mr. Chipman's 25 years as an ATF agent, but when he left government, he has spent his time working as a gun control advocate and is well-known for his views—extreme views—on restricting the Second Amendment.

For instance, on an online site in 2019, he said the following, which is remarkable:

> While at ATF I conducted studies involving people who failed background checks to determine how many later committed crimes with a gun—many did.

I am still quoting him.

> This is a perfect opportunity to arrest people before committing crimes rather than responding after the fact.

Let that one sink in.

Has anyone here seen the movie ''Minority Report,'' with Tom Cruise? That is actually what that movie was about: Let's arrest people before they commit a crime.

He has actually advocated arresting people who failed background checks. This is extreme, to say the least.

And it is, apparently, not only the Second Amendment that he wants to do away with. In his recent confirmation hearing, he appeared to want to ban all rifles larger than a .22-caliber rifle. He couldn't define what constitutes a so-called assault rifle. But good luck protecting yourself in the Alaska wilderness with a .22.

He also called for more burdensome regulations on popular sporting rifles under the National Firearms Control Act. And in his work restricting the Second Amendment, he has lobbied Congress for universal background checks and instituting age-based gun bans, which would definitely not work in my State, and wanting to establish a national firearms transfer delay period.

Not only is he hostile to Second Amendment rights, but, remarkably, the person they want to put in charge of firearms is condescending to the people in America who actually own them, as so many on the far left are, especially first-time gun owners.

In an interview in April 2020, during the height of the pandemic, when it started, he mocked first-time gun owners who were purchasing firearms. Remember, this was a rather uncertain troubling time during the country. And he talked about these people putting themselves and their families in danger because they are going to go buy a firearm.

He said: First-time gun owners should put their guns away in their cabinets behind their ''beef jerky and cans of tuna'' that they had presumably been saving for the apocalypse and only take out the weapons when ''the zombies start to appear.''

This is the guy the President has put forward to be in charge of firearm laws. I guess he thought he was being clever in the same way that former President Obama thought he was being wise when he spoke on high about people in rural States clinging to their guns and their religion. But most of us don't find this funny, especially my constituents.

In Alaska, we take our gun rights very seriously. We need firearms to put food on the table, to defend ourselves in the wild—rural, urban, Native, non-Native, all races, all income levels. Responsible gun ownership is part of the fabric of my State; so is valuing our constitutional right, especially our Second Amendment.

We understand these rights form the foundation of our democracy, and when these rights begin to erode, when people in power pick and choose at will which rights of our Bill of Rights they want to protect and enforce, our democracy erodes with it.

My constituents in Alaska do not think Mr. Chipman is remotely qualified. And, by the way, I am starting to hear that it is not just Republicans who have this view, but some of my Democratic colleagues have this view. And I hope that is true.

Further, several former ATF career officers with whom Mr. Chipman served, sent a letter recently to the Senate saying: His strong personal belief on firearm issues will create serious long-lasting problems for the Bureau in the effective execution of its law enforcement mission.

The Biden administration should withdraw his nomination, just like it should withdraw Tracy Stone-Manning's. Our country doesn't need radical officials in charge of very important Agencies, particularly important for my State, who do not view the law and the Constitution in the way they should. I hope my colleagues on both sides of the aisle work to defeat these nominees if and when they come for a vote in the Senate.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Tennessee.

UNANIMOUS CONSENT REQUEST—AMENDMENTS

Mr. HAGERTY. Madam President, I ask unanimous consent that the following amendments be called up to the substitute and be reported by number and that they be the only remaining amendments in order: First, Ernst, No. 2639; Cornyn-Padilla, No. 2602; Wicker-Stabenow, No. 2206; Cruz, No. 2389; Lee, No. 2517; Grassley-Klobuchar, No. 2500; Crapo-Wyden, No. 2507; Blackburn, No. 2328; Warner-Portman, No. 2617; Wyden-Lummis-Toomey, No. 2619; Cantwell, No. 2588; Wyden-Murkowski, No. 2603, Cantwell-Braun, No. 2621; Van Hollen, No. 2613, as modified; Cruz-Lun, No. 2490; Daines, No. 2599; Sullivan, No. 2586; Shelby, No. 2535; Rounds, No. 2636; Sinema-Portman, No. 2620; further, that the Senate vote in relation to all pending amendments, with no amendments in order to the amendments prior to a vote in relation to the amendment; and that if a rollcall is ordered, then 60 affirmative votes be required for adoption for the amendments listed in this agreement, except for Lee, No. 2517; Warner, No. 2617; Wyden, No. 2498; Ernst, No. 2639; and Grassley, No. 2500; and that there be 2 minutes for debate, equally divided, prior to each vote.

The PRESIDING OFFICER. Is there an objection?

Ms. SINEMA. Madam President.

The PRESIDING OFFICER. The Senator from Arizona.

Ms. SINEMA. Reserving the right to object. As my esteemed colleague from Tennessee is aware, and as we are all aware, the Senate operates under unanimous consent, reserving the right and the prerogative of any one Senator to object to moving forward when consent is not present.

Now, as the Senator from Tennessee made clear yesterday in his remarks on the floor, he has declined to provide unanimous consent for a time agreement moving forward in this postcloture time period. I am sure it will then come as no surprise to him that there are Senators on both sides of the aisle who object to unanimous consent on one or more of the amendments listed in his proposed list today. I am sure that he offers the same level of respect to those Senators, in denying their unanimous consent, as has been offered to him as well.

Now, I am proud to report that, throughout this bipartisan process, we have produced, over the course of a number of months, a piece of legislation drafted entirely by the independent and bipartisan Members who have worked together over this number of months. We have introduced the legislation, and we have had robust debate and, I am proud to say, the consideration of 22 amendments on this bipartisan bill. It has been an open and welcoming process.

As we are currently in the postcloture debate time, again, as I have mentioned, it requires unanimous consent to both move forward with all of the amendments or any of the amendments as well as a time agreement. And, as we have seen today, we do not have unanimous consent on either a time agreement or on moving forward on amendments, and, therefore, I propose that we continue moving forward under regular order.

And, with that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Tennessee.

Mr. HAGERTY. Madam President, the Senator's objection exposes the Democrats' true intention. I have never objected to considering amendments on this bill—not once. Democrats say they want amendments, but they can't take yes for an answer. The Democrats' true intention is to rush this bill through so that they can hurry up and light the fuse on their $3.5 trillion spending spree—a socialist debt bomb—and then leave town for vacation.

If they want to vote on amendments, why would the Senator object to my reasonable request? The only way the Democrats will agree to the amendments is if they can rush this bill through.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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Mr. BRAUN. I was listening with interest earlier to Senator DURBIN and Senator CARPER talking about not only the bill in front of us—but I think there is a lot of merit, by the way, to address difficult subjects like infrastructure. And I believe defense is the most important thing we need to do, and I generally have questions about that: Why we don't do audits, why we don't adhere especially to budgeting here, why we don't do budgets across the entirety of the Federal Government. I think, give or take, it has been 20 years since we have done one and have adhered to it.

So in looking at our infrastructure plan and the merits within it, everyone is going to find something that they like. And I am talking about the $1.2 trillion infrastructure plan. I think probably for roads and bridges and a lot of that physical hard infrastructure, the need is even more than that.

But Senator CARPER, who used to run a State—I used to be on a school board in my hometown for 10 years and served as a State legislator, with the intention of going there to do something on infrastructure in Indiana, the crossroads of America, living in the southern part of the State that has never had its fair share.

I think you need to be entrepreneurial through government in certain cases, especially at the local and State level where you are accountable, to where your entrepreneurism through government—and I almost don't like to use that word because I have been a Main Street entrepreneur my entire life and it is hard to use that as an analogous term to what we do here.

Anyway, Senator DURBIN was talking about, I think, more than just the content of the bill. I—generally when I am coming down to vote for something—look at the principles that I know have worked in the real world in building a business or running a school board, local or State government. He referred to something that really caught my intention; and that is, inevitably, in times like these we will then, on our side, revert to wanting to do a balanced budget amendment. Of course, I have been a proponent of that and term limits as well—not at the local and State level, but here.

I don't think that the Founders ever intended us to grow a government like this, that for all the good intentions of policy that we want to put in place, to where we do it on the back of borrowing money and not doing it in a way that is painful, takes political will.

I will never forget, back in Indiana, 2017, 70 percent of Hoosiers wanted better infrastructure. We polled, and 70 percent didn't want their taxes to go up. Fiscal conservatives like me even got in trouble talking about paying for it, not borrowing the money, not pushing it down the road. At least there you can make the argument, you need a dedicated stream of payment for something that we most agree is essential.

When you drive that point home and when you took it through regular order—listen to this—nearly 2 to 2½ months in a 3-month session, we ran it through Ways and Means Committee and Roads and Transportation, and by the time we were done, we had roughly 45 out of 47 witnesses—stakeholders from the manufacturing association to the Farm Bureau, to the Indiana Truckers Association for it.

We got people to buy in. And how did we do it? We did it with diesel and gas taxes.

Some complained that we were raising taxes. It was in the context, though, in Indiana of a balanced budget, rainy-day funds. We got one of the best business climates in the country. So it was within a system that was working.

I think what disturbed me, listening a little bit ago, is—I agree with Senator DURBIN, this is a shared blame in terms of how we have gotten here. My observation, building a business, frustrated each night coming home and listening to the news is that starting nearly two decades ago or so, when we went from Democrat and Republican administrations that did believe in maybe having some political will—in other words, paying for the things we do here in a way that is not borrowing the money. Borrowing money is sometimes OK if it is a tangible asset. That is an investment. That kind of makes sense, and this has a little bit of that component as well.

But, in general, when you become a nation of consumption and spending, and you are putting it on display in a way like we have over several decades here from the Gulf wars to what we did in 2008 and 2009, looks like small change compared to what we are doing right now.

I don't begrudge trying to get things done in an effective way. But I want the American public to understand clearly that when you borrow money to spend it or consume it, that has never ended up well in the long run.

I read a book given to me by our friend Mike Enzi called ''The Empire of Debt.'' Actually, in that reading, it took a dismal subject, looked at it historically, put a little humor alongside it—because you need that to get through it, to see how this ends up. It has never worked well.

If you are, by nature, spending and consuming and borrowing the money to do it, I did not need to be a finance guy from business school and have an economics degree from undergrad to know that doesn't work.

Even the folks who lean toward Keynesian economics and the Milton Friedman proponents that like to look at the money supply, no one in even current liberal economists are buying into this idea of the modern monetary theory.

That, to me, just does not make sense. When I look at where we are at today talking about infrastructure—which polls well because the American public knows we need it. But then when we dispense it in a way that is irresponsible in terms of how we pay for it, I couldn't have been for that from the get-go.

It was also inextricably linked to the $3.5 trillion of using a word like ''infrastructure,'' which we all know refers to tangible, and now trying to do it on stuff that isn't tangible. That is consumption.

I think there are merits of discussing childcare, the high cost of post-secondary education, but we ought to do it like we did back in Indiana, when we were talking about infrastructure. Run it through regular order, bring in experts and stakeholders across the country to buy into it.

Here, I see—and I used it just recently—if you try to be entrepreneurial through government, which is what I think is on display here, part of that equation is, yes, you got to take a little risk, you got to get it out there. But no one would put this much at stake and try to be entrepreneurial by borrowing the money. You would be almost certain to fail because in the real world—school board, local, State government, and especially in enterprise—you have got other rigors that won't let you do that.

And you cannot count on a Fed, like, since last year, has been accommodating and basically printing money in the basement by buying a lot of this debt and is committed to do it even on this, as well as the major piece that is going to drop here in a few days.

So my concern is that maybe we, as Republicans, are a little slow-footed when it comes to engaging in real issues. I agree with Senator DURBIN that we have been on this journey for a long time. That doesn't mean you double down and triple down. Listen to this. I got here 2½ years ago, roughly $21.9 trillion in debt. We are now roughly $28.6 trillion in debt, not including what we are going to do here on this hard infrastructure bill and the $3.5 trillion. All of it has merit for discussion, but if you spend money and consume it and borrow it without having the political will of doing what you have to do in any other entity—pay for it sustainably, it is not the foundation for this place or any entity.

I want to give you a little description about what we do here currently. We spend $4.5 trillion a year. We take in revenues of $3.5 trillion. That is a chronic trillion-dollar deficit. That is borrowing 23 cents roughly out of every dollar that you spend. And, again, it is not for a tangible investment; it is for consumption.

Now, with what we are baselining into the future, that is going to go up to close to $1.5 trillion. And we ought to be looking at what is driving the current dysfunction and try to get this place back into a solid footing, rather than putting it in peril, where history has shown it does not work out, every country that has tried it has not had it work out.

The Europeans, who have fashioned a system maybe a little bit erring on that side, have never had an economy that grows much more than 2 percent. And probably 4 or 5 years ago, when the Euro and European Union looked like it was working, you had countries within it—Italy, Greece, Spain, Portugal—that showed that you couldn't do it, and then it threatened the integrity of the EU itself. The Euro at that time was starting to become a reserve currency. It impacted them as well. They had to go through the hard medicine of getting back in line.

So when we get through with this exercise, again, we are talking about something we need. But if we don't couch it in the discipline of having political will, in doing it to where it is going to be sustainable and not to where it is going to put us even more in peril in terms of our Federal balance sheet, it doesn't end up well for our kids and grandkids. That is what worries me.

And on two notes, we have got geopolitical competition. Senator DURBIN mentioned that as well. Even they have shed communism. They have become almost expert state capitalists. They have an authoritarian system. That will probably be their limitation in the long run.

If they ever liberalize their capital markets or, God forbid, their political system, you can't imagine the impact that would have on us and our currency. So they are playing the long game. They are savers and investors.

And we have got to be careful, because they have at least realized that you can't replace the productive economy with a centralized system, and they are actually moving in that direction, sadly, with an authoritarian political system underlying it.

One other place I will use as an example: We should be looking at what is driving our trillion-dollar deficit. He mentioned the Laffer curve. We were, pre-COVID, at a point where I think was a sweet spot of where we needed to be.

Wages were rising in the most difficult places. I, more than probably any other Senator, since I am the freshest off the street of a Main Street enterprise—it was a little company that grew into a national one over 37 years—basing it on having a conservative balance sheet, not to ruin your business by borrowing too much money even when you have access to it.

And, here, I see that same thing happening here. We will be outrun by our competitors who are long-term thinkers, who are investors, not spenders and consumers. And if we wanted to really right the ship, we ought to be tackling the high cost of healthcare.

We all agree, I think, that that is a broken system. One side of the aisle wants to dump more government into it by making it a one-payer system. What we ought to do first is reform the industry, like I did in my own company with health insurance, with a few simple principles. Make it consumer-driven to where every individual should be a healthcare consumer—not relying on your insurance that pays for everything from your employer or the government doing it. That is giving us a healthcare system that Warren Buffet cites as a tapeworm on our economy. We need something better.

But we should have a common interest there. Make it transparent so we can shop for it like you do anything else, including a big-screen TV and groceries. If you have transparency and you can compete in terms of how you shop, that would work.

If we did that with health insurance, with healthcare costs, we could start the process here, because Medicare, that our elderly depend on, goes broke in roughly 5 years; automatic benefit cuts across the board. That is waiting to solve something once you are in a crisis.

We ought to roll up our sleeves on it, on Social Security. And we need to quit turning discretionary spending, which requires budgeting, into mandatory spending simply because we don't want to go through the rigor that any school board, State government, local government, or especially business would do to be successful in the long run.

So I think we have got a bit of time that we could do this, and maybe do it preemptively, or we can run this thing into the ditch. And for the people who love the Federal Government and want to grow it as a growth business, who are political entrepreneurs, I would think that side of the aisle would be especially concerned about its long-term health.

And for those of us who always talk about it and then seem to be part of the same old thing that occurs each year, that is being a hypocrite, because we have gotten here not with one party driving us; both have been in the vehicle that is ready to run us into the ditch.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PADILLA). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ROMNEY. 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. ROMNEY. Mr. President, it is said that politics is the art of the possible, and I am afraid that, over time, someone might argue that politics has become the art of confusion.

There is so much confusion that goes on around issues of significance that in some cases, the media or the public has a hard time quite getting to the bottom of what is a fact and not a fact.

Perhaps, in some cases, the confusion is purposely spread by politicians like me and by others. So I hope today to be able to reduce some of the confusion for those who are paying attention to this debate. I will begin by focusing on some things that I think we can pretty much all agree on.

The first is that we as a nation need to invest in our infrastructure. Our

highways are often in disrepair. In many places, people spend way too long getting to and from work. People in business that are shipping goods from one place to another find that they get stuck in traffic for long periods of time. That hurts our economy. It makes it difficult for us to be competitive globally. I think we mostly can agree with that.

Bridges, as well—we have got our structural engineers who say that literally thousands of bridges across this country are in disrepair. Some are in such bad repair that trucks have to go to long-distance routes to avoid those bridges that are so damaged.

We need also to make an investment in our rail. For some time, I lived in the Northeast. People travel from Boston to New York and New York to Washington and so forth on Amtrak, and in many cases, it takes almost as long to get to those places on Amtrak as it would to drive because the rail is in such disrepair and because passengers compete on that rail with freight. So we need to upgrade our rail system.

Our transit is, in many cases, also in disrepair. We use old technology for a lot of our railcars. Modern technology has the cars themselves that are powered as opposed to being pulled by a huge locomotive or engine. We can improve the technologies we are using. We are just out of date there.

I believe in buses. I think that we can do a better job connecting communities through transit systems like buses that can change their routes as commuting routes also change.

I think we can agree that broadband ought to be available to all Americans, whether in rural areas or in low-income areas. Kids need to be able to connect to their school and get their assignments and follow what is going on in the world through the media, through the internet. People need to be able to use telehealth to get consults with doctors. If we are going to have economic growth in depressed areas of our urban areas or in our rural parts of our country, we need to have businesses know that they have access to high-speed internet, or they simply won't go there.

Our water systems are in need of repair. We have some water systems that date back a hundred years, pipelines back a hundred years. We are going to have to upgrade some of these. We have lead pipes such as in Flint, MI. That disaster there can't be repeated anywhere else, and we have to do a better job making sure that we don't have an adjustment to the pH in the water such that we have lead pipes beginning to leach. In some cases, we are going to need to remove and replace lead pipes.

Wildfires are becoming a bigger and bigger issue in the American West, and we need to have a better program to mitigate and prevent wildfires.

Our power grid, in many cases, needs to be upgraded. It is vulnerable to cyber attack. It is also vulnerable to various weather events that have caused blackouts in various parts of our country. Fortunately with regards to power, in this legislation, we also add some efforts to look at new technologies—nuclear, hydrogen, battery power, and so forth—as a way to reduce our dependence on oil and gas.

Permitting reform—I think we also recognize that sometimes it takes way too long for projects to get underway, and that adds to cost and is frustrating to consumers as well.

All these elements and more are addressed in this bipartisan infrastructure agreement that is before the Senate right now. That is what this bill is all about: addressing those infrastructure needs.

I would note that this is not a partisan issue. It has not been. Every modern President—well, I should say every President in the modern era has proposed an infrastructure package, the need to improve our infrastructure. President Trump, the last administration, proposed a $1.5-trillion plan.

Now, the bipartisan proposal is $550 billion, about one-third of President Trump's proposal. Now, again, confusion sometimes reigns here because we hear all sorts of numbers, but this is $550 billion above what we normally spend. So if you add in what we normally spend, that gets you to the higher number of about a trillion. People talk about that, but that is a different matter. That is the normal run rate over the 5 years. If you add that to the $550 billion, you get almost a trillion.

There is confusion also about how many pages there are. The reality is, yes, there are 2,700 pages in this bill, and I think the public says: How in the world could anyone possibly read something like that and keep up with it? Well, as the Presiding Officer knows, about 2,000 pages of this were already passed by the various committees of jurisdiction. And some of the people who are most vocal in criticizing these 2,700 pages to read, they have had access to those 2,000 pages, or portions of them, already because they are on the committees that passed them. And, of course, in addition to the 2,000 pages, there are other pages that have been written and are before committees to consider.

Something else I would note, and that is, in addition to not having raised taxes to pay for this $550 billion infrastructure program, this bill is paid for. The Congressional Budget Office has scored about one-half of it as being paid for under their rules. The other half is also paid for by real dollars—not the way CBO scores it under their rules but just as real. Sometimes, for instance, a pile of funding, a pile of cash, has been previously allocated and not used, and so it goes back to the Treasury. The CBO says: Well, we can't score that because it has already been appropriated once. I understand that, but it is real dollars.

You might say: Well, why don't we just let it go back to the Treasury and reduce the deficit? Let me tell you something. That will never happen because our Democratic friends are planning on putting in place a $3.5 trillion bill of their own which would surely grab all of that money and everything else that comes along.

So it is not going to go back into the accounts of the Federal Government to reduce the deficit and the debt; it is, instead, going to be used on the spending spree that my colleagues across the aisle are planning on carrying out soon. I affectionately call that $3.5 trillion spending spree the blue whale. It is very, very large—the largest. It is soft, and it is blue. But ours is going to be used for real, hard infrastructure. Of course, it is about one-seventh the size of the blue whale, and I might call it the roadrunner by comparison.

Now, I recognize that there has been some criticism of this bill, and it is not without faults. It was, after all, the product of work by Republicans and Democrats. Ten of us were tasked by our group of 22 to see if we could come up with something, and to get Republicans and Democrats to agree to something together means that there are some things we like better and some things my colleagues across the aisle like better.

There are some things, if it were just up to Republicans, we wouldn't have in there, and my guess is there are some things, if it were just up to Democrats, they wouldn't have in there. But it was, after all, a meeting of people from both parties to find something that could actually get a bill done because, as the Presiding Officer knows, we have had several Presidents try to get a bill done, and it has never gotten across the finish line. So this was an effort to say: Let's break the logjam and get something actually accomplished so we can deal with the infrastructure challenges that we virtually all agree America faces.

Now, criticism is expected, and I would note that criticism is also pretty easy. Anytime you have a bill that is worked up by compromise between two sides, why, the side that looks at the other side's work is going to criticize it. I can point out all the things I don't like about the bill. I won't waste anyone's time doing that.

I do ask my colleagues: OK. If you don't like this bill, what bill do you like instead? What would you do instead? President Trump's $1.5 trillion bill? How would you pay for that one? What would you spend that money on? Because ours is one-third the size of that proposal.

So one can stop and say: What would you do instead?

I know some people would say: Well, nothing at all. We don't want to spend any money at all. No bill. Let's not spend a dollar on infrastructure.

That is, I am afraid, not an option in reality because we have two options. One is to accept the bipartisan work of our respective colleagues, and the other is just to say: Hey, because the

Democrats have the House and the Senate and the White House, just let them do it all by themselves without any Republican input at all.

I am pleased that the President decided not to take that course and that Democratic leadership here in the Senate has concluded as well that is not the right course to take; that a bipartisan approach was better. But let me note that if the option were taken to have a Democratic-only bill, my estimate is that it would cost about $500 billion more than our $550 billion bill; that it would expand union rights through Davis-Bacon, with prevailing wages on areas where they are not currently existent; that there would be more money going into things like transit and Amtrak, more money for lead pipes, more money for administrative costs.

We hold administrative costs down to 3 percent of this bill. There were many efforts to try to raise that as high as 10 percent. That would mean tens of thousands of new Federal Government employees. We held it down to 3 percent. That, in my opinion, would change if it were simply a partisan, one-party bill.

We made some of these funding efforts into loan programs where States or people who would take advantage of the funding would ultimately pay them back. My guess is, if it were a bill that did not have our input, some of those would be transferred into grants.

Now, there is another criticism that gets raised, and that is that this bipartisan agreement and the bill before us are just a gateway to the blue whale; that this is going to open the door to the $3.5 trillion plan that the President has proposed.

I don't really follow that one terribly well, that argument, because obviously if there is no agreement on this legislation, if it doesn't pass or if the House blows it up in some way, why, then this effort, the hard infrastructure effort, will just be added to the blue whale, to the $3.5 trillion. That is going to get done anyway, and this would become part of that.

So there is going to be an effort to pass a blue whale one way or the other. I hope that doesn't pass, by the way. But this is not a gateway to anything but a gateway to better roads, better bridges, better water, better broadband into rural communities, and a better economic vitality for our country.

Now, I do admit that I do understand and appreciate the argument that is being made—one criticism that is being made against this bill by some in my party, which is, by being in favor of this legislation for $550 billion, we are going to confuse the voters, and they are going to think that we are also all just part of this big blue whale thing; that we are spending 550 and my colleagues across the aisle want to spend $3.5 trillion, and it is all just one big, massive spending mess, and it is going to be hard for the voters to understand the difference, and we are going to get blamed for the whole mess.

I subscribe to what LINDSEY GRAHAM said. He said: I think we can make it pretty clear to our voters that we love one and we hate the other. That is what my Republican colleagues would hopefully say. That is the way I feel. I love one; I hate the other.

But I happen to feel that this is not so much a matter of confusion as a matter of recognition of what is right for America because, by being for this bill even though there is a risk of some confusion, we do save about $500 billion for the American people and reduce the deficit over time by about $500 billion. We do restrict Davis-Bacon from being expanded into areas where it is not now. We do hold down some of the transit spending and the Amtrak spending. We hold down administrative costs and the number of Federal employees who are going to be hired for these programs.

So, in my opinion, we have to put aside sometimes the politics for what is absolutely right for America. I am sure some people are a little disturbed when they see headlines that say: Oh, this bipartisan effort would look like a win for Biden. Well, it is a win for Republicans, and it is a win for Biden. It is a win for Democrats. It is a win for the Senate to say that we can work together, that we have been able to overcome partisan differences to do something that is right for America.

Mr. President, I am convinced that this is a win for America. I support this legislation. I am proud to have been part of the effort to help draft it and negotiate it. I admire and respect my colleagues on both sides of the aisle who have worked on this legislation.

We calculated just the other day that we had had over 50 meetings amongst that group of individuals—just the ones that I attended—over the last several months in preparation for this bill. It is not a slapped-together effort. It was carefully considered. It was drawn upon and built upon legislation already passed by committees, overwhelmingly, time and time again, wherever we could.

I certainly hope that the Senators from both sides of the aisle will join together in passing this legislation, sending it to the House; that the House will address it in a way that is consistent with what we have agreed to and we can send it to the President and help America finally get its infrastructure in order.

Thank you.

America's infrastructure is in desperate need of upgrades and expansions. Twice now we have had bipartisan votes to proceed to the Infrastructure Investment and Jobs Act. This is an historic piece of legislation that will address decades of neglecting our nation's hard, physical infrastructure.

Because it is a comprehensive piece of legislation—a total of 2,700 pages—some claim that this was dropped out of nowhere. That couldn't be farther from the truth. This bill is a culmination of bipartisan collaboration and regular order. Nearly 2,000 of the 2,700 pages already passed out of committees with bipartisan support and are awaiting floor action. This includes the 1,200 page surface transportation reauthorization from EPW and the Commerce Committee in advance of its September 30 expiration.

In total, a combined 61 senators on 4 committees put together the bills, many of which have been sitting out there publicly for months, that form the core of this bill today.

Across the nation we have roads and bridges in various states of decline and disrepair, a rail system that is out of date, transit that is slow and in need of an upgrade, a lack of high-speed transportation opportunities from one part of a city to another, and entire communities that are unable to access high-speed broadband. If you look at other nations, you can see that we have fallen behind when it comes to our infrastructure and it is impacting our productivity as a nation. China, for example, invests; four times more than we do because they recognize the importance and strategic value of strong infrastructure, and they aren't slowing down.

Several months ago, a bipartisan group of Senators came together to work on an infrastructure because we recognize that in order to compete with nations like China, we need to invest in ourselves and address our nations hard infrastructure needs. Many people in my party believe by working on this bipartisan product we have handed a win to the Democrats, but this bill is a win for America as a whole.

Yes, there are aspects of this bill that I would not have included if I had written it on my own, and I am sure my Democratic colleagues would say the same thing, but that is the nature of compromise. And when the alternative is the Democrat's writing and passing their own infrastructure bill that would go far beyond the boundaries of traditional infrastructure, I believe working together and making compromises is more important than playing political games and holding up a product that is good for all Americans.

There is a lot of misinformation about what is included in this infrastructure bill. Let me echo my colleagues who have spoken today and reiterate that this legislation includes only hard, physical infrastructure. It addresses roads, highways, and bridges, broadband deployment, water infrastructure and clean water funds, ports and waterways, airport improvements, and resiliency.

This is really going to help my home State of Utah where we have 2,064 miles of roads in poor condition. Commute times are up 7.2% in the State since 2011 and bad roads cost drivers an average of $709 per year in repair. This bipartisan legislation authorizes roughly $2.7 billion in highway funding

for Utah over five years to construct, rebuild, and maintain its roads and highways.

Beyond the transportation needs of Utah, this bill includes additional funding for wildfire mitigation and recovery and $300 million to fund the outstanding Emergency Watershed Program, $50 million for the Central Utah Project Completion Act, $100 million for drought contingency plan funding, $1 billion for the FEMA Building Resilient Infrastructure Communities program, $214 million to fully fund the Navajo Utah Water Rights Settlement, and $1.7 billion for the construction and improvement of Indian Health Services sanitation facilities. It also includes my Wildland Fire Mitigation and Management Commission Act which establishes a commission to study and recommend fire prevention, mitigation, management, and rehabilitation policies for forests and grasslands.

Investing in our nation's hard infrastructure is expensive. There are a lot of different numbers flying around right now but the Infrastructure Investment and Jobs Act is $550 billion in new spending, not $1.2 trillion as some have said. Together our group has developed a plan that is comprised of fiscally responsible pay fors. We have always said the CBO wouldn't give us credit for about of our pay fors including $173 billion in unused saving's from COVID–19 funds, $53 billion from certain States' unused enhanced unemployment insurance claims, $53 billion in economic growth resulting from a return on investment these infrastructure projects will provide, among others.

In the past couple of days, you may have also heard about a provision that would supposedly allow the government track your driving through a vehicle mileage tax. This is fearmongering and misinformation. There is no vehicle mileage tax in the bipartisan infrastructure bill. What you are hearing about is a study to determine how we can tax electric cars the same way the rest of us pay a gas tax. It is not a tax but simply a research tool.

Finally, the last thing I want to address is the mischaracterization that our efforts are somehow linked to paving the way for the Democrats $3.5 trillion dollar wish list. That bill was going to happen with or without this bill. The difference is, with our bill passed, they will be jamming through a reckless tax and spending spree that includes a whole host of unpopular tax hikes and deficit spending.

At the end of the day, this is a good bill on balance. It will be good for Utah, and it is good for every community across the nation. It may not be ideal, but we should not be letting the perfect be the enemy of the good, and it is better than what would have resulted had the Democrats had written this bill alone. In addition to providing a much needed upgrade for the country, it shows that the Senate works, preserves the filibuster, and gives hope to future compromises on important pieces of legislation.

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. CRAMER. 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.

Mr. CRAMER. Mr. President, I wanted to get down here and spend a few minutes continuing the conversation about this infrastructure package that is before us and that we will be voting on soon or at least the next step of that.

I think, to start things off, I, first of all, want to express my great disappointment that we have squandered not minutes, not hours, but now several days. For several days, we have been negotiating, evidently, on an ''amendments package.'' I am in my third year here and I still don't understand the way the Senate cannot do things as opposed to do them. And I get that every Senator has these incredible powers and authorities and can obstruct whatever they want, and I honor that. When the time is right, maybe I will do the same; I don't know.

But I do think it is unfortunate that we have what is really a pretty good bill to start with, but now that we have opened it up for the last week or so to the opportunity for the rest of our Members—who weren't on the committees of jurisdiction, who heard a lot of this and who are seeing a lot of this for the first time several days ago—to now improve upon it—and I say improve because I am familiar with a number of the amendments, and they are really good amendments, and they should be passed. Some aren't as good. I would vote against them. Maybe we would kill most of them.

The point isn't whether we pass them or kill them. The point is that we should be voting on them—we should be voting—and I know there are hundreds of them, and that could take a long time, and absent an agreement, we don't have the time. Either way, we ought to be voting on them. We ought to be taking the time to vote on amendments, and so I am disappointed we aren't. I am still hopeful that, in these waning hours, maybe we could get a couple of them. I just find it frustrating that we are sitting here, speaking, instead of voting.

That said, I want to, again, express appreciation to the leadership of the bipartisan group. Senator PORTMAN and Senator SINEMA have done incredible work, proving that the Senate can work, building on the framework that was passed by the Environment and Public Works Committee and the Commerce Committee; and some of the work that is being done by other committees, building on that framework, adding some more infrastructure to the already robust infrastructure package, with high priorities for Republicans, high priorities for Democrats, and, in many cases, high priorities for both. I think that is the way a 50–50 Senate should expect to work and, I think, does work.

I think one of the things that is most heartening to me that I have seen so far is not even so much the work that has been done, but the work that has been acknowledged. I mean, when I look at the list of organizations that support this—it is a list—I don't know—that is 140, 150 organizations long, and what I like about it is the diversity of the list.

I see, for example, that the Business Roundtable supports it. Well, you know, those are the biggest companies in America. The U.S. Chamber of Commerce, they represent a wide range of businesses, but so does my local convenience store and the paving company; so does the AFL–CIO; so does the Small Business Roundtable. I love the fact that the Farmers Union and the Farm Bureau support this infrastructure package. That tells you a little something about how compromise and common ground is found not just by Senators; we are a reflection of the people who we work for.

I love looking at the list of agriculture entities besides the Farmers Union and the Farm Bureau—but the commodity groups. Just about every one that is represented in North Dakota, even the Beekeepers—North Dakota is No. 1 in honey production. The Beekeepers support this, as do, like I said, pretty much every other commodity group.

I think one of the other things that encourages me, as somebody who believes strongly in federalism, as somebody who believes strongly in self-governance as a reflection in Washington of the people back home, is the fact that the Conference of State Legislatures supports this. That is where the rubber meets the road in many cases.

And if that is not close enough to home, how about the Association of Counties supports this legislation?

Now, those are the guys who really know about roads and bridges. They are the ones who are hearing from their constituents on a regular basis. And when they aren't hearing about it from them, they are driving them themselves, and they know where the potholes are; they know where the crumbling bridges are; they know where the roads need repair or where a good road might be built.

And if that is not close enough to home, how about the League of Cities?

Our mayors in our big cities and our small towns support this legislation. That tells you they are the ones who have their ear to the ground. And, of course, our Governors—the National Governors Association supports this.

My point being that this isn't something that came from on high. This is

not some sort of an ivory tower, you know, contrived under the dome of the U.S. Capitol. These are Senators, leaders, who are a reflection of the people back home—the folks back home: small business, large business, medium-sized business, local government, county government, State government.

Even the Association of State Departments of Agriculture supports it. Our agriculture commissioners support it.

Why would an agriculture commissioner care about infrastructure? Why would a commodity group care about infrastructure?

I think it is pretty obvious. Infrastructure is what moves our products to market. Oh, and by the way, in case you wonder if broadband is infrastructure—I know there are some people saying: That is not infrastructure; that is not hard infrastructure—you can't do a transaction today without broadband.

You know, even if you order a load of soybeans or you sell a load of soybeans, it is going to take a broadband internet connection to do the transaction at some point. You know, you might make a deal over the phone, and somebody will send you a check—I don't know—but your local elevator needs high-speed internet, and on and on it goes.

I always like to use the illustration of food because I think food, which we grow a lot of in North Dakota—and, by the way, if we had to eat it all, it would be impossible. If we had to just use it all in the United States of America, it would be impossible. We grow food for the world—for the world. Hungry people all over the world need what is grown in places like North Dakota and Ohio and other parts of our great country.

You know, we talk a lot about soybeans. Remember, in the last couple of years, we have heard a lot about the importance of soybeans and getting soybeans to market, getting them to the Pacific Northwest.

Well, guess how that happens?

The way it happens is the farmer combines the soybeans after they have, of course, been planted and nourished and then harvested—the soybeans—and they get them to an elevator, a grain elevator, and it takes a truck to do that.

By the way, the trucks that go out in the field now—these aren't little pickup trucks. These aren't even big grain trucks. These are big, big semi-trailer trucks, and they need good roads and bridges. And they get those beans to the elevator, and the elevator markets them, or in some cases they put them in their own bins and wait for the price to go up and protect them.

But at some point they get on a train and they go to a place, like Seattle or someplace in the Pacific Northwest, and then they get on a ship from there. Well, you can't get on a ship unless you have a railroad track that gets you to the port—oh, and then you need the port; you need an adequate waterway; and then those soybeans go someplace else in the world to feed hungry people.

My favorite illustration, of course, is the pasta. And the reason I like to brag about pasta is not because there are a lot of Italian foods and Italian restaurants in North Dakota, but we are the No. 1 producer of durum wheat. And durum wheat is produced in these massive fields in the Midwest—mostly in North Dakota, a little bit in Montana, and some in Canada. With that durum wheat, again, the farmer takes it off the field and takes it by truck to the grain elevator. But from there, it has to go to a mill where it is milled into semolina flour, and the semolina flour is sent somewhere where it is then made into pasta of all types.

But the 750,000 people in North Dakota can't eat all the pasta that is made in the United States of America, so that pasta has got to get to other places. In some cases it is Manhattan, Los Angeles, or it might be some country overseas. Once again, pasta is lightweight. It can even go by hangar. Oh, that brings in the airports, which, by the way, bring a lot of the tourism traffic to and from our great Nation.

The point is that the reason there are some 150, 200 organizations—large and small and medium-sized—and the reason that the overwhelming people in the United States of America support this infrastructure package is because they know of the importance of it.

The other thing that I love about infrastructure is that it pushes against inflation. We are experiencing real inflation in this country, and some call it ''transitory,'' which, I guess, is a cooler word for temporary. I think inflation is always temporary. Hopefully, it is always temporary. The question isn't whether it is transitory, temporary, or permanent. The question is, When is it over? When is it going to be over?

Well, one of the challenges—and, by the way, rightfully, so—I mean, we spent a lot of money last year—lots of money to keep our economy afloat, and not just so much to keep the economy afloat as much as to keep people afloat. We didn't know what this crisis was going to bring, this pandemic of ours. We didn't know how long businesses would be shut down. We didn't know how long the global businesses would be shut down and global markets would be inaccessible.

And so to keep people whole, we borrowed a lot of money. We printed lot of money. Our Federal Reserve, you know, provided a lot of liquidity into the marketplace. That is all contributing to the demand side of our economy, the demand side.

Well, when you have a lot of liquidity, a lot of cash again—call it stimulus, call it safety net, whether it is the Paycheck Protection Program for small businesses or direct payments to families or, you know, forgiveness of loans or moratorium on evictions for landlords and renters—whatever you want to call it, it is a lot of money, and it is money on the demand side of our economy.

The problem with that, of course, is there is not a supply to support that demand. When you can't shop, that is a problem. When the supply chain of manufactured goods is broken or you can't get lumber from a neighboring State or from Canada, that is a supply problem.

But infrastructure, see, spends the money on the supply side of the economy. It pushes back against inflation by doing that.

How does it do that? Well, it does it by all the ways I have talked about, obviously, opening up the supply chain. Guess what. Infrastructure is—that is the means of the supply in the chain. That is how you get inputs. It is how you get finished products back out to the market. It is on this infrastructure. So it helps the supply chain side for sure.

But it also puts people to work in a big way. Obviously, if you are moving commerce to market, that is people. That is people working. Whether it is working on the train or on the railroad, whether it is working on the building of bridges and roads or building out the infrastructure, stringing the fiber optics and burying them under the ground and hooking them up to homes and businesses and institutions, or whether it is driving the trucks or working at the factory, you are helping the supply side. And at the end of it, you have an asset. The great thing about a 5-year spending package like this—a 5-year authorization package—is you are building an asset that is going to last well beyond the 5 years.

Now, when you just give cash as a stimulus, it may last a day, it may last 6 months, and maybe it gets saved for a couple years. But we are talking about a transportation infrastructure that lasts decades—decades.

That is why the Penn Wharton study shows that it actually pays for itself, even if you didn't have any pay-fors, and we can talk about that in a little bit.

Over the course of time, the economy actually pays back the government for infrastructure. That is what pushes against inflation. That is what helps keep inflation down. That is what balances the demand with the supply.

And so there are lots of good reasons for us to do this.

I want to talk a little bit about the pay-fors because it has been so talked about and, I think, in many cases grossly misrepresented.

The pay-fors for the $550 billion new spending are real. I know that everybody waited with bated breath for the CBO to prove us wrong, and yet the CBO proved exactly what we thought it would prove. It proved that where they can score—and, by the way, can I just say these are word salads. Words like ''score,'' ''pay-fors,'' you know, ''filibuster,'' these are word salads that if you stopped 100 people at the mall in Fargo or Bismarck, 99 wouldn't even

know what you were talking about. But this is what we are trapped with here—these archaic processes.

So, anyway, we will talk about new spending pay-fors and what the Congressional Budget Office can score. They are confined to what they can score, and some of it makes sense. They are accounting terms. They are government accounting terms, and they make sense. They identify a whole bunch of legitimate pay-fors, or at least what they call, you know, scores.

But they also recognize that there are a lot of things they can't score that actually do pay for this infrastructure—for example, the $53 billion from certain States that would come back as unused unemployment insurance benefits. That is real money. They can't ''score'' it because, of course, it has already been appropriated, and there is, in theory—nowhere in reality; there is, in theory—that somehow that $53 billion might not be spent by the government. I have never seen that happen, but, you know, I suppose theoretically it could. But believe me, it is a pay-for. It is real money. So they don't call it a score. They call it an estimate.

There is another estimate: $67 billion from proceeds from the C-band spectrum auction. Now, the reason they can't call it a pay-for, can't score it, is because that $67 billion has already come in. The auction was in February of this year. So it is already in.

Theoretically, it could maybe not be spent. Therefore, it can't be ''scored.'' But it is going to be real money. It is real money that exists that doesn't require taking it from anybody else—no tax increases, no new taxes, $67 billion—and that is called ''an estimate,'' not a ''score.''

There is an analysis—I think a pretty conservative one, by the way—of $53 billion in economic growth. Remember I talked about the Penn Wharton study that showed over the decades that the economy would literally pay for the entire investment. But that is not how we do government, and I understand that, and we shouldn't. But even the CBO, in their analysis, concludes that $53 billion would come back. Now, they can't score that. It is just an analysis, but it is real money. And, by the way, it is very conservative.

Now, I know there is a lot of political rhetoric that flies back and forth in these word salads that, you know, Republicans like to use and word salads that Democrats like to use to talk about the same things, and we tend to talk to our people, if you will, to rationalize or convince or persuade, and that is all good. That is all fine. But I know this much for sure: I don't think there is a single American that thinks we ought to fall behind our adversaries any further.

We are under real economic challenges, global economic challenges, by our adversaries, not the least of which, of course, is China. China is fast becoming the No. 1 economy in the world. They are by far the largest population, other than probably the only thing close would be India, and yet China has made it a strategic decision to overcome the United States as an economic powerhouse, along with, by the way, a very, very advanced and efficient military.

They don't pay people to join the military, they just make them join the military. Their money goes a long ways. And whatever technology they can't discover or create, they steal. This is not a small threat.

And one of the advantages they have is that they have been investing at a very fast and very aggressive rate in their infrastructure—all forms of infrastructure: highways, bridges, roads, internet, water, ports. And, by the way, they invest in a lot of other countries' infrastructure to both win them over and then to use it as leverage against other countries.

So there are lots of good reasons to support this bill as it becomes time to, first of all, finalize, of course, the substitute, the amendment that makes up the bill, and then get on to final passage.

I want to wrap up where I started, however, and that is to just stress how disappointed I am that we haven't been voting on amendments. There are some really good ones out there.

In fact, the best ones I know of were introduced by Republicans and Democrats together, equally. And we would be wise, all of us, to just agree. Maybe it is not the top 10. Maybe it is not the top 20 amendments, but even if it is the top 4 or 5, you know, let's recognize that the bill can still be improved in these final hours and get some folks down here.

Let's get the 100 of us together and make some decisions together while the hours are still in front of us, and improve this bill so we can get about the business of debating it, getting us to final passage, and sending it over to the House of Representatives, where I would implore, plead with the Speaker of the House, to take it up—take it up apart from this $3.5 to $5.5 trillion tax-and-spend wish list of the Democratic socialists. Take it up and do something good for the country. Then we will get about the business of debating the next big package.

I yield the floor.

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

Ms. CORTEZ MASTO. Mr. President, I rise today in support of the Infrastructure Investment and Jobs Act that will make historic investments in Nevada, pending legislation we are working on right now.

With this legislation, Senators from both sides of the aisle were able to come together to negotiate policy that will prepare us for a sustainable future. It will create good-paying jobs, and it will strengthen the economy. This is an example of how Congress can work to the benefit of all Americans.

In the Infrastructure Investment and Jobs Act, I worked to make sure that Nevada and the Western States have the tools they need to address the drought and wildfires caused by the extreme weather we are experiencing now. This package includes necessary legislation to fund large-scale water-recycling projects that can clean millions of gallons of wastewater a day to keep water in Lake Mead for the Las Vegas Valley. This act also includes measures I wrote to help prevent wildfires and to fund state-of-the-art fire-detection equipment. New technologies can keep us one step ahead of disastrous fires, and we need this kind of forward thinking to protect our communities.

I also ensured this bill would support Nevada's mining industry and create new union jobs. It does this by strengthening the critical mineral and battery supply chain that provides key components of cell phones and laptops, electric vehicles, solar panels, and more. We should be processing the minerals we mine in Nevada right here in the United States, and this bill will help us do that in a responsible way while protecting the environment and our public lands.

I am so pleased that this bill will also make historic investments in our students. My bipartisan Renew America's Schools Act will invest $100 million a year in environmentally friendly school improvement projects, and I worked to include additional support for our students, from funding for electric school buses to programs that keep kids safe when they walk, bike, or ride the bus to school.

This legislation also includes $65 billion in funding to expand broadband access to Americans across the country, and I helped draft additional bipartisan provisions to promote digital equity and ensure the government is being transparent about how it is spending this funding.

The infrastructure bill will also secure improvements for our public transit systems and airports and allow us to produce and charge more electric vehicles. It will make our lives more sustainable. It will bolster our economy and uplift working families.

You know, I like to call Nevada the Innovation State. I know we have the technology and creativity to deal with the challenges of the 21st century. My State is full of innovators and inventors, small business owners, and students, all of whom are eager to play a part in a sustainable and prosperous future. This package will bring us closer to that goal.

I look forward to the positive changes this legislation will bring my State, and that is why I am supporting it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

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

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

UNANIMOUS CONSENT REQUESTS—AMENDMENTS

Mr. GRASSLEY. Madam President, I come to the floor to ask unanimous consent on two pieces of legislation.

The first one is a bipartisan amendment that I have with Senator KLOBUCHAR. It has been cleared on both sides of the aisle. It does not cost anything. It is noncontroversial, and I am not aware of any opposition or controversy about it.

I filed this amendment as soon as we were on the bill and have been asking for a vote ever since. I am happy to accept a voice vote. I do not understand why that is not possible.

This amendment is entitled ''Assisting Broadband Connectivity Act'' that Senator KLOBUCHAR and I introduced last month. This amendment will make changes to the rural broadband program at USDA so that areas aren't automatically ineligible for Federal funding because a project previously received State funding. In other words, if a project got State money, now they can't qualify for Federal money. This change will ease the administrative burden for those applying to provide broadband in rural America. However, this won't change the requirements for Rural Utilities Service when they administer these programs, such as overbuild and coordination with other broadband entities.

This bill also provides more flexibility with funding and resources by allowing States to use funds received from the Federal Government, such as COVID State funding, to be used for the matching fund provision that is required for most applications. This update will help rural America move forward by providing more coordination and funding availability for broadband projects. This is not unusual for the Rural Utilities Service. They currently allow CDBG and State revolving loan funds for water and wastewater to be used for matching purposes.

This amendment will help our States and providers connect all the pieces from both the State and Federal level to help get some of these expensive and urgent rural broadband projects completed.

This amendment has been cleared by the Senate Agriculture Committee. There is no reason it should not get a vote. I am not aware of any opposition.

The second amendment is also—the second bill is also a bipartisan bill by Grassley and Leahy. My amendment provides anti-fraud provisions to the infrastructure package.

This amendment combines two of my bills, the False Claims Amendments Act and the Administrative False Claims Act, both of which are bipartisan and have garnered support from both the good-government and inspectors general communities.

By the way, this amendment is scored by CBO to bring in more than $100 million, and it seems to me that is a pretty significant amount of money, particularly when the infrastructure bill was scored by CBO to add $256 billion to the debt.

This amendment provides long needed improvements to combat fraud perpetrated against the Federal Government. I would like to thank my bipartisan group of friends who have supported this bill and this amendment with their cosponsorship.

Now, just to make clear, the only business interests that have anything to worry about—and I am emphasizing this because since this amendment was offered, you would be surprised, all the business interests that have come out in opposition to this provision. So the only thing these business interests have to have anything to worry about with this anti-fraud amendment are the same ones that are already found in a court of law to have defrauded the taxpayers.

Since I got the False Claims Act passed in 1986, it has brought in more than $65 billion of fraudulently taken tax dollars.

Madam President, I ask unanimous consent to have printed in the RECORD the letters of support.

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

JULY 22, 2021.

Re Administrative False Claims Act of 2021.

DEAR SENATOR GRASSLEY: The undersigned members of the Make It Safe Coalition (MISC) write to applaud introduction of the Administrative False Claims Act of 2021 (AFCA). The False Claims Act is America's most effective anti-corruption law, but as a practical matter it only has been relevant for the most outlandish cases of fraud in government contracts. The AFCA bill would expand the scope of accountability to the full scope of corruption.

The False Claims Act is a highly effective and indispensable tool for combatting high dollar fraud against the government. In 1986, Congress passed a ''mini-False Claims Act'' called the Program Fraud Civil Remedies Act (PFCRA) to provide civil remedies for false claims of $150,000 or less. However, it has been underutilized and ineffective. The AFCA allows the Attorney General to delegate review authority, which will help with the backlog of PFCRA cases and enable the Department of Justice to take swifter action. Furthermore, the bill allows agencies and inspectors general to recoup the costs of investigating and prosecuting false claims and statements by utilizing the funds recovered from AFCA actions. Finally, increasing the payments ceiling of the PFCRA in the Administrative False Claims Act to $1 million will allow more false claims to be actionable.

The AFCA consists entirely of noncontroversial provisions reflecting best practices that will be applied where they are needed to fix the blockades that have sedated the PFCRA. The undersigned organizations urge all Members of Congress to support this amendment.

Sincerely,

EMPOWER OVERSIGHT.
GOVERNMENT ACCOUNTABILITY PROJECT.
NATIONAL SECURITY COUNSELORS.
NATIONAL WHISTLEBLOWER CENTER.
PROJECT ON GOVERNMENT OVERSIGHT.
PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY.
WHISTLEBLOWERS OF AMERICA.

DEAR CHAIRMAN DURBIN AND SENATOR GRASSLEY: Taxpayers Against Fraud, National Whistleblower Center, Project On Government Oversight and Government Accountability Project write you in support of your legislation to strengthen the False Claims Act, the government's primary fraud-fighting law. Our organizations have been advocating for whistleblowers and fraud-fighting for decades and view this legislation as critical to the continued success of False Claims Act enforcement and the public-private partnership.

The Department of Justice has stated that since the Act was revitalized in 1986 over $64 billion have been recovered, with nearly 80% of the recoveries coming from whistle blower initiated actions. Our experience shows that the indirect benefit of the FCA could be worth an additional trillion dollars in deterrence. As Congress and the Biden Administration are considering ways to move our country forward post-pandemic, we need to stand guard against those who seek to pilfer government programs.

By any measurement, the FCA has been a remarkable success, we believe that legislative changes you have put forward will strengthen the Act against modern fraud schemes. We are confident that the legislation you have introduced will encourage more whistleblowers to come forward to assist the government and result in the recovery of billions of additional stolen government dollars.

We particularly encourage you to focus on the following provisions which would most significantly benefit whistleblowers and the continued enforcement of the FCA:

(1.) Clarify the materiality standard. The current FCA ''materiality'' standard is easy to understand-liability only results from ''material'' violations. The FCA explicitly defines ''material'' to mean ''a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property'' by the United States. Congress added this statutory definition in 2009 to clarify that liability attaches when the government could have rejected the fraudsters' claims for payment.

Nonetheless, this clear-cut standard was arguably undermined in a 2016 Supreme Court decision, Universal Health Services, Inc. v. United States ex rel. Escobar, 136 S. Ct. 1989 (2016). In this case, the Supreme Court provided numerous factors that a court could consider for when determining whether fraud was ''material'' to the government's decision to pay a claim. On one such factor, the Court wrote: ''[I]f the Government pays a particular claim in full despite its actual knowledge that certain requirements were violated, that is very strong evidence that those requirements are not material.''

Although the government's prior knowledge was described as merely being ''strong evidence'' that a false claim was not material, some courts and many companies have made the government knowledge factor dispositive, stating that there must be proof that the government actually refused to pay the claim. This logic leaves no room for the government to pay a claim in an emergency situation and later bring an FCA case.

For instance, the government might make the decision to continue paying Medicare payments to a dishonest hospital that is the only available healthcare facility for a rural population. Under the wayward reading of the Supreme Court's Escobar decision, such corrupt entities could use the government's payment decision to shield itself from FCA enforcement and drain government funds with impunity.

The proposed FCA amendments restore the Act by granting a heightened presumption of materiality to all instances when the government could have demanded repayment or payment from the defendant. The defendant can then only overcome this highly deferential presumption by meeting a strict ''clear and convincing evidence'' standard.

If a company accused of defrauding the government actually admits to submitting false claims, but then argues that the false information is not material, it is only fair for that company to be required to prove that false information has no tendency to impact the government's payment decision. This high burden correctly rests with the defendant.

(2.) Clarify when the government may dismiss whistleblower cases. The FCA permits the government to dismiss whistleblower, or so-called ''qui tam,'' actions if the whistleblower ''has been notified by the Government of the filing of the motion and the court has provided the person with an opportunity for a hearing on the motion.'' 31 USC 3730(c)(2)(A).

Recognizing that whistleblower-initiated actions have recovered the bulk of FCA recoveries over the last I 00 years, the government has been reluctant to dismiss these actions. In fact, prior to 2018, the government had dismissed less than 50 cases in the 155–year history of the Act.

Then, in January 2018, the Justice Department released the so-called ''Granston Memo,'' which outlined the Department's focus on dismissing whistleblower-initiated FCA actions. Since then, over 50 whistleblower actions have been silenced through arbitrary dismissals, in less than four years. When challenged, the Justice Department has argued that it has ''unfettered discretion'' to dismiss these cases, notwithstanding the statutory requirement that the court provide the whistleblower with a ''hearing.''

By dismissing whistleblowers and their fraud concerns without any oversight, the Justice Department is discouraging individuals from even stepping forward. The Amendments provide a level of assurances for would-be whistleblowers, clarifying when a whistleblower-initiated action may be dismissed by the court.

With our country spending trillions of dollars in pandemic spending and infrastructure improvements, now is not the time to silence whistleblowers with backroom dismissals. We applaud these leading anti-fraud Senators for providing a level of certainty and protection to America's courageous whistleblowers.

(3.) Clarify that the FCA provides anti-retaliation protection to former employees. The current FCA is arguably silent on whether individuals receive protection from employers who blackball or otherwise retaliate post-employment. The proposed amendment removes any uncertainty by explicitly extending the protections found in 31 USC 3730(h).

For too long, whistleblowers have faced retaliation from former employers. The amendments put the world on notice that blackballing whistleblowers will no longer be tolerated. We applaud your long-standing commitment to protecting whistleblowers.

On behalf of whistleblowers, we thank you both for your leadership on anti-fraud initiatives and championing these much-needed improvements to the FCA. These amendments would not only encourage more whistleblowers to step forward, but they will deter future fraudsters from targeting vulnerable government programs.

Please feel free to contact us with any questions or comments. We would be eager to meet and further discuss how your efforts will improve anti-fraud efforts. Please contact Jeb White to schedule a meeting.

Sincerely,

TAXPAYERS AGAINST FRAUD
NATIONAL WHISTLEBLOWER CENTER
PROJECT ON GOVERNMENT OVERSIGHT GOVERNMENT ACCOUNTABILITY PROJECT.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the following amendments be called up to the substitute and reported by number: Grassley 2435, that is Grassley-Leahy; and Grassley 2500, Grassley-Klobuchar. So I want to emphasize, both of these are bipartisan pieces of legislation.

The PRESIDING OFFICER. Is there objection?

The Senator from Alabama.

Mr. SHELBY. Madam President, reserving the right to object, I would ask unanimous consent now that the Senator modify his request to include my amendment No. 2535, and I will speak to that briefly.

The underlying bill includes billions of dollars for all manner of infrastructure investments in the United States. However, it fails to address critical infrastructure needs to support our national defense. This amendment that I am bringing forth would rectify that.

I believe that we cannot, in America, continue to spend hand-over-fist on domestic priorities—a lot of them are important—without investing dime one in our national defense infrastructure. This would rectify that, and I would ask that it include my amendment in this.

The PRESIDING OFFICER. Is there an objection to the modification?

The Senator from Iowa is recognized.

Ms. ERNST. Madam President, reserving the right to object, I would ask unanimous consent that the request be further modified to include my amendment No. 2639, and my amendment is very simple. It requires a public price tag to be put on projects funded with taxpayer dollars by the Department of Energy and the Department of Transportation. It allows taxpayers to see exactly how their dollars are being spent, whether it is on an airport, a bridge, or any other project.

Congress has renewed the provision—referred to as the Stevens Amendment—annually for more than 30 years for some Federal Agencies, including the Departments of Health and Human Services, Education, and Labor. It was most recently approved by Congress and signed into law as part of both the Consolidated Appropriations Act of 2021 and the National Defense Authorization Act of 2021.

The infrastructure bill we are now considering will finance many projects across the country. My amendment would provide some much needed transparency for taxpayers by showing what projects are being funded with their tax dollars and the actual costs associated with them.

In practice, my amendment requires nothing more than a single sentence disclosing the dollar amount paid by taxpayers and what that amount represents of the overall percentage of the project's budget. The only reason to oppose this commonsense transparency is if there is something to hide.

I urge the consideration of my amendment and ask that my colleagues vote yes.

Again, I ask unanimous consent that the request be further modified to include my amendment, Ernst No. 2639.

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

Mr. GRASSLEY. I will accept that modification, but I want to add, in fact, I think every Senator ought to get a vote. We have wasted all day Thursday, Saturday, and now through Sunday. That is enough time to vote on a multitude of amendments, and we just sat around those 3 days accomplishing nothing.

The PRESIDING OFFICER. Is there an objection to the request, as modified?

The Senator from Arizona is recognized.

Ms. SINEMA. Madam President, reserving the right to object, I first would like to associate myself with the comments just uttered by the senior Senator from Iowa. I think many of us are frustrated that we have been sitting around together for quite some time without moving forward. But, as I remarked earlier today, the U.S. Senate is a body that requires the unanimous consent of every single Senator, and each Senator has the right to withhold his objection or consent to any process moving forward.

Over the last day and a half, we have seen a lack of willingness to collaborate, to come together to find unanimous consent to move forward on both the consideration of a number of amendments, including those offered today, and a time agreement. It is not because there weren't many people who were willing to do so. In fact, most of the Members of this body were interested in finding such an agreement. But it is the right of each and every Senator and the privilege of each and every Senator to withhold that consent if he so chooses, and that is the situation we find ourselves in today.

So, Madam President and others, I would recommend that just in 1 hour, we will see this postcloture time expire, and we will move forward under regular order to finish consideration of this broad bipartisan piece of legislation. And I do want to take a moment to commend my colleagues on both sides of the aisle, the 22 Democrats and Republicans who worked together over the last several months with their colleagues on both sides of aisle to consider a historic 22 amendments to this

legislation to ensure that a broad and bipartisan discussion was held, and I look forward to a swift and positive resolution by passing this legislation.

With that, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Mississippi.

H.R. 3684

Mr. WICKER. Madam President, I rise this afternoon to announce my support for this bipartisan infrastructure legislation. Coming to this decision has not been easy or straightforward.

As the minority leader said recently, I am quite confident that out of 100 U.S. Senators, there are 100 of us who believe this bill is imperfect. I want to associate myself with that statement. The bill we are now debating is far from perfect. If I were the only one with a pen, I would have made many changes. But at the end of the day, I believe this package will do a great service for the United States of America and a great service for my home State of Mississippi.

Republicans and Democrats agree that roads, bridges, broadband, ports, and rail are the building blocks of a healthy economy. This bill makes historic downpayments on those core priorities.

I am pleased that this bill incorporates all of the Surface Transportation Investment Act of 2021, which Senator CANTWELL and I cosponsored, and which passed out of the Commerce Committee by a vote of 25 to 3, with the support of 14 Democrats and 11 Republicans. The provisions of that bill ensure that Mississippi will get a fair shake in the competitive grant programs included in this bill, which total more than $20 billion.

This bill has a number of other vitally important provisions that will benefit Mississippi. It provides my State a lump sum of $3.3 billion for roads and highways, as well as $225 million to replace and repair bridges. We will also be able to compete for funding from another $12.5 billion in bridge grants.

Mississippi has nearly 6,000 miles of highway in poor condition, and over a thousand bridges are also in poor condition in our State. Commute times in Mississippi are up 5.6 percent over the last decade. According to the American Society of Civil Engineers, Mississippi drivers, on average, are paying an extra $820 per year in extra vehicle repairs and operating costs.

No one disputes that my State and other States are in desperate need of significant new funding for roads and bridges, and this legislation does that.

The historic investments in this bill mean that Mississippians can have an easier time dropping off their children at school and shorter commutes to work. First responders will also be able to reach those in need much more quickly, potentially saving lives.

Separately, Mississippi will receive $223 million for public transit, $283 million for water projects, and an estimated $100 million for airport upgrades and repairs.

Our ports and rail systems also stand to benefit. This bill authorizes $2.25 billion for U.S. ports; $5 billion for rail through the Consolidated Rail Infrastructure and Safety Improvements—or CRISI—Program; and $3 billion to provide safety features for grade crossings, something that is desperately needed across this country.

This bill will also clear away obstacles for major construction projects by streamlining the Federal permitting process. The Army Corps of Engineers will get $9.5 billion, meaning Mississippi will have new funding opportunities for flood control projects, which are badly needed.

And high-need communities will be first in line for those projects, thanks to an amendment I sponsored with the senior Senators from Delaware and Oklahoma. This should benefit urban areas, like the Pearl River Basin, as well as rural areas throughout Mississippi and throughout our Nation, which have faced the constant threat of flooding for far too long.

In another positive provision of this bill, the Senate adopted my amendment authorizing the Minority Business Development Agency—MBDA—for the first time ever. It had never been authorized. This will send new business resources to rural areas and a boost of support to historically Black colleges and universities, which are economic anchors in their communities.

And I would add the good news we got just last month: Mississippi will soon be home to a new MBDA center.

I also want to mention rural broadband, which will see a tremendous boost because of this legislation. This bill lines up $65 billion to be spent on broadband deployment, taking us one giant step toward closing the digital divide.

Based on the Federal formula, Mississippi will receive a minimum of $100 million from these funds. That is on top of the $495 million Mississippi was recently awarded through the Rural Digital Opportunity Fund—or RDOF—auctions, and the $275 million of COVID relief funds that we are spending on broadband infrastructure in Mississippi.

No Senator has been a stronger advocate than I have on broadband buildout. Reliable, high-speed broadband is critical to ensuring rural States are competitive for the next generation, and this bill will help us get there.

It is no secret that I have registered my concerns about the way this bill waives some of the normal processes that make for good Federal rulemaking. As written, this bill makes it so that the NTIA can choose not to receive public comment on its broadband buildout plans; and it short-circuits the judicial review section of the Administrative Procedure Act, giving stakeholders a much smaller voice in the overall buildout process.

I hope the NTIA will take care to avoid the wasteful and costly mistakes of the past and make sure these broadband dollars are spent efficiently, effectively, and with the benefit of stakeholder comment.

I was pleased that my colleagues included language to prohibit the Federal Government from setting broadband rates. This would have been an unwelcome intrusion into the private market, and the inclusion of this clarifying language was absolutely critical.

The internet in this country has been able to meet the demands of the COVID–19 pandemic in large part because of our light-touch regulatory framework, which has encouraged more broadband buildout. This stands in stark contrast to our European friends, who suffered severe slowdowns because of their burdensome internet rules.

One pivotal moment of this debate on this subject involved a colloquy that I shared last week with the senior Senator from New Hampshire, Senator SHAHEEN, the chief negotiator for this title. Senator SHAHEEN confirmed on the Senate floor that preventing regulation of internet rates was the express intent of the language in the broadband title. Without this specific language in the legislation and the assurance made during that colloquy, I would not have been able to support this bill on final passage.

Now, some have expressed concern about the cost of this bill. Offsets have been provided, and the negotiators provided pay-fors for every expenditure; but, admittedly, the Congressional Budget Office did not agree with all the pay-fors.

Republicans, for decades, have advocated more use of dynamic scoring, and I wish the CBO had used dynamic scoring in this instance. It is unfortunate that the CBO refuses to acknowledge that economic growth will result in higher revenues.

It should be clear to us all that the investments in this legislation will generate a stronger economy and larger sums of revenue. Experts have predicted these investments will make it less costly for businesses to operate and will lead to greater productivity.

For example, the widely used Penn Wharton Budget Model has projected this bill will increase hourly wages by .1 percent and reduce government debt by .9 percent. You heard that right. The Penn Wharton Model says this bill will reduce government debt, a prediction not to be taken lightly.

Michael Strain of the American Enterprise Institute, a respected conservative think tank, has said these investments in hard infrastructure will ease the pressure on inflation rather than contributing to inflation.

In other words, this investment in infrastructure will result in tremendous economic growth—growth that some of our budgetary bean counters are not willing to account for.

Now, it is important to make this point emphatically: This legislation involving hard infrastructure, which I support, stands in sharp contrast to the

Democrats' forthcoming bill, which will certainly not gain even one Republican vote, and which the 50 Democrats in the Senate and a slim majority in the House hope to pass with only Democrat votes.

They say their bill will be infrastructure part two, but a momentary glance of what they are proposing should dispel any notion that their bill counts as real infrastructure.

I will say it clearly and for the record: My Democratic colleagues are teeing up for next week a reckless tax-and-spending spree that our country does not need and cannot afford. The Democrats' reckless budget bill will amount to a staggering $3.5 trillion. It threatens the successful Trump tax cuts. It includes crushing tax hikes on job creators; hundreds of billions in wasteful giveaways to green corporations; and a slew of spending that would heat up inflation, jeopardize our recovery, and drive our Nation deeper into debt.

Democrats are even considering an amnesty measure—in the midst of the worst border crisis in recent memory—without giving a thought to improving border security, which would count as real infrastructure. But that is next week's bill, not this one.

This bill, the bipartisan bill that I am supporting tonight, is the real infrastructure deal that America needs.

As the Senate moves forward with this important debate, and as I consider the infrastructure needs of my own State of Mississippi, it is instructive for me to recall the history of infrastructure programs I have personally seen at the State level.

In 1968, my father was a first-term State senator from Pontotoc, Union, and Benton Counties in north Mississippi. One of his major goals that year was the passage of a comprehensive four-lane highway program. That was 1968. The legislature met from January until September of that year, with vote after vote on the highway bill, before finally adjourning in frustration with the hope of trying again next year. Sadly, the next year came and went, as did others, with no meaningful highway legislation.

It was not until 1987—a full 19 years later, when I myself was a candidate for the State senate—that a major four-lane highway bill was finally enacted, and only then by the tiniest of margins in a vote to override a gubernatorial veto.

If you ask almost anyone involved in economic development efforts during the decades that followed, and even today, they will tell you that the 1987 four-lane highway bill was one of Mississippi's most significant pieces of legislation for job creation.

For this smalltown boy from Mississippi, this is just as pivotal a moment. For my State's economy, today is such a moment.

When will it come again?

Maybe next year, maybe the next administration, maybe 19 years.

Can we afford to pass on this opportunity?

We cannot afford to pass this opportunity up.

I will be voting yes on this legislation.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. PADILLA). The Senator from Illinois.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, since the beginning of our history, U.S. Marshals have protected our Federal judicial process and defended the integrity of our Constitution. Today, the Marshals Service oversees thousands of deputy marshals and investigators across America, who guard Federal officials and witnesses, track down fugitives, and transport Federal prisoners. They are an invaluable part of our law enforcement system.

This afternoon, the Senate has an opportunity to confirm a proven, trusted law enforcement professional to lead the U.S. Marshals Service, Ronald Davis.

In June, the Judiciary Committee approved Mr. Davis's nomination on a bipartisan basis. Three Republican members of the committee, including Ranking Member CHUCK GRASSLEY OF IOWA, JOINED EVERY DEMOCRAT TO SUPPORT HIS NOMINATION AS DIRECTOR OF THE MARSHALS SERVICE.

With Mr. Davis's experience in the military, the Justice Department, and as a police officer on the beat, he is an outstanding nominee. But despite his bipartisan committee vote, decades of law enforcement experience, and the support he enjoys from virtually every major law enforcement organization in America, some of my Republican colleagues are blocking him from being confirmed by unanimous consent.

Unanimous consent is the expedited process that the Senate has used to confirm every other Director of the Marshals Service for as long as this position has been subject to Senate confirmation. We have always confirmed the Marshals Service Director by unanimous consent because the position is so important and, up until now, has been considered to be above partisan politics.

I hope my Republican colleagues will reconsider their position. At a time when our Federal judges and court officials face a growing number of threats, the Marshals Service needs Mr. Davis's experience and leadership now, and the American public deserves his steady hand at the helm.

Let me briefly speak to Mr. Davis's qualifications and the support he enjoys from law enforcement.

After serving in the U.S. Air Force, Mr. Davis joined the Oakland, CA, Police Department, serving for 20 years in uniform, ultimately attaining the rank of captain. He then went on to serve as chief of the East Palo Alto Police Department, implementing crucial initiatives that curbed gang violence.

In no small part because of his work in East Palo Alto, Mr. Davis was tapped by President Obama to serve as Executive Director of President Obama's Task Force on 21st Century Policing. President Obama also selected Mr. Davis to head the Justice Department's Office of Community Oriented Policing Services, known as the COPS Office.

As the COPS Office Director, he disbursed hundreds of millions of dollars in grant money, enabling State and local police departments to retain and hire thousands of police officers. In other words, he was in charge of funding police across the United States.

As a police officer with nearly three decades of experience, and as the husband of a 31-year veteran of the police force who was the first Black woman to serve as a permanent police chief in California, Mr. Davis has a deep and abiding respect for the men and women of law enforcement.

Understanding the risks that officers face every day, he said: ''There is no greater or more noble profession than policing.''

And he has been emphatic that police officers deserve our highest praise for keeping neighborhoods safe, families secure, and dangerous criminals behind bars.

Mr. Davis also has the backs of members of law enforcement. He earned their respect and trust. Numerous law enforcement organizations are asking the Senate to move—and move quickly—to confirm his nomination as Director of the U.S. Marshals Service. Listen to this group of law enforcement professionals that has supported him: the Hispanic American Police Command Officers Association; the Federal Law Enforcement Officers Association; the International Association of Chiefs of Police; the National Black Police Association; the National Organization of Black Law Enforcement Executives; the Police Executive Research Forum; the Major Cities Chiefs Association; the Major County Sheriffs of America; the National Association of Women Law Enforcement Executives; the National Sheriffs' Association; and, yes, the Fraternal Order of Police.

Notably, these organizations didn't just support him; they support his immediate confirmation and urge us to move quickly.

Consider this letter from the Fraternal Order of Police sent on August 3. It says: ''At this time in our history, the U.S. Marshals Service needs the leadership we're confident that Mr. Davis can provide. No doubt he understands first-hand the issues facing women and men in law enforcement, and we believe President Biden has made an excellent decision to have him lead the Marshals Service.''

I couldn't agree more. There is simply no basis for delaying this bipartisan choice out of the Senate Judiciary Committee any moment further. If my Republican colleagues really want

to stand up for law and order and funding the police, they can start by confirming a nominee who has devoted his entire career to doing just that. That nominee is Ronald Davis.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the Davis nomination, Calendar No. 174; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there an objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object, I voted for Mr. Davis's nomination in the Judiciary Committee and I support it. But I think the chairman of the Judiciary Committee, my friend from Illinois, could help me try to resolve a problem that I have primarily with the chief law enforcement officer of the United States; that is, the Attorney General. The Attorney General simply will not answer his mail.

Let me explain. Back in March, I wrote a letter to the Attorney General urging him to conduct an investigation of a chemical company named Avantor and their role in the opioid epidemic that is sweeping America and the planet.

In 2020, 93,000 Americans died of drug overdoses, with 69,000-plus of those from opioids, including heroin. Avantor is a leading producer of a chemical precursor known as acetic anhydride, a key chemical used to convert opium to heroin. Avantor's product has been used extensively by drug cartels and transnational criminal organizations with the apparent knowledge of Avantor officials, who have taken inadequate measures to prevent the diversion of this chemical, particularly in Mexico.

Alarmingly, Associate Attorney General Vanita Gupta holds millions of dollars in Avantor stock, and her father sits on the board of that company, raising serious ethical issues.

As I said, I simply want the Attorney General to answer my letter. I sent a letter to him asking about the investigative status of Avantor and its involvement in the facilitation of heroin production, but have yet to receive a response more than 4 months later.

In light of the serious issues that I have raised in this letter and the lack of a response from the Justice Department, I placed a hold on this nominee and will not lift my hold until I receive a sufficient response.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Mr. President, I am disappointed. At this point, this is an issue involving Vanita Gupta, who was approved by the Senate and now is serving in the Department of Justice and has been for months. What this has to do with the person to lead the U.S. Marshals Service, I cannot imagine.

But I don't have to imagine the importance of filling this position quickly. It was over 10 years ago when a judge—a woman that I helped to win appointment in the Federal district court in the Northern District of Illinois—learned tragically that a disgruntled client at somebody's firm went to her home, killing her mother and her husband, in Chicago. It was a tragedy, an unspeakable tragedy.

Because of that terrible event, we turned to the U.S. Marshals Service and said: You have a special obligation to protect the men and women who serve in our judiciary. We are counting on you to make certain that they are safe at work and they are safe at home.

And it is a 24/7, 365-days-a-year responsibility that the Marshals Service has.

Sadly, that wasn't the last of the tragedies involving judges. It was just a few years ago when a judge in New Jersey lost her son. Another person, a demented person, went to her home and killed him.

So when we are talking about filling this position, it is more than whether the Attorney General has sent a timely response to a letter; it is a matter of life and death—and now, more than ever, because we are in transition and many of the marshals are in a lame-duck status or moved on to other positions, and you need someone to head up the U.S. Marshals Service during this period when we do our work here in Congress to approve the new U.S. Marshals across the United States.

It is hard for me to imagine that we would risk the lives of judges, court personnel, and their families, along with many others, by leaving this critical law enforcement agency unfilled.

No one questions this man's qualifications. He is a humble man who has an amazing story, an incredible story. He is asking to serve this Nation again in a capacity, when it comes to security and safety, that is really one of the most important in our government.

I am sorry that the Senator feels this way. I wish he would reconsider and just reflect for a moment on the importance of this position.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, the distinguished Senator from Illinois, the chairman of the Judiciary Committee, could resolve this issue in the next hour; and I would lift my hold if he would simply ask the Attorney General of the United States to answer my letter, which I sent 4 months ago, which we have received no response to.

Drug overdoses have taken the lives of 93,000-plus Americans in the last year alone. Most of those drugs come across the southern border from Mexico, including heroin, which is an opioid, which together with prescription drugs—which we know have been widely abused—is a serious threat to the health, safety, and welfare of the American people.

I simply want to make sure that American companies are not complicit in selling precursor chemicals that produce this poison, that is then imported into the United States and has taken so many American lives.

This is, as I said, no reflection on the nominee himself. But as the distinguished Senator from Illinois knows, Senators have very few tools, very little leverage to actually get the executive branch to do what they are obligated to do, which is simply to respond to our inquiries and our letters. That is a simple matter.

This does not implicate the safety and security of the Federal judiciary, as the Senator knows. This is an administrative position, and we all support the safety and security of all of our judicial officials.

So this could be satisfied very quickly and, literally, within the next hour if the chairman of the Judiciary Committee would simply pick up the phone, call the Attorney General, and ask him to answer his mail.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, first, let me say that this issue about this corporation—I believe the Senator said it was known as Avantor—it was a corporation which was once under the control of Vanita Gupta's father. She had no—no—active role whatsoever in the administration of this corporation. She was a shareholder as the daughter of the chairman of the board, her only connection. It was a stock portfolio. That was it. That is the reason why these suspicions and charges went nowhere. There is just no connection between Vanita Gupta and this company.

It was my understanding at the time that this company had discontinued its business in Mexico and had already done that long before her hearing. That was a matter of public record.

Secondly, when members of the Judiciary Committee on both sides of the aisle said they wanted quicker responses to the letters sent to the Department of Justice than they received under the Trump administration, I said that was a perfectly legitimate request, and I invited the members of the committee to join me in a conference call with the Attorney General to discuss it. Several did. I am not sure whether the Senator from Texas was part of it or not. But the message to the Department of Justice was, provide a timely response to all inquiries. The Attorney General gave us his personal assurance that he would do that.

I know this letter is very important to the Senator from Texas, but I think that the safety of our judges is even more important.

So let's press on if you wish for a reply to this letter as soon as possible. But today, let's do the right thing and put the person in charge who keeps safe the judges and their families all

across the United States from terrible things that have happened to them in the past.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I have to respond.

For the Senator from Illinois to say that Vanita Gupta has no relationship with Avantor, the company that has been selling this precursor drug into Mexico that is used to manufacture heroin—it is true, she is not part of the board of directors or the administration or the leadership of that corporation, but she literally owns or did own tens of millions of dollars of stock in Avantor. We do not yet know whether she has kept her promise to sell that Avantor stock. She said she would during her confirmation hearing, and we are investigating to see whether she actually followed through and kept that promise.

But for one of the chief law enforcement officers of the United States to own tens of millions of dollars' worth of stock in a company that arguably violated U.S. law by selling chemical precursors into Mexico that are used to make heroin that has killed so many Americans through drug overdoses is a serious matter. I would not raise this issue if I did not feel that it was so serious. Again, I think the solution is very simple. But the suggestion that Ms. Gupta has no relationship with Avantor is simply not true unless she has, unbeknownst to us at this point, disgorged the tens of millions of dollars of stock that she owns in that company.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I believe I made it clear that her father was the chairman of the board of the company and she was a stockholder, not in the management of the company. So whatever choices they made to sell whatever chemicals anywhere in the world was not her personal decision.

I just find it very difficult for a person who has already been appointed to the job, Vanita Gupta—and that happened months ago—for us to be holding up this critically important position over a letter that wasn't answered. I hope we can satisfy the Senator from Texas and anyone else who is objecting. It is important to put Mr. Davis on the job.

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

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. LANKFORD. Mr. President, I ask unanimous consent that myself, Senator SINEMA, and Senator CARPER be allowed to finish our remarks before the vote begins.

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

The Senator from Arizona.

AMENDMENT NO. 2633 WITHDRAWN

Ms. SINEMA. Mr. President, I ask unanimous consent to withdraw Carper amendment No. 2633.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

The amendment (No. 2633) was withdrawn.

Mr. BOOKER. Mr. President, I rise to ask unanimous consent that the following materials in support of section 40209 of the bipartisan infrastructure framework, the Advanced Energy Manufacturing and Recycling Grant Program, be entered into the RECORD.

These sources, which include congressional testimony, disparity studies, and other evidence, shed further light on the longstanding barriers and disparities faced by minority-owned small business entities in the manufacturing sector that have lingering effects today. According to one study, while minority-owned businesses play a significant role in U.S. industry, they are underrepresented in the U.S. manufacturing industry and represent only 12.8 percent of all manufacturing firms. And in testimony from a July 9, 2020, hearing before the House Financial Services Subcommittee on Diversity and Inclusion, multiple witnesses spoke to the ongoing barriers that minority-owned businesses face in accessing capital during the pandemic. These sources further highlight the importance of and need for the Advanced Energy Manufacturing and Recycling Grant Program.

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

Congressional Hearing, Access Denied: Challenges for Women- and Minority-Owned Businesses and Accessing Capital and Financial Services During the Pandemic (July 2020) (testimony focused on pandemic capital access issues).

The MEP National Network™ Connects with Minority Owned Manufacturers NIST (Nov. 19, 2019) (noting that ''while minority owned businesses play a big role in U.S. industry, they are underrepresented in the U.S. manufacturing industry . . . [and] represent only 12.8% of all U.S. manufacturing firms'').

MBDA Report, Contracting Barriers and Factors Affecting Minority Business Enterprises: A Review of Existing Disparity Studies (December 2016) (comprehensive literature review of 100 disparity studies indicating barriers minority businesses face across sectors and geographies).

NERA Economic Consulting study, The State of Minority- and Women-Owned Business Enterprise in Construction: Evidence from Houston (April 2012) (noting access to capital as a key challenge for MBE's, p.6).

MBDA-commissioned study, Disparities in Capital Access between Minority and Non-Minority-Owned Businesses: The Troubling Reality of Capital Limitations Faced by MBEs (January 2010).

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 2137

Mr. LANKFORD. Mr. President, I want to set some context of where we are financially at this point.

Everyone knows last year the difficulties of COVID–19 and what happened and the extraordinary measures that were taken to be able to offset the economic damage that was significant. CBO, as of July 21 of this year, estimates the Federal deficit for 2021 will be $3 trillion, much of that based on what was done last year during an emergency time period. It is 13.5 percent GDP. That deficit, in 2021, will be the second largest since World War II, since 1945.

Now, this year, in the year that we are finally working our way out of COVID–19, though still taking it seriously—this year, there is $2 trillion in additional spending in March of this year. There is a $1 trillion infrastructure plan that is in front of us now and a $3.5 trillion tax-and-spend bill that, apparently, we start in 2 days.

Listen, I have been told over and over again throughout the course of this debate that the infrastructure package would be paid for, and then, later, I was told, well, mostly paid for, and then CBO came out a couple of days ago and said a quarter trillion dollars of it is not paid for—a quarter trillion dollars according to CBO's estimates.

To make matters worse, part of the rest of it that CBO does estimate is still areas where I would look at and go: That is pretty shaky estimation—for instance, the unused unemployment benefits from earlier this year. That is an area that I look at and I think, OK, if you are taking unemployment benefits that were borrowed with debt money, then not spending them, and then, later, going back and grabbing them and saying now we are spending them, and they are ''paid for,'' that would be the equivalent of me taking out a $20,000 car loan but, yet, buying only a $15,000 car—so using the extra $5,000 to buy cat food and donuts after that and say it was paid for. It is not paid for. The extra $5,000 would go to debt reduction. In this case, it is $53 billion, not $5,000. That area is total debt spending as well. Though CBO may score it, it is really not there.

One of my favorite areas of scoring in this I find fascinating in the course of this conversation. This bill mandates the sale of over 87 million barrels of oil from the Strategic Petroleum Reserve. Almost the identical amount is assumed to be collected from the sale of 87 million barrels of oil to be able to pay for the electric car charging stations. So, literally, this bill sells oil to then pay for the electric car charging stations. This bill also delays to get a score for this—it delays a Medicare Part D regulation that had already been delayed already.

My concern is this: We are not paying attention to the most basic element. This is a quarter trillion dollars unpaid for, according to CBO, and many other areas are pretty shaky pay-fors in this.

My simple suggestion is this: Let's do infrastructure, but let's do the infrastructure we can afford. If we can't afford an extra quarter trillion of this

trillion-dollar bill, then let's back it up to $750 billion. That should be pretty straightforward. If we can't pay for that extra amount, we shouldn't do that extra amount.

POINT OF ORDER

So, saying that, Mr. President, in the pending measure, Senate amendment No. 2137 to H.R. 3684 contains a matter within the jurisdiction of the Committee on the Budget that was not reported or discharged from the Committee on the Budget. Therefore, I raise a point of order against division J, title IX, section 905 of the amendment, pursuant to section 306 of the Congressional Budget Act of 1974.

The PRESIDING OFFICER. The Senator from Arizona.

VOTE ON MOTION TO WAIVE

Ms. SINEMA. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, I move to waive all applicable sections of that act and any other applicable budget points of order for purposes of the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from South Carolina (Mr. GRAHAM), and the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 64, nays 33, as follows:

[Rollcall Vote No. 311 Leg.]

YEAS—64

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

NAYS—33

Blackburn	Hawley	Paul
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Cornyn	Inhofe	Scott (FL)
Cotton	Johnson	Scott (SC)
Cruz	Kennedy	Shelby
Daines	Lankford	Sullivan
Ernst	Lee	Thune
Fischer	Lummis	Toomey
Grassley	Marshall	Tuberville
Hagerty	Moran	Young

NOT VOTING—3

Barrasso	Graham	Rounds

The PRESIDING OFFICER (Mr. MURPHY). On this vote the yeas are 64, the nays are 33.

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

VOTE ON AMENDMENT NO. 2131

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2131.

The amendment (No. 2131) was agreed to.

VOTE ON AMENDMENT NO. 2137, AS AMENDED

The PRESIDING OFFICER. The question now occurs on agreeing to amendment No. 2137, as amended.

Mr. MERKLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from South Carolina (Mr. GRAHAM), and the Senator from South Dakota (Mr. ROUNDS).

The result was announced—yeas 69, nays 28, as follows:

[Rollcall Vote No. 312 Leg.]

YEAS—69

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

NAYS—28

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

NOT VOTING—3

Barrasso	Graham	Rounds

The amendment (No. 2137), in the nature of a substitute, as amended, was agreed to.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 100, H.R. 3684, a bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Charles E. Schumer, Thomas R. Carper, John Hickenlooper, Jon Tester, Richard J. Durbin, Joe Manchin III, Jeanne Shaheen, Kyrsten Sinema, Angus S. King, Jr., Mark Kelly, Chris Van Hollen, Tammy Baldwin, Margaret Wood Hassan, Benjamin L. Cardin, Sheldon Whitehouse, Amy Klobuchar, Christopher A. Coons, Mark R. Warner, Patrick J. Leahy.

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 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Wyoming (Mr. BARRASSO).

The yeas and nays resulted—yeas 68, nays 29, as follows:

[Rollcall Vote No. 313 Leg.]

YEAS—68

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

NAYS—29

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

NOT VOTING—3

Barrasso	Graham	Rounds

The PRESIDING OFFICER (Mr. VAN HOLLEN). On this vote, the yeas are 68, the nays are 29.

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 majority leader is recognized.

Mr. SCHUMER. Mr. President, it has been a long day, but we have plowed through as I have intended, and the

cloture motion on the final bill has passed by a very handsome, overwhelming vote.

And now we will continue to move forward on the infrastructure bill. The substitute amendment, which is the text of the bipartisan bill, has been agreed to, and cloture has been invoked on the underlying bill.

We will move forward. Amendments are no longer in order, and we will move forward to wrap this up as expeditiously as possible and then move on to the budget resolution with reconciliation instructions.

The two-track process is moving along. It has been a process that has been a very good process. It has taken a while, but it is going to be worth it, as, hopefully, we will have both bills very, very soon—the bipartisan infrastructure bill and the budget resolution with reconciliation instructions.

MORNING BUSINESS

ADDITIONAL COSPONSORS

S. 2578

At the request of Mr. BROWN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2578, a bill to extend the moratorium on residential evictions, and for other purposes.

S. 2647

At the request of Mrs. GILLIBRAND, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Colorado (Mr. BENNET), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Missouri (Mr. BLUNT), the Senator from New Jersey (Mr. BOOKER), the Senator from West Virginia (Mrs. CAPITO), the Senator from Maryland (Mr. CARDIN), the Senator from Delaware (Mr. CARPER), the Senator from Pennsylvania (Mr. CASEY), the Senator from Delaware (Mr. COONS), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from North Dakota (Mr. CRAMER), the Senator from Montana (Mr. DAINES), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Illinois (Mr. DURBIN), the Senator from Iowa (Ms. ERNST), the Senator from California (Mrs. FEINSTEIN), the Senator from Nebraska (Mrs. FISCHER), the Senator from Iowa (Mr. GRASSLEY), the Senator from Tennessee (Mr. HAGERTY), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Hawaii (Ms. HIRONO), the Senator from Oklahoma (Mr. INHOFE), the Senator from Virginia (Mr. KAINE), the Senator from Arizona (Mr. KELLY), the Senator from Maine (Mr. KING), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. LUJÁN), the Senator from West Virginia (Mr. MANCHIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Kansas (Mr. MARSHALL), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Oregon (Mr. MERKLEY), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Connecticut (Mr. MURPHY), the Senator from Washington (Mrs. MURRAY), the Senator from Georgia (Mr. OSSOFF), the Senator from California (Mr. PADILLA), the Senator from Michigan (Mr. PETERS), the Senator from Rhode Island (Mr. REED), the Senator from Utah (Mr. ROMNEY), the Senator from Nevada (Ms. ROSEN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. RUBIO), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Arizona (Ms. SINEMA), the Senator from Minnesota (Ms. SMITH), the Senator from Michigan (Ms. STABENOW), the Senator from Alaska (Mr. SULLIVAN), the Senator from Montana (Mr. TESTER), the Senator from South Dakota (Mr. THUNE), the Senator from Alabama (Mr. TUBERVILLE), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Virginia (Mr. WARNER), the Senator from Georgia (Mr. WARNOCK), the Senator from Massachusetts (Ms. WARREN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Mississippi (Mr. WICKER), the Senator from Oregon (Mr. WYDEN), and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 2647, a bill to award a Congressional gold medal to the 369th Infantry Regiment, commonly known as the ''Harlem Hellfighters'', in recognition of their bravery and outstanding service during World War I.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2652. Mr. OSSOFF (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table.

SA 2653. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2652. Mr. OSSOFF (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 202, strike line 5 and insert the following:

(2) in subsection (1)—

(A) by striking paragraph (2);

(B) by striking the subsection designation and all that follows through ''In determining'' in paragraph (1) in the matter preceding subparagraph (A) and inserting the following:

''(1) ACCOMMODATING UTILITY FACILITIES IN THE RIGHT-OF-WAY.—

''(1) DEFINITIONS.—In this subsection:

''(A) INDIAN LAND.—The term 'Indian land' means—

''(i) land located within the boundaries of—

''(I) an Indian reservation, pueblo, or rancheria; or

''(II) a former reservation within Oklahoma; and

''(ii) land not located within the boundaries of an Indian reservation, pueblo, or rancheria—

''(I) the title to which is held in trust by the United States for the benefit of an Indian Tribe or an individual Indian;

''(II) the title to which is held by an Indian Tribe or an individual Indian, subject to restriction against alienation under laws of the United States; or

''(III) the title to which is held by a dependent Indian community.

''(B) RIGHT-OF-WAY.—The term 'right-of-way' means any real property, or interest therein, acquired, dedicated, or reserved for the construction, operation, and maintenance of a highway.

''(C) UTILITY FACILITY.—

''(i) IN GENERAL.—The term 'utility facility' means any privately, publicly, or cooperatively owned line, facility, or system for producing, transmitting, or distributing communications, power, electricity, light, heat, gas, water, steam, waste, storm water not connected with highway drainage, or any other similar commodity, including any fire or police signal system or street lighting system, that directly or indirectly serves the public.

''(ii) INCLUSIONS.—The term 'utility facility' includes—

''(I) a renewable energy generation facility;

''(II) electrical transmission and distribution infrastructure; and

''(III) broadband infrastructure and conduit.

''(2) ACCOMMODATION.—In determining''; and

(C) by adding at the end the following:

''(3) STATE APPROVAL.—A State, on behalf of the Secretary, may approve accommodating a utility facility described in paragraph (1)(C)(ii) within a right-of-way on a Federal-aid highway.

''(4) EXCLUSION.—Paragraph (3) shall not apply to a utility facility on Indian land.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to alter or affect—

''(A) the regulatory classification of broadband services or facilities under the Communications Act of 1934 (47 U.S.C. 151 et seq.); or

''(B) any prohibition on commercial activity under section 111(a).'';

(3) in subsection (o)—

On page 202, line 23, strike ''(3)'' and insert ''(4)''.

On page 203, strike line 17 and insert the following:

the project is located on a Federal-aid highway.

''(t) VEGETATION MANAGEMENT.—States are encouraged to implement, or to enter into partnerships to implement, vegetation management practices, such as increased mowing heights and planting native grasses and pollinator-friendly habitats, along a right-of-way on a Federal-aid highway, if the implementation of those practices—

''(1) is in the public interest; and

''(2) will not impair the highway or interfere with the free and safe flow of traffic.''.

SA 2653. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2322, strike line 16 and all that follows through page 2323, line 4, and insert the following:

(B) in the case of manufactured products, that—

(i) the manufactured product was manufactured in the United States;

(ii) the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 75 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and

(iii) in case of electronic products, the cost of manufacturing the electronic product in the United States is greater than ⅔ of the total cost of manufacturing the electronic product; and

ORDERS FOR MONDAY, AUGUST 9, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Monday, August 9—that is tomorrow, in case you have forgotten the days—that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of H.R. 3684; finally, that all time during recess, adjournment, or period of morning business count postcloture—the clock is ticking—on H.R. 3684.

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

ADJOURNMENT UNTIL TOMORROW

Mr. SCHUMER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 10:21 p.m., adjourned until Monday, August 9, 2021, at 12 noon.