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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, November 30, 2021, at 2 p.m.

Senate

MONDAY, NOVEMBER 29, 2021

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

O God, who remains the same though all else fades, we praise You for Your graciousness and compassion, rejoicing that You are slow to anger and rich in love.

Lord, thank You for Your presence in the lives of our lawmakers, providing them with clear vision from Your light that leads to truth.

Remind our Senators that everything is possible for those who believe. Incline their hearts to Your wisdom and love, as You keep their feet on the path of integrity.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

The PRESIDENT pro tempore. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING ABE SCHUMER

Mr. SCHUMER. Mr. President, I hope all Senators had a productive and restful Thanksgiving holiday.

This year, I am sad to say, was a painful Thanksgiving season for the Schumer family. Last Wednesday, we all said goodbye to my father Abe Schumer, who passed away after 98 amazing years.

I want to thank all of my colleagues in this Chamber who have reached out with prayers, condolences, and words of kindness in recent days. Their words give us strength. Their prayers give us healing. Their kindness gives us immense comfort. I say the same to so many New Yorkers who reached out as well.

Here on the floor of the U.S. Senate, I want to take a moment to offer a loving son's tribute to the man we lost last week.

My father was the kind of parent every kid deserves, every spouse hopes for, and the sort of American that makes our country great, and as I shared last week:

In so many ways, he personified the greatest generation. He took whatever was thrown at him, no matter how difficult; he did his job and never complained. He was an amazing husband, parent, grandparent, and great-grandparent.

Dad, we love you. We already miss you beyond comprehension. Thank you for the incredible life you led on this Earth.

CORONAVIRUS

Mr. SCHUMER. Madam President, now, on another subject, Omicron. Over the course of 2021, our country has made monumental and hard-fought progress in our fight against the COVID–19 pandemic.

After the passing of the American Rescue Plan, after getting vaccines into as many arms as possible, and because of the unceasing work of the Biden administration and healthcare workers across the country, we begin the winter of 2021 in a much better place than the winter of 2020.

But as we learn more about the Omicron variant that is spreading abroad, my message to the American people is simple: If you don't want to get sick, get vaccinated. If you are eligible, get your booster shot.

While there is so much we have yet to understand about the Omicron variant, we do know that you are far less likely to be hospitalized or die from the coronavirus if you are fully vaccinated. And for those who are already vaccinated, research shows that boosters are likewise highly effective. Take the words of Dr. Francis Collins, the head of the National Institutes of Health:

Boosters do, in fact, allow your immune system to have a wide range of capabilities against spike proteins it hasn't seen before.

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

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If you needed one more reason, if you're eligible to get that booster right away, this would be it.

Those are the words of Dr. Collins.

By now we know, the longer that eligible people resist safe vaccines, the greater the risk of new variants like Delta and Omicron arising in our midst. These strains—these strains—of variants have largely spread among unvaccinated populations, threatening our families, small businesses, and prolonging the day we put this wretched disease fully in the rearview mirror.

So if you aren't getting vaccinated for yourself because you don't think you need it, then do it for your family, your friends, and your neighbors because the unvaccinated population is where the variants multiply, spread, and grow, and hurt everybody.

So as we enter the holiday season, as we begin attending holiday gatherings and traveling long distances to see families, I urge New Yorkers and Americans everywhere to stay safe, get vaccinated, and get boosted. It is the best thing we can do to protect our families, our communities, and our country.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. SCHUMER. Madam President, now on NDAA, the Defense Act, we begin an important week for what will be an important final month of 2021.

Later today, the Senate will vote on cloture on the substitute amendment to the NDAA. NDAA has been passed by this Chamber for over 60 years, and there is no good reason why this year should be any different.

Before Thanksgiving, the Senate worked in as bipartisan way as it could to lay the groundwork for advancing the Defense bill. Senate Armed Services Committee Chairman REED and Ranking Member INHOFE reached an agreement, a bipartisan agreement, on a package of 18 amendments—let me repeat that; 18 amendments, folks—for the Senate to hold rollcall votes on. Nearly half of those amendments were led by a Republican. That would be more amendments to the NDAA receiving rollcall votes than in the last 4 years combined.

We also agreed to the substitute amendment, which included at least 50 amendments, 27 of which were led by a Republican. Senator INHOFE, the ranking member of the Armed Services Committee, agreed to this.

In any other time, this would be considered a very fair and generous compromise. Even though every Member didn't get every amendment they wanted, the leadership on both sides would have made sure that cloture was granted.

Unfortunately, Republicans could not accept this agreement before Thanksgiving, but we hope that Republican dysfunction will not be a roadblock to passing this bill and taking care of our troops and their families.

GOVERNMENT FUNDING

Mr. SCHUMER. Madam President, now on government funding, as we all know, by the end of this week, both parties must come to an agreement for funding the government and avoiding a needless shutdown.

At the end of September, Democrats and Republicans worked together to keep the government open through December 3, avoiding many of the fights that tainted so many funding debates under the previous administration. After the House takes action this week, the Democratic-led Senate will move forward to make sure the government remains funded after the deadline.

With so many critical issues, the last thing the American people need right now is a government shutdown, and Democrats are going to work this week to make sure we don't have one this time around. It is important to get it done, and we are working to get it done.

BUILD BACK BETTER

Mr. SCHUMER. Finally, Madam President, on Build Back Better, before the end of the year, the Senate will also work on President Biden's Build Back Better legislation, which momentously passed the House at the very end of the last work period.

This week, Democrats will continue to meet with the Senate Parliamentarian in order to complete the technical and procedural work required before the bill comes to the floor. Meetings were held over the Thanksgiving week, and we will continue this week and next week as needed.

As I have said repeatedly, once this necessary work is completed with the Parliamentarian, I will bring the President's Build Back Better legislation to the floor so we can pass it as soon as possible and send it to the President's desk. Our goal continues to be to get this done before Christmas.

Build Back Better represents the largest investment in the American people in generations. Under our bill, childcare will be more affordable, pre-K will be more affordable, and raising kids overall will be more affordable for tens of millions of parents.

The bill will take unprecedented steps in the fight against the climate crisis, paving the way for even greater action in the future.

And as scores of economists from across the ideological spectrum attest to, Build Back Better will not worsen inflation—will not worsen inflation—and in the long run help bring costs under control.

So cutting costs, saving parents money, fighting climate change, and creating the jobs of tomorrow—these are the things the American people want; these are the things the American people need; and these are the things that Build Back Better will deliver on once we pass it through this Chamber.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Madam President, today's Democratic Party does not make the policy decisions of a party that is serious about protecting our country.

In May, President Biden released a budget proposal that proposed a de facto cut in defense spending, and that was before the President's own supercharged inflation further cut the purchasing power of every defense dollar.

In August, his botched Afghanistan retreat shattered our allies' trust and delighted the terrorists. In 10 months in office, despite naive happy talk from the administration, the threats we face are markedly worse. The vacuum they left in Afghanistan has emboldened terrorists, from Iran's militias in Iraq, Syria, and Yemen to the highest ranks of the Taliban's government.

Their desperation to return to a failed nuclear deal has given Iran the upper hand in negotiations.

For 4 years, my colleague the Democratic leader seemed constantly focused on Putin and Russia. But now, with Putin flaunting his power and Russia engaged in ongoing cyber attacks, weapons tests, and troop buildups? Crickets.

And for all their talk about China's threat, we have seen no evidence that Democrats intend for the United States to keep pace with the PLA's investments in nuclear and hypersonic weapons.

The bipartisan National Defense Strategy Commission has made clear that we cannot shortchange our military modernization and have a prayer of competing with the People's Republic of China or even the declining but dangerous Russian Republic.

Our colleagues across the aisle have missed one opportunity after another to right the ship. They have used the reconciliation process to pass trillions in new partisan spending without a cent for defending the Nation.

And despite the strong bipartisan work of our colleagues on the Armed Services Committee, the Democratic leader kept this year's Defense authorization bill in limbo literally for months and now wants to block the Senate from a real debate and a real amendment process.

Debating the right way to confront Russian threats to America and our allies and equip our friends in Ukraine is certainly worth the Senate's time. Putin is massing tens of thousands of troops on Ukraine's border, but the Democratic leader is trying to block a debate about responding to Russian aggression? It makes no sense.

Considering sanctions on the pipeline that fuels Putin's encroachment over Europe—including provisions from Senator RISCH that closely mirror language that the House added unanimously—is certainly worth the Senate's time. Setting the record straight on our resolve to maintain a strong and credible nuclear deterrent that can check the worst impulses of our adversaries is also worth the Senate's time.

Yet, once again, the Democratic leader seems to want to put national security last. My colleague is trying to overcorrect for poor planning by cramming a 2-week bill into 2 or 3 days' time. I imagine there might be finger-pointing at the Republicans if that proves impossible.

So nothing less than the safety of the American people is at stake. This is more important than political timetables or partisan wish lists. So if the Democratic leader insists on forcing a cloture vote later today, I will oppose cutting off these important debates prematurely when they have really just begun.

GOVERNMENT SPENDING

Mr. MCCONNELL. Madam President, now on a related matter, why do our Democratic colleagues want to short-change our national defense? Well, to free up their time and attention for another massive, reckless taxing-and-spending spree, a radical wish list that would hurt American families and help China.

Working families are already getting slammed by runaway costs because the Democrats' last massive spending spree drove up inflation. Gas prices are up about 50 percent, used car prices are up more than 25 percent, and grocery prices across practically every category are up significantly over this time last year.

But, in response, Washington Democrats want to print, borrow, and spend trillions more. Even if you accept all their budget gimmicks at face value, this bill alone would unleash $800 billion in not-paid-for spending in the next 5 years. Years 5 through 10 are when their crushing tax hikes and phony accounting would actually begin to kick in. But even then the bill is not paid for.

President Biden promised Americans over and over that this legislation would cost zero dollars. Obviously, that is false. The Congressional Budget Office says that after 10 years, after their tax hikes and fake offsets are factored in, their spree would still add up to $367 billion and add that all to the deficit.

President Biden said the deficit impact would be zero. In reality, it is hundreds and hundreds of billions of dollars.

President Biden promised Americans something else too. He said he would never raise taxes on the middle class. People earning less than $400,000 per year were not to pay a penny more. He has completely broken this promise as well.

Among the $1.5 trillion in job-killing tax increases are new burdens for small businesses, family farms, and direct hikes on middle-class families earning less than six figures. Meanwhile, amazingly, Democrats did find room in their plan to include $300 billion in tax cuts for the wealthiest blue-State ZIP codes in New York and California. Our colleagues want to pretend they are launching another New Deal. Yet one of the biggest components is a direct cash giveaway to their richest constituents.

So the cost of this spending spree would be astronomical, and the massive tax hikes that would only partly pay for it would literally crush an already fragile economy.

Well, what about the content of the liberal wish list? If Democrats get to steal the American people's credit card for this historic spending spree, what would our citizens even get to unwrap?

Well, there would be massive government giveaways to supposedly green initiatives, giving rise to a whole new generation of waste and abuse like Solyndra.

There would be a gigantic slush fund so that HHS Secretary Becerra, the culture warrior who sued Catholic nuns, could take over daycare and pre-kindergarten across America. He would be in charge of subsidizing certain kinds of private family choices but not others and tilting the playing field against faith-based childcare.

There would be a continuation of inflationary welfare payments that Washington is sending out with zero work requirements whatsoever, and illegal immigrants would get the money as well. Oh, and, as we speak, Senate Democrats are still trying desperately behind the scenes to get sweeping amnesty included in the bill as well.

So it goes on and on like this, a hodgepodge catalog that is built to satisfy the demands of activists, not the needs of families. If you ask any working-class or middle-class American family for their top concerns, you aren't going to hear many people pining for massive tax hikes, electric car charging stations, and woke bureaucrats getting control of their kids' early childhoods.

My colleagues across the aisle seem determined to spend the weeks ahead on ways to waste Americans' money while making Americans' problems even worse. So let's hope enough of our Democratic colleagues step back, take stock, do the responsible thing, and kill this bill.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Ms. DUCKWORTH). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 4350, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 4350) to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reed/Inhofe modified amendment No. 3867, in the nature of a substitute.

Reed amendment No. 4775 (to amendment No. 3867), to modify effective dates relating to the Assistant Secretary of the Air Force for Space Acquisition and Integration and the Service Acquisition Executive of the Department of the Air Force for Space Systems and Programs.

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

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

HUNTER BIDEN

Mr. GRASSLEY. Madam President, today I am going to highlight a new Hunter Biden record that I have recently made public.

Before I get to that point, I am going to take a trip down memory lane—yes, down memory lane.

On September 23, 2020, Senator JOHNSON and I released our ''Biden Report,'' as it has been called. That report focused on questionable financial transactions between the Biden family and foreign, government-linked individuals.

On November 18, 2020, we released a supplemental to that report. I am going to read several statements from the media and my Democratic colleagues about our report.

So, to start with, on September 23, 2020, a New York Times article by Nicholas Fandos described it in two ways: ''lack of meaningful new information'' and ''overlap with a Russian disinformation campaign.''

And the then-Democratic minority leader was quoted in the same article

and said the report read ''as if Putin wrote it, not United States senators.''

A September 23, 2020, Salon article by Igor Derysh quoted a Democratic Senator saying that the report was the culmination of a ''sham investigation.'' In that article, the same Democratic Senator described our investigation as being ''rooted in disinformation'' from Russian operatives.

Separately, a Democratic Senator also said about our report: ''Bottom line: The Johnson-Grassley investigation is baseless. It's laundering Russian propaganda for circulation in the U.S.''

In a September 23, 2020, CBS article by Melissa Quinn, another Democratic Senator said about our report, meaning the Johnson-Grassley report: ''The chairmen have amplified a known Russian attack on our election,'' and ''It is unconscionable that the chairmen are continuing to advance false information intended to undermine our democratic process at the expense of bipartisan work that we should be doing to protect our national security.''

That same CBS article said that our report ''reveals little new information.''

And one Washington Post columnist, Josh Rogin, said: ''Even after accepting disinformation from Russian agents, Johnson and Grassley couldn't come up with anything new or interesting on Hunter Biden.''

So understand this: Week after week, month after month, year after year, the media and my Democratic colleagues falsely attacked our investigation with reckless disregard for the truth. I have spoken at length on the Senate floor rebutting all these false charges with example after example. I did so on May 11, 2021; March 18, 2021; December 14, 2020; December 10, 2020; October 19, 2020; and September 29, 2020.

Well, on November 15, this year, Senator JOHNSON and I publicly released a record that I placed in part on this poster next to me, and I will get to this in a minute. The full document illustrates an assignment and assumption of business interests.

The part next to me is a signature block in unaltered form, including one typographical error. The signature block includes Hunter Biden, two of his companies, and individuals connected to the communist Chinese regime. These are the main companies that Hunter Biden and his associates used to funnel money all over the world: Hudson West III, Hudson V, and then the other ones are ColdHarbour Capital and Owasco. Owasco is Hunter Biden's firm that was the recipient of millions of dollars from questionable financial transactions.

Gongwen Dong was the right-hand man for the owner of a company called CEFC China Energy Company. Mervyn Yan was his associate. CEFC was an arm of the Chinese Government. Hunter Biden was a close business partner of these men and their companies. Therefore, this signature block shows a direct financial and legal relationship between Hunter Biden and individuals connected to the communist regime.

Now, these are the same folks and companies that we discussed at length in our September 2020 report. This new document is yet another record that substantiates our report that we issued September 2020—that same report that the media and my Democratic colleagues said was based on Russian disinformation.

So I now say to the media and I now say to my Democratic colleagues who said our report was Russian disinformation, this question: Is this signature block Russian disinformation? Are the names of these companies Russian disinformation? Is this document disinformation?

No. This is a legitimate record that my staff uncovered, and it didn't come from the Hunter Biden laptop. This is the same type of record that Senator JOHNSON and I based our report several months ago on.

To my Democratic colleagues who falsely smeared our report: You are in the majority. You are now committee chairs, and you have jurisdiction over these matters. So I want to challenge you to use the same effort and energy that you exerted in the Trump-Russia investigation to expose the extensive ties between the Chinese regime and members of the Biden family.

I think I speak with some credibility on this point because you know there was a President Trump, and at the time there was a President Trump, I investigated Donald Trump, Jr., on things that were appropriate at that time to ask legitimate questions about in the constitutional role of congressional oversight.

EDUCATION

Madam President, on another matter—and this will be my last statement for the day—I have always been a critic of one-size-fits-all government, and there are few places where this is more inappropriate than education. Each child is different, and if we offer a cookie-cutter, assembly-line education, it will hurt all students.

Whether we are talking about students with gifts and talents or those with learning disabilities, students with unique learning needs must have teachers trained to address their way of learning. It may seem like common sense to say that, that students benefit when their education is tailored to their individual needs. Any parent can tell you that. You can't expect all students to learn at the same speed and depth in every subject.

Unfortunately, those like outgoing New York Mayor de Blasio want to scrap programs for gifted students. Citing the fact that White and Asian students were overperforming compared to students from other ethnic categories, de Blasio tried to end the city's program.

His focus on maintaining equality of outcomes by preventing any students from excelling is a misguided policy. It would have the perverse effect of reducing opportunity for the very students who need it most, including historically disadvantaged minority groups.

Now, we all know that wealthy families can afford to put their kids in private schools or pay for services outside of the schools. It is those students who aren't as well off who need access to services to address their unique learning needs. Families from less advantaged backgrounds are not helped by limiting opportunities for all students in public schools. They are the ones who have the most to lose when public schools cancel needed services.

Thankfully, the incoming New York mayor recognizes the importance of gifted and talented programming and has pledged to keep it.

I introduced the TALENT Act to address these unique needs of gifted and talented students and ensure that they don't slip through the cracks. Thankfully, much of this bill was included in Every Child Achieves in the year 2015. But I am also a strong supporter of Javits Gifted and Talented Education. This is the only dedicated Federal program to develop and help teachers implement teaching methods that meet the needs of gifted students, and it is targeted specifically to disadvantaged gifted students.

Thankfully, my State of Iowa is a leader in this area. Iowa law requires gifted education services for kids who need to be challenged. This applies to all students, whether or not they can afford private schools. Iowa has recognized that we should aim to challenge kids with gifts and talents and give them the resources they need to excel. We should help all students achieve their potential, not try in vain to find one identical education for every kid.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE AGENDA

Mr. CORNYN. Madam President, here we are, following the Thanksgiving holiday, where I hope that people got to get together with friends and family and enjoy a little respite from the hectic schedule here in Congress. But here we are now, with just a few short days intervening between now and Christmas, and the end-of-the-year legislative mad dash is officially upon us.

This year, our Democratic colleagues, who control the Senate agenda, have ignored some of the Senate's most important and basic responsibilities, leaving us with a whole lot to do and not a whole lot of time in which to do it.

In September, when the Senate should have passed a group of bills to

fund the government for the next fiscal year, our colleagues instead kicked the can down the road. You would have thought they would have used the past couple of months to pass the annual appropriations bills, which is one of most basic and fundamental responsibilities of Congress; but, no, they chose not to do that.

Instead, our Democratic colleagues found time for partisan, dead-on-arrival messaging bills while they failed to bring a single appropriations bill to the floor with a December 3 deadline.

As things stand today, it looks like these funding bills are nowhere near ready. This risks leaving millions of Americans without a paycheck right before the Christmas holidays or punting on our funding responsibilities once again.

And that is not the only potential fiscal disaster we are careening toward. At some point in the coming days, weeks, or months—we don't know exactly when; only Secretary Yellen knows—the U.S. will run up against the debt limit. That is, we have maxed out our credit card and, unless our Democratic colleagues decide to raise that credit limit, we will exhaust the credit of the United States Government.

It kind of feels a little like ''Groundhog Day'' because we saw this movie just about 2 months ago.

Democrats had a clear roadmap and ample time to increase the debt ceiling on their own and avoid a financial crisis, but they stubbornly refused. They said they didn't have enough time. Well, they don't have that excuse now.

And, even then, they have known since July that Republicans would not help them with another partisan spending spree. So we find ourselves staring down the barrel of a potential economic crisis, but our colleagues can't blame the calendar for not having enough time again.

If our Democratic colleagues want to exclude Republicans and continue spending on a purely partisan basis, they will have to raise the debt ceiling in a partisan fashion. They have proven they are OK with spending trillions of dollars of borrowed money without a single Republican vote. It is not too much to say that they should be held accountable for that reckless course of conduct.

Of course, before the Senate addresses either one of those crises, there is another item on the agenda: The National Defense Authorization Act.

Congress has passed the National Defense Authorization Act each year for the last 60 years, and for good reason. It is the case, I believe, that our national security is the single most important duty that we have here in the Senate. But this bill has been waiting in the wings for months, ready for floor action, and both the chairman of the Armed Services Committee and the ranking member have had to push the majority leader to actually bring this to the Senate floor, even at this late date.

So 2 weeks ago, before the Thanksgiving holidays, the Senate finally began consideration of the Defense Authorization Act, and we hope we can actually do what the Senate is supposed to do, which is to vote on amendments to that bill and then pass it in the coming days. But the fact is, it is nearly December, and the fact that it has not been done yet is simply inexplicable.

Now, with such a big to-do list and so little time to do it, you would think our colleagues would be laser focused on this hefty end-of-the-year agenda: funding the government, avoiding a debt crisis, strengthening our military, and supporting our volunteer military forces and their families.

None of the Senate's most basic responsibilities have been attended to; and, as it stands today, the Senate is only scheduled to be in session for a handful of days before the Christmas holidays.

Well, unfortunately, our Democratic colleagues think they have an even more important job to do. Forget the millions of government employees who could be left without a paycheck before the holidays, or the economic crisis that will cripple our country if we defaulted on our debt. Our Democratic colleagues are laser focused on their multitrillion-dollar tax-and-spending spree.

After months of party infighting and countless iterations of this bill, the Democratic leaders in the House—most notably Speaker PELOSI—finally managed to pass a partisan version of this bill. They couldn't even convince every Democrat to vote for the bill, which is an indication of how problematic it is.

What we are talking about is an absolutely massive bill that would increase the role and power of the Federal Government and Americans' lives in an unprecedented fashion. It would reshape how we take care of our children, our healthcare system, our energy, our educational systems. Virtually every aspect of American citizens' daily lives would be affected by this monstrosity.

And, of course, these programs don't come cheap, but Democrats have pulled every gimmick in the book to hide the true cost. They have filled this bill with arbitrary sunsets and cliffs and expirations that make these programs appear to cost less than we know they actually will.

One example is the expanded child tax credit. As originally drafted, this policy was a temporary measure in their bill that became law in March, just 8 months ago. Earlier drafts of the so-called Build Back Better legislation would have extended that policy through 2025, even though it seemed all but certain that Democrats would later try to make it permanent.

When Democrats needed to cut the overall pricetag of the bill to convince their own Members to vote for it, the expanded child tax credit was scaled back to a 1-year extension. But nothing has really changed. I have no expectation that this or a number of other so-called temporary programs in this bill will actually expire.

As President Ronald Reagan once famously said, the closest thing to eternal life on Earth is a temporary government program.

If all the temporary provisions in this bill are made permanent, it will cost a whole lot more than is advertised. And the budget experts at the University of Pennsylvania's Wharton School of Business have given us an estimate of how much more it will cost.

Of course, there is President Biden, who said it will cost zero. Nobody believes that. Others have said, well, it is a $1.75 trillion bill. And I would argue that, based on all the budget gimmickry, you can't really believe that either.

The University of Pennsylvania's Wharton School of Business pegs the price at close to $4.6 trillion over 10 years—that is the budget window—more than 2½ times the amount Democrats have previously stated.

The Committee for a Responsible Federal Budget agrees with that estimate. They estimate that the true cost of this bill would be approximately $5 trillion over the next 10 years. That is $5 trillion in largely borrowed money that would have to be paid back by somebody. That is a whole lot more than the $1.75 trillion pricetag that the press has reported based on the incredible estimates that our Democratic colleagues have provided.

Of course, that flies in the face of President Biden's estimate that it would cost nothing. Well, again, we understand that is not true, and the 1.75 trillion pricetag is not true either.

Last week, I sent a letter to the leaders of the Congressional Budget Office and the Joint Committee on Taxation requesting a true cost estimate for this bill. The American people deserve a full and complete picture of the real-world price of this legislation. And before voting on the bill, every Member of the Senate, both Republicans and Democrats, should want to know how much this legislation is going to end up costing the American people.

The pricetag of this bill is deeply concerning, but that is only part of what makes this legislation so dangerous. As I said earlier, it dramatically increases the role of the Federal Government in every aspect of our lives. It drives up taxes on working families; it harms our energy security; and it hurts our competitiveness on the global stage, which hands a big win to China.

That, apparently, is the priority for our Democratic colleagues right now, not the looming debt crisis or potential government shutdown. They are focused on legislation that actually does more harm than good.

Our Democratic colleagues control the Senate agenda. They control the House, and they control the White House. They control every lever in the

legislative process here in Washington, DC, and this is how they have chosen to use that power.

Our Democratic colleagues continue to prove that they are not doing what is best for the American people. If it was, then there would be an effort to build a bipartisan consensus for this legislation.

Instead, they are using raw partisan political power to jam through an agenda that they know will end up costing somewhere around $5 trillion and that will permanently alter the relationship of the American people to the Federal Government.

For our country's sake, I hope something changes between now and the time we actually take up this partisan tax-and-spending spree bill that has been passed by the House of Representatives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, I imagine many of us in this Chamber had a wonderful week talking with Tennesseans—with our constituents.

In Tennessee, I will tell you this: We had a fabulous week. And everywhere I went, whether it was the grocery store or somewhere with the grandchildren, I was hearing from people about the issues that are in front of us, and they are really curious to see what is going to end up happening as we take up issues here in DC.

And I talked with a lot of our county mayors, who are quite concerned about what is happening with the American Recovery Act funding and how they are going to be able to use that funding.

They are very concerned about the infrastructure bill, and, you know, they were really a little bit surprised to find out that so little of the bill actually goes to infrastructure. I think they were really disappointed in that because what they are interested in is money for roads and bridges and highways and ports and broadband, and were really disappointed in the emphasis in the bill on mass transit.

So what we have realized is that they have a lot of questions. They look around and they say: Well, in Washington, you have got a lot of spinning wheels going on and not a lot of forward motion.

And I have to agree because, in Washington, it does appear that the President and many of my Democrat colleagues are spinning their wheels in the same rut that they were stuck in before the holiday, proving once again that, while they understand very little about the economy, they understand even less about where the American people are.

Since day 1 of this administration, the White House has made it clear that governing is not a priority. Governing—working with the House, working with the Senate to find solutions.

But, instead, this administration is doing all it can to force the country onto a path that the people have said time and again they don't want to travel this path. It is not where they want to go.

By all accounts, businesses are, at least, a year out from a return to normal, which we continue to hear a lot about that. Everybody would like to be back to prepandemic normal.

Our supply chains are a mess. Ships that are loaded with goods cannot get to ports. Inflation is, unfortunately, here to stay. It definitely wasn't transitory. Families are having an increasingly difficult time putting food on the table and gas in the car because a dollar doesn't go as far as it once went, and this is something every family is wrestling with. Even with all of this right in front of their faces, my Democratic colleagues are more concerned with how they will leverage these problems rather than how they are going to solve these problems. What solutions that they have proposed are completely divorced from reality and come loaded with more internal political strife than they are worth. This, of course, is the logical conclusion of a year where consensus took a backseat to the whims of the loudest and most radical leftist wing of the Democratic Party.

Over the past week, the media has dripped out story after story covering the cost of inflation, the consequences of failing to fund the government, and the upcoming debate over the debt limit. And if you thought the message coming from the White House and from my Democratic colleagues in response to all this was jumbled before, prepare yourself for something even more chaotic in the days to come.

My colleagues across the aisle, unfortunately, still seem to be under the impression that Senate Republicans are going to band together to save them from the hole they have dug for themselves. They think we are going to endorse fiscal policy so destructive that many experts who are normally friendly to the White House have refused to support these ideas—and with good reason. They are a socialist, government-controlled agenda.

We have been down this road before. So my Democratic colleagues know that going through the motions of bipartisanship isn't going to be enough because we went through this months ago with the debt ceiling and on the matter of funding the government. We would have settled all of these issues months ago if the majority had their priorities in line and if they could articulate clearly to the American people what the priorities are, what the problems are, what the challenges are, and bring forward solutions for the American people to look at and say: Yeah, that makes sense. But that is not what they have done and what they continue to do.

Here is the problem with where they are: The priorities of the Democratic Party are not the priorities of the American people. Out in the real world, inflation is a problem. Spending and debt—all of that means something. How you spend your money means something. People understand that. They get it.

But according to the majority here in the Democratic-controlled Senate, none of these things actually matter in practice. In fact, the past few months have shown us that among Democrats, there is no real consensus about what, if anything, these major debates mean to them or what is the end game. It is amazing. They can't tell you. If you are here to solve problems or create problems, people are going to figure that out—the American people are. And they know that the question should be: Are you here to solve problems or create problems for your political enemies in a way that ensures you are punishing people?

Now, that is the question that people are asking. Is the debt limit a legal fiction or a meaningful check on reckless spending? That is a question that we have heard. Is it just something that gets tossed around? Is funding the government part of your duty or is the appropriations debate just fuel for talking points? I think we know the majority's answers to all of these questions, and I think their answer is probably coming down on the wrong side of where the American people are.

Those looking for good faith from the White House are seeming to not find it, nor are they finding any evidence that Democrats in Congress are aware of their moral obligation to be discerning and truthful about how they plan to spend trillions in taxpayer money.

There is a reason that the Democrats lied about the costs associated with their massive social spending bill, which reflects the priorities of liberal, leftist activists rather than the priorities of the American people. They claimed it was paid for, but in reality it will add $367 billion to the deficit and cost taxpayers more than another $400 billion. That is why they have not been truthful with the American people that needed more buy-in in order for the Democrats to make this happen—even when they knew the CBO report was going to come and show how much debt was going to be added if this bill got passed.

They know the people don't want this big spending bill. They know that the American people know that we cannot afford this. Our children and our grandchildren cannot afford this bill.

As my colleague from Texas was saying, it is not $1.5 trillion or $1.75 trillion. It is trillions—trillions—of dollars in spending. And we know how some across the aisle are kind of, with a wink-wink and a nod-nod, saying: Yes, let's get these on the books, and then things will take care of themselves.

This week, we are facing the prospect of yet another government shutdown, which means another eleventh-hour opportunity for my Democratic colleagues to complain about Republican obstruction. But what the Democrats in the media and the liberal activists

need to realize is that Republicans are not the problem here. The Democrats are in charge of this Chamber, the House, and the White House.

And not even the Democrats in power can agree on how much they want to spend and how they want to spend it. If they had consensus and if that consensus came from listening to the people that elected them to serve, we wouldn't be staring at the prospect of another government shutdown. No, you would see Democrats marching to the Chamber in lockstep to vote for a continuing resolution that reflects goals that don't change with the news cycle.

But there is no consensus. The people driving the ship have lost all sense of direction, and in doing so, they are losing the faith the American people have put in them.

In Tennessee, we would say that our friends across the aisle are in the middle of a good old-fashioned come-apart, and there is one way and only one way to reverse the damage, and that is to stop worrying about politics and pushing a leftist agenda and start worrying about meeting the needs of the American people—not only today but the needs of our children and grandchildren. What are we going to do to their hopes and their dreams for living their version of the American dream?

So we should agree, no more blame, no more budget gimmicks—open our eyes to the reality of the situation that we are dealing with. We have a job to do here, and the sooner my Democratic colleagues remember that fact, the sooner they will be able to earn back the faith and the trust of the American people. That is priority No. 1, and it is time for my colleagues to prove that they understand it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. KING. Madam President, I want to talk about the national defense bill, but first I do want to respond just in one particular to the comments of the gentlelady from Tennessee because I have heard this before, the idea that the infrastructure bill isn't infrastructure.

I don't get how anybody is making that claim. Here is the list: roads and bridges, highway safety, public transit, rail, broadband, ports, airports, the electric grid, water, and Superfund cleanup. Yes, there are some items for EVs and for the facilitating of the electrification of our transportation system, but the vast bulk of it is what anybody would call infrastructure.

Infrastructure is something you can kick. Infrastructure is something you can feel. And that is what we are talking about here—roads and bridges, ports, airports, rail, broadband. That is the infrastructure of the 21st century. This is an infrastructure bill, and it ought to be recognized as such.

There are plenty of things we can argue and differ with around here, but this shouldn't be one of them. And people are confused about it because they are being given confusing information. They are being told it is not an infrastructure bill; there is no infrastructure. I have heard that. It is simply not true. So let's argue about the things that, you know, we have genuine policy differences, but let's not talk about things that just aren't the case. Ports, bridges, railroad, public transit—and, yes, public transit is infrastructure. It may not be in Tennessee. It may not be so much in Maine, although I suspect there is some in Tennessee and there is some in Maine, but public transportation is critical to our citizens.

Broadband, airports, electric grid, water—that is infrastructure.

H.R. 4350

Now, in a few moments, we will have what I hope is not a historic vote. It shouldn't be a historic vote. It ought to be a boring vote. The vote is to proceed to the National Defense Authorization Act for 2022, just as we have done for 60 years' running. But I understand that there is a movement afoot to derail it because there haven't been enough amendments. ''I didn't get my amendment in; therefore, I am going to block this bill.''

Well, let's talk a little bit about the history of the bill. I serve on the Armed Services Committee, as does the Presiding Officer, and both of us can attest that the Armed Services Committee is one of the most nonpartisan committees in the U.S. Senate. In fact, in the Armed—let's talk about amendments for a minute. In the Armed Services Committee, during our markup, we adopted 145 amendments—most by agreement, by bipartisan agreement, by unanimous consent. There were a few rollcall votes but not very many. And in my experience in 9 years on that committee, there have only been a handful of party-line rollcall votes in the Armed Services Committee.

It produces some very odd bedfellows, and some combinations that don't make much sense politically, but it is because the members of the committee put the interests of the United States of America first and make their decision on that, not on politics.

So there were 145 amendments in the committee. Then there is a managers' package that we are going to be voting on today that has 57 amendments in it—27 supported by Republicans and 27 by Democrats and 3 that are entirely bipartisan. So we are up to 202 amendments. That is a lot of amendments to a piece of legislation, not to mention the fact that the managers' package within the committee was developed largely by consensus between the two party leaders, Chairman REED and Ranking Member INHOFE. So this process is replete with amendments and compromise, and that is how it has been done for the past 60 years.

Now, last week, before we left, we had another 18 amendments that were agreed upon by both parties to bring up as a package—not as a package; I am sorry—to be considered one at a time and be voted on.

That process was killed by a group of Senators who said: No. I want my amendment. I am not on the list, and, therefore, I am going to object to the unanimous consent request, so nobody gets their amendments.

So, today, we are going to be voting on the motion to proceed to the substitute amendment that is chock-full of bipartisan amendments. It doesn't have all of the amendments everybody wants. It doesn't have a couple of amendments that I feel are very important.

But do you know what? To quote my favorite philosopher, Mick Jagger: You don't always get what you want, but, if you try sometimes, you just might find you get what you need.

And that is what we have got right here, is what we need.

This is the defense of the United States of America. Why can't we do just one bill without politics and without stamping our feet, saying, ''I didn't get my amendment, so I am going to vote against it''?

By the way, this is a vote on a motion to proceed, which, in my view, ought to be just the most routine possible vote. It is not a vote on the bill itself. Let's proceed to this bill. Let's proceed to the bipartisan managers' package that has been worked out, painstakingly, over the last several months.

Let's think about what this bill is all about. This isn't ordinary policy. This is the national security of this country. This is a pay raise for our troops. This is national security that our people depend upon. That is our most fundamental responsibility. In the preamble of the Constitution, one of the key responsibilities is to provide for the common defense. That is why you have governments in the first place.

We have done it for 60 years in a row. I urge my colleagues—this isn't a moment for partisanship or for complaining about, you know, ''I didn't get my amendment, so I am not going to vote for it.'' You know, suck it up.

I am going to vote for it. As I say, there are a couple of amendments that I felt very passionately about involving cyber and the protection of the country. They aren't in, but I am still going to vote for it, because that is our responsibility.

This is the most fundamental responsibility we have around here. We have a bipartisan process, and it came out of committee 23 to 3. Two Republicans and one Democrat voted against it. That is as close to unanimity as you can get on an important piece of policy legislation.

So I urge my colleagues to vote yes on the motion to proceed, and then to

move the bill later this week—to meet our responsibility to the American people, to meet the responsibility that every Congress has met for the last 60 years.

If we don't do that because we are angry that we didn't get something in or there weren't enough amendments—there are 202 amendments built on top of, already, a bipartisan package that was produced in the chairman's markup in committee. That, to me, is pretty full consideration.

I hope my colleagues will vote yes to proceed to this bill. It is our responsibility and, more than that, it is what is necessary to protect this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, let me, first of all, say that I would have a hard time finding a better friend than the Member who just spoke. We have been good friends for a long period of time, and we have not been apart on very many votes; yet we are not of the same party. Nonetheless, we are going to have to do something that is the same thing we had to do 5 years ago, and really for kind of the same reason.

Every year, when the Senate turns to the NDAA, we call it our must-pass bill. It is a must-pass bill, and it is a bill that will pass. It is a must-pass because it gives our troops the pay that they have earned and the tools and the training that they need to fight and to win against our enemies.

That is why we have passed the NDAA every year for 60 straight years. This year will be 61. This is pretty much the only authorization bill that gets done the way it should year after year. In fact, it is pretty much the only bill—period—that Congress does every single year without fail.

However, no matter how important it is, that doesn't mean that we will accept the fact that Senator SCHUMER wants to jam it through the Senate without adequate consideration.

Let me be clear. Senator SCHUMER has put us in this position today. He waited more than 2 months after we filed the NDAA to bring it to the floor. For 2 months, we could have been discussing this and having it and treating it like we should.

He tried to tack it onto his unrelated legislation just as many of us, including my Democrat colleague in the House, ADAM SMITH, guessed that he would, and now he wants a floor vote on this bill—the most important bill that we do all year—to be enough, despite the fact that he isn't giving us ample time to debate the bill, and he certainly hasn't been willing to entertain an open amendment process.

We have been trying to get this for a long period of time, and we haven't gotten it—the most important bill of the year.

I think Americans back home are smart enough to understand that our servicemembers deserve more. They deserve to be our priority in the Senate, and we need to show them, by providing a robust and open debate on the annual Defense bill, that that is how we will do it.

We are in this place right now because Senator SCHUMER won't prioritize national defense and fund our troops because the majority leader mismanaged the Senate's schedule. He won't allow votes on bipartisan amendments that make our country more secure. We heard that argument the last time we were in session.

These include an amendment that would inflict sanctions against Russia to stop its power grab over European energy supplies, which simply builds on our previous bipartisan NDAAs and aligns with the House's version of the NDAA.

Another amendment on which Senator SCHUMER would not give a vote would tighten import restrictions on China to ensure goods sold in the United States aren't made by Uighur forced labor. This already passed the Senate by voice vote.

Good amendments like these shouldn't fall victim to the majority leader's failed leadership.

We all understand how important this bill is. It shouldn't be a partisan thing. This is the most important bill we do every year. In fact, we have said this every year. In fact, I have said this more times than any other Member has stated it. It is even more important now because we are in the most threatened position of our lifetimes. I can't tell you how many times I have demonstrated that fact on the floor of the Senate.

I echo the minority leader's frustration. I understand the frustration from my colleagues who wanted, in realtime, to debate this bill. I think they pled their case very effectively. We wouldn't be in this position if the majority leader had brought this bill up earlier, which we kept insisting that he do, over and over again, on a bipartisan plea.

While I want to be clear that we are in this position because Senator SCHUMER is forcing this unfortunate action, I also want to be equally clear that I am still very supportive of this bill, and I hope we will pass it soon, but I stand with my colleagues who are voting against the majority leader's irresponsible management of the bills. We have got to get it done, but we can't rush it, and that is why I will be voting no on cloture. That is not an easy thing for me to do, but I believe we can get this bill in better shape. My vote against the process is not against the bill; it is against the process.

We are not delaying national security, no. This is just the opposite. We are demanding that we show, through open and robust debate, that our men and women in uniform are our priority.

I have heard this from many of our people that I have talked to over the weekend and over this past week who are really wondering why we didn't have this on the table earlier so we could get the debate. I hope that a lot of the American people heard the six different Republicans who were demanding to have their votes and amendment process. This is the first time, in my memory, that we have not had this kind of a process take place, and for that reason I will be voting no.

I do want to hear, of course—and let me say something because this might be an area of disagreement between my partner and myself.

Senator REED, we have worked on these bills together for a long period of time. We have been successful, and we are going to be successful this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, it would be a very disappointing moment if we would fail to invoke cloture.

This bill, from the very beginning, has been completely bipartisan and open to amendments. In the course, as Senator KING eloquently remarked, of the committee hearing, we included over 100 amendments on a bipartisan basis. We came to the floor with a bill that passed our committee 23 to 3—overwhelmingly bipartisan.

We also brought to the floor a substitute amendment, including, approximately, 60 amendments that were also bipartisan. And then we had another series of nearly 20 amendments that was bipartisan, that would have been voted on, but they were objected to because several Members did not get their amendments.

Now, just to point out, the majority of those amendments aren't even within the jurisdiction of the Armed Services Committee. They don't relate directly to the men and women of the armed services. They might have foreign policy implications, but they are not something that is essential to the passage of the National Defense Authorization Act.

I can recall many times on this floor when the NDAA was brought up; both sides could not agree on amendments; we went through the process; we invoked cloture; we voted on the substitute bill; and we went off to conference. So this would not be the first occasion on which, ironically, a few people did not get their amendments. In fact, on previous occasions, there were many, many people who did not get their amendments.

And so, again, I go back to the point that we have produced a bipartisan piece of legislation. I commend the ranking member. We worked with closely the subcommittee chairs and the subcommittee ranking members. The staff has done a superb job. And we are here, just one procedural vote away from moving forward, and I think we should move forward for the benefit of the men and women of the armed services, as Senator KING, again, so eloquently described.

I think the other factor, too, is that eventually we have to reconcile whatever we do or attempt to do with the

House of Representatives. Certainly, I think it gives us much more credibility, much more clout, and much more leverage when we have a strong bill that has passed on the floor of the Senate.

We are not talking about 100 amendments that we have to consider. We are talking about a handful of Senators who didn't get their way, even though many others were frustrated. I think, again, our duty is to move forward to pass this cloture vote this evening, then to move forward to final passage, and then to reconcile our differences with the House and come back with legislation.

At this point—and I think the ranking member would agree with me—as it stands right now, I would be proud to pass this legislation because it is bipartisan, it responds to the needs of the men and women of the Armed Forces, and it establishes robust resources for the Department of Defense much more than were advocated by the President in his budget.

So we are taking a strong step forward, and I just would hate to see this as a sidestep away from final passage.

I would urge all of my colleagues to vote for cloture.

Mr. KING. Would the Senator yield for a question?

Mr. REED. I would be happy to yield.

Mr. KING. Madam President, my recollection is—and we have passed this bill, as we both have recognized, every year for the past 60 years, including over the last 4 or 5 years—in the last several years, there weren't that many amendments.

There were a few, and it was always agreed in advance. There was a package, just as we had the other night, but everybody didn't get—there wasn't an unlimited number of amendments or votes on amendments. There was generally an agreed-upon number of amendments, and it wasn't very many.

Is that correct?

Mr. REED. That is absolutely correct.

There have been occasions where we have had—once we got the substitute adopted—in some cases, no amendments and we went to final passage, ultimately, and in other cases, just a handful of amendments. Last year, I don't believe we had the kind of amendments we are offering this year, some of them have nothing whatsoever to do with the national defense. The nearly 20 amendments we were proposing were nearly equally divided to be bipartisan.

And, frankly, to your point, I think this would represent more amendments than in the many years I witnessed the passage of the NDAA.

Mr. KING. Thank you.

Thank you, Madam Chair.

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 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 Reed-Inhofe substitute amendment No. 3867, as modified, to Calendar No. 144, H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Charles E. Schumer, Jack Reed, Catherine Cortez Masto, Benjamin L. Cardin, Robert P. Casey, Jr., Jeanne Shaheen, Tim Kaine, Angus S. King, Jr., Kyrsten Sinema, Christopher Murphy, Maria Cantwell, Mark Kelly, Brian Schatz, Patrick J. Leahy, Mazie K. Hirono, Debbie Stabenow, Mark R. Warner.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 3867, offered by the Senator from Rhode Island, Mr. REED, as modified, to H.R. 4350, a bill to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, 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 Missouri (Mr. BLUNT), the Senator from Louisiana (Mr. CASSIDY), the Senator from Texas (Mr. CRUZ), and the Senator from Nebraska (Mr. SASSE).

The yeas and nays resulted—yeas 45, nays 51, as follows:

[Rollcall Vote No. 473 Leg.]

YEAS—45

Baldwin	Gillibrand	Ossoff
Bennet	Hassan	Padilla
Blumenthal	Heinrich	Peters
Booker	Hickenlooper	Reed
Brown	Hirono	Rosen
Cantwell	Kaine	Schatz
Cardin	Kelly	Shaheen
Carper	King	Sinema
Casey	Klobuchar	Smith
Collins	Leahy	Stabenow
Coons	Luján	Tester
Cortez Masto	Manchin	Van Hollen
Duckworth	Menendez	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Whitehouse

NAYS—51

Barrasso	Hawley	Portman
Blackburn	Hoeven	Risch
Boozman	Hyde-Smith	Romney
Braun	Inhofe	Rounds
Burr	Johnson	Rubio
Capito	Kennedy	Sanders
Cornyn	Lankford	Schumer
Cotton	Lee	Scott (FL)
Cramer	Lummis	Scott (SC)
Crapo	Markey	Shelby
Daines	Marshall	Sullivan
Ernst	McConnell	Thune
Fischer	Merkley	Tillis
Graham	Moran	
Grassley	Murkowski	
Hagerty	Paul	
Toomey	Warren	Wyden
Tuberville	Wicker	Young

NOT VOTING—4

Blunt	Cruz
Cassidy	Sasse

The PRESIDING OFFICER (Mr. HEINRICH). On this vote, the yeas are 45, the nays are 51.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion was not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

MOTION TO RECONSIDER

Mr. SCHUMER. Mr. President, I enter a motion to reconsider the failed cloture vote.

The PRESIDING OFFICER. The motion is entered.

UNANIMOUS CONSENT AGREEMENT

Mr. SCHUMER. Mr. President, I ask unanimous consent that the cloture vote on the underlying bill, H.R. 4350, ripen upon disposition of substitute amendment No. 3867, as modified.

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

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to express my great disappointment that some of my colleagues have indicated by their vote that they are preventing the adoption of the National Defense Authorization Act, and they claim that more amendments and more debate are needed.

This bill has been bipartisan from the beginning. It incorporated over 100 amendments at the committee level. There were approximately 60 additional amendments in the substitute, which were agreed to on a bipartisan basis.

Last week before we adjourned, we offered nearly 20 more amendments on a bipartisan basis, and they were rejected by my colleagues on the Republican side, just as this evening, this motion for cloture was rejected by the Republicans. They had their opportunity to consider more amendments. We had 19 amendments ready last week that were brought forward on an equal basis to be debated and voted upon. But that was blocked by several of my Republican colleagues.

One of the ironies this evening is that many of my colleagues, who had their amendments denied by fellow Republican objections, came down and voted against the bill. That doesn't seem to be particularly logical, in my mind.

Now, in the course of NDAAs—and I have done a few—there have been periods in which there has been extensive considerations of the bill with very few, if any, amendments. There have been times in which only a handful of amendments were presented before we voted on cloture, passed cloture, and passed the bill. So this is an unusual departure from procedure, particularly with a bill that has so much bipartisan support.

The bill passed out of committee 23 to 3 because it represented all of the principled points that my colleagues wanted. In the course of the committee deliberations, there were 300 amendments presented, and we adopted 143.

Mr. President, let me yield to the majority leader.

Mr. SCHUMER. I thank my friend from Rhode Island. I want to make a brief statement about the vote, and then I will turn it over to him.

My colleagues, there should be no misunderstanding about the absurdity that just played out on the floor. For a while now, Republicans have claimed they want to pass the Defense authorization legislation immediately. They said we couldn't afford to wait any longer. They called it a core duty, a bare minimum, and they called on me to bring it to the floor for a full vote.

But a few moments ago, Republicans just blocked legislation to support our troops, support our families, and keep Americans safe. Republican dysfunction has, again, derailed bipartisan progress. The Republican choice to block our bill and, by an extension, legislation to support our troops and protect the homeland can be summed up in two words: inexplicable and outrageous.

I hope the American people are watching. Don't tell me we aren't offering a fair process. We have had ample debate. We had amendments from both sides. We had a huge number of managers' amendments, equal numbers Democrat and Republican. We offered to debate—I believe it is 18 amendments—more than has been on most other bills of this type.

In any other time in history, what we offered Republicans would be considered a very fair and generous compromise, but just because a few Republicans didn't get every single concession they insisted on, they are now halting the process.

Despite this vote, Democrats will continue to work to make sure our troops get paid and our vital defense programs can continue.

I thank my colleague for his courtesy and yield the floor back to him.

Mr. REED. I thank the majority leader for his comments and just to elaborate, this represents what the majority leader just pointed out—a few Members on the other side frustrated the entire process and, ironically, frustrated many of their own colleagues in their caucus who had amendments, either in the substitute agreement or were ready to be voted on.

So this is really a question of doing our utmost, as we have in the past, not for individual points but for the support of the men and women in the military. That was the spirit that guided our efforts in the committee.

Working closely with Senator INHOFE and all the Members on both sides, we recognized that what we do ultimately affects the safety and the welfare of our men and women in uniform and their families. And this legislation would accomplish a great deal. This is, in my sense, one of the most bipartisan bills we have ever considered. It is unfortunate that we can't move forward on a bipartisan basis, consider this bill, and then go to the House and come back with a final legislation for consideration by this Senate.

We will have to do an NDAA. It will be done. I think Senator INHOFE is committed to that, as I am, and we will have to use procedures that are appropriate to get it done. But we just missed an opportunity to send a clear message that we support this legislation, we support our troops. We are going to get to final passage, and then we are going to go to the House, and then we will send the bill to the President of the United States.

I should note that one of the other reasons that many amendments were not brought up for debate is because they are not in the purview of the Armed Services Committee. There were foreign policy issues; there were sanctions issues, et cetera. The NDAA often serves as a vehicle to move those issues along, but it is not central to the purpose of the bill.

Our nation faces an enormous range of security challenges, and it is more important than ever that we provide our military men and women with the support they need to keep Americans safe. To that end, this bill makes great progress. It addresses a broad range of pressing issues, from strategic competition with China and Russia, to investing in game-changing technologies, to modernizing our ships, aircraft, and vehicles. It provides our servicemembers with the resources and support they need to defend our Nation, while at the same taking care of their families.

That is why we are here on the floor with the national defense authorization act. It is not only an opportunity, but a responsibility. Tonight, we demonstrated irresponsibility to those who serve and their families. I regret it immensely.

Now, I look forward, again, to working with my colleague Senator INHOFE and all Members of the committee, to continue forward to develop legislation that will be acceptable to this body and pass, as we have for 60-some-odd years, the National Defense Authorization Act.

I recognize and thank my colleague from Ohio for yielding to me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I always laud and so appreciate the principled leadership of the senior Senator from Rhode Island, who never would have done what just happened on the floor when we were in the minority. JACK REED is always there for the troops and always there for our national security, and I join my colleagues in showing our appreciation. I know the Presiding Officer from New Mexico thinks the same thing.

SMALL BUSINESS SATURDAY

Mr. President, this weekend, we celebrated Small Business Saturday for Ohioans. And people around the country showed their support for local businesses in their communities by shopping local for holiday gifts.

Small businesses and their workers drive this economy. There is always talk on this floor about small business, but the focus is rarely, in this body, actually on small business and their workers. They create jobs and economic growth in our communities and the heartland, in small towns and overlooked neighborhoods, places that often don't get a lot of outside investment.

The stakeholders in these businesses aren't nameless, faceless shareholders. They are our neighbors, our family members, the people you see at church and at the grocery store, and they are vital to our economic recovery. It is why we passed the bipartisan Paycheck Protection Program last year. It is why Democrats and President Biden expanded the American Rescue Plan.

Last week, I asked Ohioans on social media to tell us about their favorite local businesses to support this holiday shopping season—businesses that go above and beyond to help their community.

This was a little bit, Mr. President—and I have gone to the floor on this before, and you and I have talked about this—when I post on my website, ''What did the child tax credit mean to your family,'' and the effusive outpouring and excitement from so many people saying this should be the role of government. This is what really matters. That is what we found when we posted asking people to share your stories about favorite local businesses. I want to share a few of them.

Beth talked about Mootown Creamery in Berea. She said they are ''so involved in the community, never say no when help is needed.''

Robin gave a shout-out.

And that is in northeast Ohio near Cleveland.

Robin gave a shout-out to Snazzies's in Oxford for local arts. That is in southwest Ohio, north of Cincinnati, the home of Miami University.

I would add that Berea is the home of Baldwin Wallace College too.

Sarah mentioned ''Sunset Bistro in Bowling Green. They not only support their local community, they are devoted to honoring our veterans''—another community with a big State university in northwest Ohio.

Heather wrote about Let's Eat Cake in Urbana. She said: ''Owner Tina is always doing something for the downtown business association and the greater community.''

Donna said: ''I can't say enough about Scott, the owner of Salad KraZe. Scott goes above and beyond to make the city of Avon Lake''—a city on Lake Erie, just east of Lorain—''a great place to live and raise our children.''

Loria said: ''Pouka Art & Photography in Grove City''—in central

Ohio—''does amazing digital printings and photography. She restores old photographs into digital paintings.''

Tia said: ''Gemini Gems & Creations in Lancaster''—a small city southeast of Columbus—''wonderful people who started selling out of their home and during town events''—out of their home and during town events—''and now finally have their own shop.''

Teresa mentioned ''Chris Fultz's sign company, Fultz Signs and his pizza place, Bluelick General, in Lima.''

Lima just swore in this week a new mayor, Sharetta Smith, and the mayor of Dayton, my friend Nan Whaley, attended the swearing in.

Adam mentioned the Copper Penny Salon in Pettisville.

Vickie mentioned the Charmed Farmhouse in Wellington. She said: ''They take food drives and donate to those in town who directly help our community. They survived shutdown and thrive still.''

Think about that: They survived and they thrive. This pandemic hit small businesses hard. For so many of them, they are still paying their workers and serving their communities because of PPP, because of our work through the American Rescue Plan to get people vaccinated.

PPP has helped Ohio businesses survive. Vaccines are bringing back customers, allowing these small businesses to thrive again.

The bipartisan infrastructure plan the President signed just last month is going to mean investment—earlier this month. Excuse me. It is going to mean investment in these businesses' local communities.

People in Ohio and across the country remember how after the last economic crisis in 2008 and 2009, the biggest corporations recovered—they always do—while large swaths of the country were left behind.

Many of these same communities have watched for decades as factories closed, as investment dried up, as storefronts were boarded over. We can't make that mistake again, and we are not making that mistake.

We are investing in rebuilding roads and bridges and bus and rail systems to revitalize downtowns. We know businesses can't survive on their own. They need safe streets and sidewalks. They need other businesses around. They need bus stops nearby. They need customers with money in their pockets.

As part of the American Rescue Plan, as I said earlier, we passed the largest tax cut for working families ever. Ninety-two percent of families in Ohio who have children under 18—92 percent of those families—will get at least a $3,000-a-year tax cut.

It is essential that this Congress, that this Senate extend that tax cut for at least another year. It is giving millions of Ohio families that tax cut every single month—$250 or $300 per child every single month. We need to make sure they continue.

We need this holiday season to commit to shopping local, and in the Senate let's commit to protecting small business—putting small businesses and workers at the center of our economy.

The workers who shared these—the Ohioans who shared these stories—know the vibrancy and the dynamism and the diversity of working-class towns in neighborhoods that Senator PORTMAN, who is in the Chamber this evening—that we represent. We need to get to work to invest in them. We need to get to work to ensure that these places—Ohio's Main Streets, America's Main Streets—are at the center of a better economy.

MORNING BUSINESS

HOSSAM BAHGAT

Mr. LEAHY. Madam President, in June of this year, Egyptian prosecutors opened a criminal investigation concerning human rights defender Hossam Bahgat, in relation to a December 2020 tweet criticizing Egypt's flawed parliamentary elections. The acts he has been accused of would not be considered crimes in the United States, nor in any other country that respects freedom of expression.

Hossam Bahgat is the executive director and founder of one of the most respected Egyptian human rights organizations, the Egyptian Initiative for Personal Rights, EIPR. His work has been recognized around the world, and in April 2021, Mr. Bahgat met with Secretary of State Blinken as part of a group of leading human rights activists. Other EIPR employees have also been targeted, along with many others as part of the government's crackdown on independent civil society organizations. In February of 2020, EIPR researcher Patrick George Zaki was forcibly disappeared and reportedly tortured. A year ago, three of EIPR's senior employees, Gasser Abdel-Razek, Karim Ennarah, and Mohamed Basheer, were also arbitrarily detained, effectively silencing them.

Mr. Bahgat faces up to 3 years in prison and almost $20,000 in fines for reportedly doing nothing more than expressing views the Egyptian authorities consider to be ''insulting'' or ''false news''. This is not the first time Mr. Bahgat has been targeted for his courageous and important reporting. In 2015, he was detained for 3 days after reporting on officers convicted of planning a coup and was only released when the case received international attention from human rights groups and the United Nations.

I have consistently spoken out about human rights in Egypt and in other countries, especially when governments crack down on human rights activists. The State Department publicly expressed concern in July of this year. Today, I am adding my voice to others who have raised concerns about Mr. Bahgat's wrongful detention. A verdict in his case may be imminent. I hope the Egyptian Government will abandon its persecution of Hossam Bahgat and his fellow human rights defenders. Like the Department of State, I have been urging the Egyptian authorities to make progress on human rights so our two countries can expand cooperation in other important areas. Further attempts to silence Mr. Bahgat and the other EIPR employees will needlessly impede those efforts.

VOTE EXPLANATION

Mr. HAWLEY. Madam President, had there been a recorded vote, I would have voted no on the confirmations of Executive Calendar No. 537, Cole Finegan, of Colorado to be United States Attorney for the District of Colorado for the term of four years; No. 538, Kenneth L. Parker, of Ohio, to be United States Attorney for the Southern District of Ohio for the term of four years; No. 553, Cindy K. Chung, of Pennsylvania, to be United State Attorney for the Western District of Pennsylvania for the term of four years; and No. 554, Gary M. Restaino, of Arizona, to be United States Attorney for the District of Arizona for the term of four years.

SWITZERLAND

Mr. KAINE. Madam President, I come to the floor today to talk about the unique partnership between the United States and Switzerland. I had the opportunity earlier this month to meet with President of Switzerland Guy Parmelin to discuss the U.S.-Switzerland partnership on apprenticeship and workforce training. Our meeting came on the heels of a Senate Foreign Relations Committee hearing considering the nomination of Scott Miller to be the Ambassador to Switzerland. My questioning of Mr. Miller covered many topics, to include the recent decision by the government of Switzerland and Swiss voters to purchase Lockheed Martin F–35s as their next-generation fighter jet.

In the following weeks, I have received more information on the benefits of the F–35 and the incredible opportunity this security cooperation provides for both Switzerland and the United States. In fact, prior to making a selection, the Swiss Federal Council completed a comprehensive analysis and determined that the F–35 offered the highest benefit, at the lowest cost: $2 billion less than the next lowest bidder.

In making their choice, the Government of Switzerland and Swiss voters clearly recognized the value of the F–35, as well as the superior capabilities the F–35 offers. The deal has my enthusiastic support, and I appreciate our continued partnership with the Swiss Government and the Swiss people.

ADDITIONAL STATEMENTS

TRIBUTE TO MARIE BEAVER

• Mrs. CAPITO. Madam President, I rise today to honor a good friend of mine for the work she has done for women in recovery. Marie Beaver is retiring after 18 years as the executive director of Rea of Hope, a very successful recovery program and facility in my hometown of Charleston, WV, which she built from the ground up.

Although Marie is not a native of West Virginia, she found her way to our State as a result of her marriage to her husband, Carl Beaver. Shortly after her arrival, Marie was hired and started working to create Rea of Hope just before the full scope of the addiction epidemic was recognized.

Working with little money and a lot of help from volunteers, including the organization's board of directors, and donated labor from a work release program, Marie transformed a deteriorating home on the East End of Charleston into our State's first recovery home for women.

Marie's personal experience as a recovering addict shaped the foundation of Rea of Hope as an abstinence only, no tolerance recovery home. Residents are expected to find and hold a job, pay rent, attend 12-step meetings, and take responsibility for the mistakes of their past and pay their debts. Personal responsibility is a tenet of the program and Rea of Hope has a long list of successful graduates who have completed their high school and college degrees, are employed in both the public sector and privately owned businesses, are becoming first-time homebuyers, and, most importantly, are being reunited with their children, providing safe, loving homes.

The home's success is how I met Marie. The White House Drug Czar under President George W. Bush, John P. Walters, visited Rea of Hope with me early in my congressional career. Marie was a gracious hostess, and the Drug Czar was very impressed with what he saw and experienced. A rose bush was brought from the White House on that visit, which was planted, and I believe is still in Rea of Hope's front yard.

As a next step, Marie realized that there were no affordable, safe apartments to rent for graduates of the program in the Charleston area. She began arranging financing and buying apartment properties and renting them to the graduates. As a result, graduates are able to learn about renting and the associated costs, but do not have to worry about unruly neighbors or drugs or alcohol being on the premises. The apartments have created a sober community where women take care of one another and their children, as built-in baby sitters when mothers have to work or attend a 12-step meeting. This successful model of recovery has helped 250 women from 44 West Virginia counties learn to live sober, responsible lives. The annual fundraiser named, ''Miracle on Lee Street'' reflecting Rea of Hope's address is a very fitting name. If success is measured by the difference you make, Rea of Hope's success is immeasurable.

Marie and her husband Carl have decided to retire and return to her home State of South Carolina to be near family, the ocean, and her beloved Clemson Tigers. Marie made West Virginia her home over the nearly 20 years she lived here, cultivating friendships, whether professionally or personally throughout the State. She put such a positive face on recovery and exemplified that long-term recovery is possible and so rewarding.

Thank you, Marie, for the terrific work you have done and the example you and Rea of Hope have set as a model for recovery. Marie has established a high standard, and I am sure Rea of Hope will maintain the quality of service that she performed.

I wish Marie the best, and like all who know her, I will miss her. I am proud to call Marie friend and fellow West Virginian.•

REMEMBERING JACE WARD

• Mr. MARSHALL. Madam President, today I wish to recognize a fellow Kansan, Jace Ward, for his incredible fight against cancer, inspiring advocacy work, and unyielding display of hope in the face of a terminal illness. At the age of 22, Jace passed away surrounded by family and friends, and today, I commemorate the remarkable accomplishments during his short life.

Jace was born on February 18, 1999, in Wichita, KS. He enjoyed a fantastic childhood in Inman and then moved to Wamego at age 12, where he excelled in school and extracurricular activities. After graduating from Wamego High School in 2017, Jace attended the University of Kansas, studying law and business with scholarships under the Law Education Accelerated Degree Program and the Business Scholars Program.

Following a rollover car accident in February 2019, Jace started to experience eye problems. After an MRI, it was revealed that Jace had an aggressive and particularly deadly form of brain cancer called diffuse intrinsic pontine plioma, DIPG. It generally affects children between the ages of 5 to 9 and has no chance of survival as no effective treatment exists. In fact, only 10 percent of patients survive 2 years after their diagnosis, and less than 1 percent survive past 5 years. Despite these unforgiving odds, Jace decided to make the most of the time he had left.

After being diagnosed with DIPG, Jace transferred to Kansas State University—KSU—on scholarship and majored in business entrepreneurship. He was awarded a bachelor of business administration degree posthumously from KSU, but while he was studying, he also championed advocacy and awareness for pediatric cancer.

While attending KSU, Jace worked vigorously for California-based Emerson Collective as a member of the Health Team, which focuses on advocating and investing funds to combat rare cancers like his. As a member of this organization, he visited with Federal officials in Congress and various agencies at the U.S. Department of Health and Human Services to raise awareness. Notably, Jace delivered a keynote address at a congressional briefing on DIPG, spoke to the NIH on patient ownership of genomic data, and met with over 67 congressional offices, including mine. As a Member of the House of Representatives and his Congressman, I cosponsored a House resolution expressing support for honoring a day towards DIPG to raise awareness and encourage research into cures for DIPG and other pediatric cancers.

As a business major keenly aware of private sector dynamics and pharmaceutical manufacturing, Jace also helped establish partnerships with biopharmaceutical innovators and foundations. He regularly brought together foundations to partner with him on aspirations he had to fill gaps in research and patient navigation. Jace conceptualized a DIPG Patient Navigation System to direct patients to molecular diagnostics and clinical trials, attracted the support of 20 top doctors and several foundations to open this novel system in November. Because of Jace, over 300 tumors previously held in storage awaiting funding for genomic sequencing are now being sequenced added to quadruple those available for researchers. Jace inspired an astonishing $5 million in funding for pediatric brain cancer research and treatment, and it is because of him that over 200 patients received expanded access to an investigational drug.

When asked about what he wanted to do with the remaining time he had left and whether he would devote it towards travel or other personal experiences, Jace responded, ''I can't die, I'm busy.'' Jace ignored the ticking clock tethered to him to become a thundering voice for future patients, always putting the need to advance science and protect younger kids and their legacies before his own.

As a physician for nearly 30 years, I am no stranger to cancer or the miracle of hope when faced with the heartbreaking news of a diagnosis. Even during the toughest of times, I have witnessed God in my patient's grace and acceptance; Jace is no exception. I am profoundly honored to have had the opportunity to get to know him and his remarkable family. Jace is survived by his loving parents, Roger and Lisa, and his sister, Brooke.

I ask my colleagues and all Kansans to join me in remembering Jace's courageous fight, his ability to rise to the challenge, and to make a lasting impact in the fight against pediatric cancer.•

TRIBUTE TO LACY BOWER

• Mr. MARSHALL. Madam President, today I wish to recognize Lacy Bower of Hutchinson, KS, for her incredible achievement in attaining not only Girl Scouts's highest honor in the Gold Award, but Boy Scouts's Eagle Scout rank as well. Both are remarkable achievements on their own, but attaining both is truly a remarkable feat.

For her Gold Award, Lacy decided to focus her efforts to helping the Hutchinson domestic violence center with her project, ''A Walk of Love.'' To help the shelter, Lacy worked with the community to collect over $5,000 worth of toiletry items, which she then turned into 200 toiletry bags to donate to the shelter. In addition, she helped establish a continual collection process for these items so the shelter can more adequately provide resources for those that use it in the future.

Of course, that is only half the story. To accomplish the double feat, Lacy needed to create yet another community project for her Eagle Scout rank. Lacy set her sights on repainting the gymnasium of a church in Hutchinson. After plenty of preparation and recruiting, what she initially thought would take 2 weeks only took her 2 days after successfully recruiting help throughout the Hutchinson area during her preparation process.

After achieving these two feats, Lacy has said that she hopes to be an inspiration for young girls to show that they are capable of making a difference and achieving what they want, so long as they put their mind to it. She has certainly set a tremendous example for young women everywhere, and I ask my colleagues to join me in recognizing Lacy for her outstanding achievements.•

RECOGNIZING IMOGENE'S ALTERATIONS

• Mr. PAUL. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Imogene's Alterations of Bowling Green, KY, as the Senate Small Business of the Week.

Located on Nutwood Street, Imogene's Alterations has served Bowling Green, KY, for over 20 years. Imogene Garmon, a longtime Bowling Green resident, embarked on her first career in the grocery sector. After 33 years working at the Kroger meat counter, she was ready for a new challenge. A self-taught seamstress, Imogene began selling fabric and doing minor alterations after leaving Kroger. Seeing a business opportunity, Imogene went on to establish a fabric shop. She thrived as a small business owner, serving the greater Bowling Green community. Word spread quickly of Imogene's talent as a seamstress. Request for alterations poured in, including everything from everyday clothing to suits and ball gowns. To meet the demand, Imogene decided to focus solely on alterations. She established Imogene's Alterations, providing full-time alterations for men and women's clothing.

Today, Imogene's Alterations continues providing alterations for all types of events and special occasions. This woman-owned business has grown along with the area, moving into its current location at Nutwood Street about 20 years ago. Customers are welcomed by name and treated like family. At 88 years old, Imogene continues to be involved in every aspect of her business. From operating the store to sewing alterations, her care and attention to detail are evident in her work. Her strong sense of family has built a tight-knit, supportive team.

Like many entrepreneurs, Imogene established a successful business while building community. As a mother, grandmother, and aunt, Imogene raised and continues to mentor generations of her family. Remarkably, Imogene founded Imogene's Alterations in her 60s. It took innovation and courage to pursue her goal, switching from the grocery industry which she knew well, to the tailoring sector.

Imogene's Alterations is a remarkable example of the resilience and adaptability of locally owned small businesses. Small businesses like Imogene's Alterations form the heart of cities and towns across Kentucky. Congratulations to Imogene and the entire team at Imogene's Alterations. I wish them the best of luck, and I look forward to watching their continued growth and success in Kentucky.•

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on November 19, 2021, she had presented to the President of the United States the following enrolled bills:

S. 796. An act to codify maternity care coordination programs at the Department of Veterans Affairs, and for other purposes.

S. 894. An act to identify and refer members of the Armed Forces with a health care occupation who are separating from the Armed Forces for potential employment with the Department of Veterans Affairs, and for other purposes.

S. 1031. An act to require the Comptroller General of the United States to conduct a study on disparities associated with race and ethnicity with respect to certain benefits administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1095. An act to amend title 38, United States Code, to provide for the disapproval by the Secretary of Veterans Affairs of courses of education offered by public institutions of higher learning that do not charge veterans the in-State tuition rate for purposes of Survivors' and Dependents' Educational Assistance Program, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2640. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation'' (CPCLO Order No. 011–2021) received in the Office of the President of the Senate on November 4, 2021; to the Committee on the Judiciary.

EC–2641. A communication from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Privacy Act of 1974; Implementation'' (CPCLO Order No. 010–2021) received in the Office of the President of the Senate on November 4, 2021; to the Committee on the Judiciary.

EC–2642. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report on applications for delayed-notice search warrants and extensions during fiscal year 2021; to the Committee on the Judiciary.

EC–2643. A communication from the Agency Representative, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Implement Provisions of the Trademark Modernization Act of 2020'' (RIN0651–AD55) received in the Office of the President of the Senate on November 18, 2021; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

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

S. 3270. A bill to reauthorize the Maritime Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself and Ms. COLLINS):

S. 3271. A bill to amend title 18, United States Code, to provide for transportation and subsistence for criminal justice defendants, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN:

S. 3272. A bill to prioritize icebreaker deployments to the Arctic, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 3273. A bill to take certain land in the State of California into trust for the benefit of the Agua Caliente Band of Cahuilla Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. WARNER (for himself, Mr. RUBIO, Mrs. FEINSTEIN, Mr. BURR, Mr. WYDEN, Mr. RISCH, Mr. HEINRICH, Ms. COLLINS, Mr. KING, Mr. COTTON, Mr. BENNET, Mr. CORNYN, Mr. CASEY, Mrs. GILLIBRAND, and Mr. SASSE):

S. 3274. A bill to rename the Geospatial Learning Center in the Next NGA West facility in St. Louis, Missouri, as the Senator Roy Blunt Geospatial Learning Center; to the Committee on Armed Services.

By Mr. COONS:

S. 3275. A bill to support a civilian-led democratic transition, peace, and stability in Sudan; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 19

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 19, a bill to authorize the Administrator of the Federal Emergency Management Agency to approve State and local plans to partner with small and mid-size restaurants and nonprofit organizations to provide nutritious meals to individuals in need, to waive certain matching fund requirements, and for other purposes.

S. 176

At the request of Ms. ROSEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 176, a bill to require a longitudinal study on the impact of COVID–19.

S. 594

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 594, a bill to double the existing penalties for the provision of misleading or inaccurate caller identification information.

S. 697

At the request of Ms. ROSEN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 697, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

S. 976

At the request of Mr. TESTER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 976, a bill to amend title 38, United States Code, to improve and to expand eligibility for dependency and indemnity compensation paid to certain survivors of certain veterans, and for other purposes.

S. 1106

At the request of Mr. BOOKER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1106, a bill to prohibit the sale of shark fins, and for other purposes.

S. 1187

At the request of Mr. BROWN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Indiana (Mr. BRAUN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Iowa (Ms. ERNST), the Senator from Indiana (Mr. YOUNG), the Senator from West Virginia (Mrs. CAPITO), the Senator from Louisiana (Mr. CASSIDY) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 1187, a bill to amend the Tariff Act of 1930 to improve the administration of antidumping and countervailing duty laws, and for other purposes.

S. 1404

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1404, a bill to award a Congressional Gold Medal to the 23d Headquarters Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a ''Ghost Army'' that conducted deception operations in Europe during World War II.

S. 1785

At the request of Mr. SCHATZ, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 1785, a bill to repeal the debt ceiling, and for other purposes.

S. 1813

At the request of Mr. COONS, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1834

At the request of Mrs. MURRAY, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 1834, a bill to amend the Child Nutrition Act of 1966 to clarify the availability and appropriateness of training for local food service personnel, and for other purposes.

S. 1873

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 1873, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2202

At the request of Mr. MORAN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 2202, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income interest received on certain loans secured by agricultural real property.

S. 2244

At the request of Mr. KAINE, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2244, a bill to amend the Higher Education Act of 1965 to provide for teacher and school leader quality enhancement and to enhance institutional aid.

S. 2649

At the request of Mr. YOUNG, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2649, a bill to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes.

S. 2834

At the request of Mr. DURBIN, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 2834, a bill to amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program.

S. 2937

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2937, a bill to authorize humanitarian assistance and civil society support, promote democracy and human rights, and impose targeted sanctions with respect to human rights abuses in Burma, and for other purposes.

S. 3052

At the request of Mr. MARKEY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 3052, a bill to promote free and fair elections, democracy, political freedoms, and human rights in Cambodia, and for other purposes.

S. 3143

At the request of Ms. ERNST, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 3143, a bill to amend title 9 of the United States Code to prohibit the enforcement of predispute arbitration agreements with respect to claims of sexual assault and to ensure that fair procedures are used in arbitrations involving sexual harassment claims.

S. 3213

At the request of Mr. VAN HOLLEN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3213, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 3255

At the request of Mr. BOOKER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3255, a bill to direct the Secretary of Veterans Affairs to increase the number of Vet Centers in certain States based on population metrics, and for other purposes.

S. 3262

At the request of Mr. WICKER, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 3262, a bill to improve the efficient movement of freight at ports in the United States, and for other purposes.

S.J. RES. 31

At the request of Mr. PAUL, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S.J. Res. 31, a joint resolution providing for congressional disapproval of the proposed foreign military sale to the Kingdom of Saudi Arabia of certain defense articles.

S. RES. 456

At the request of Mr. DURBIN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 456, a resolution expressing support for a free, fair, and peaceful December 4, 2021, election in The Gambia.

S. RES. 458

At the request of Mr. COONS, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 458, a resolution recognizing the 75th anniversary of the establishment of the United Nations Children's Fund.

AMENDMENT NO. 3870

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3870 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3895

At the request of Mr. MORAN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 3895 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3908

At the request of Mr. WARNOCK, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 3908 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3930

At the request of Mr. BROWN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 3930 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 3935

At the request of Ms. ROSEN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 3935 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4076

At the request of Mr. HAWLEY, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4076 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4078

At the request of Mr. OSSOFF, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 4078 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4100

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4100 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4105

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4105 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4177

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of amendment No. 4177 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4236

At the request of Mr. DAINES, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4236 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4283

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of amendment No. 4283 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At the request of Ms. ROSEN, her name was added as a cosponsor of amendment No. 4283 intended to be proposed to H.R. 4350, supra.

AMENDMENT NO. 4325

At the request of Mr. CORNYN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4325 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4606

At the request of Mr. INHOFE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 4606 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4629

At the request of Ms. DUCKWORTH, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of amendment No. 4629 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4705

At the request of Mr. LEE, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 4705 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4713

At the request of Mr. PADILLA, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of amendment No. 4713 intended to be proposed to H.R. 4350, to

authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4733

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4733 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4742

At the request of Mr. BRAUN, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of amendment No. 4742 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4786

At the request of Mr. MENENDEZ, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 4786 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4816

At the request of Mr. COONS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 4816 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 4830

At the request of Mr. MANCHIN, the names of the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of amendment No. 4830 intended to be proposed to H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Ms. COLLINS):

S. 3271. A bill to amend title 18, United States Code, to provide for transportation and subsistence for criminal justice defendants, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3271

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Criminal Judicial Administration Act of 2021''.

SEC. 2. TRANSPORTATION AND SUBSISTENCE FOR CRIMINAL JUSTICE ACT DEFENDANTS.

Section 4285 of title 18, United States Code, is amended in the first sentence—

(1) by striking ''when the interests of justice would be served thereby and the United States judge or magistrate judge is satisfied, after appropriate inquiry, that the defendant is financially unable to provide the necessary transportation to appear before the required court on his own'' and inserting ''when the United States judge or magistrate judge is satisfied that the defendant is indigent based on appointment of counsel pursuant to section 3006A, or, after appropriate inquiry, that the defendant is financially unable to provide necessary transportation on his own'';

(2) by striking ''to the place where his appearance is required,'' and inserting ''(1) to the place where each appearance is required and (2) to return to the place of the person's arrest or bona fide residence,''; and

(3) by striking ''to his destination,'' and inserting ''which includes money for both lodging and food, during travel to the person's destination and during any proceeding at which the person's appearance is required''.

SEC. 3. EFFECTIVE USE OF MAGISTRATE JUDGES TO DECIDE POSTJUDGMENT MOTIONS.

Section 3401 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in the second sentence, by striking ''and'' after ''trial, judgment,'';

(B) in the second sentence, by inserting '', and rulings on all post-judgment motions'' after ''sentencing'';

(C) in the third sentence, by striking ''and'' after ''trial, judgment,''; and

(D) in the third sentence, by inserting '', and rulings on all post-judgment motions'' after ''sentencing'';

(2) in subsection (c), by striking '', with the approval of a judge of the district court,''; and

(3) by inserting after subsection (i) the following:

''(j) A magistrate judge who exercises trial jurisdiction under this section, in either a petty offense case or a misdemeanor case in which the defendant has consented to a magistrate judge, may also rule on all post-judgment motions in that case, including but not limited to petitions for writs of habeas corpus, writs of coram nobis, motions to vacate a sentence under section 2255 of title 28, and motions related to mental competency under chapter 313 of this title.''.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 3273. A bill to take certain land in the State of California into trust for the benefit of the Agua Caliente Band of Cahuilla Indians, and for other purposes; to the Committee on Indian Affairs.

Mr. PADILLA. Mr. President, I rise to introduce the Agua Caliente Land Exchange Fee to Trust Confirmation Act.

This legislation would place certain lands into trust for the Tribe in order to finally allow the Agua Caliente Band of Mission Indians to manage these lands that are of special, cultural value to their people .

Land that has traditionally been held by Agua Caliente has been divided into a checkerboard between the Tribe, Federal Government, and private landowners.

In 1999, the Bureau of Land Management and Agua Caliente entered into an agreement to acquire and exchange lands within what would become the Santa Rosa and San Jacinto Mountains National Monument. In 2000, legislation was enacted to establish the monument and authorize the land exchange.

For 17 years, Agua Caliente worked with the Bureau of Land Management to finalize an agreement to exchange the lands that are addressed by this legislation, and in March 2019, the land exchange was finalized. However, since the original legislation didn't expressly address the status of land transferred to the Tribe, the lands covered in this bill were not placed in trust. My legislation would correct that and provide the fix to finally place the exchanged land into trust and made part of Agua Caliente's reservation.

This bill represents the final step to complete the original 1999 agreement between Agua Caliente and the Bureau of Land Management.

Importantly, enactment of this legislation would allow for improved land management and allow Agua Caliente to manage these lands that have a longstanding cultural and natural resource value to the Cahuilla people.

The land is in a remote wilderness area within the Santa Rosa and San Jacinto Mountains National Monument, and the Tribe will manage the land as conservation lands similar to how it is managed by the Bureau of Land Management.

I thank Congressman RUIZ for his partnership on this effort and for his commitment to honoring the Federal Government's trust responsibility. I also thank the bipartisan Members of the House who have supported this legislation and Senator FEINSTEIN for coleading this effort with me in the Senate.

I look forward to working with my colleagues to enact the Agua Caliente Land Exchange Fee to Trust Confirmation Act as quickly as possible.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4835. Mr. SANDERS (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4836. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4837. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4838. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4839. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4840. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4841. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4842. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4843. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4844. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4845. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4846. Mr. CORNYN (for himself, Mr. CARPER, Mr. MENENDEZ, Mr. SCOTT of South Carolina, Ms. HASSAN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4847. Ms. CANTWELL (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4848. Ms. CORTEZ MASTO (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4849. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4850. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4851. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4852. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4853. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4854. Mr. TUBERVILLE (for himself, Mr. MANCHIN, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4855. Ms. DUCKWORTH (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4856. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4857. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4858. Mr. TOOMEY (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4859. Mr. RISCH (for himself, Mr. PORTMAN, Mr. CRUZ, Mr. BARRASSO, Mr. JOHNSON, Mr. COTTON, Mr. DAINES, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4860. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4835. Mr. SANDERS (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1005. REDUCTION IN TOTAL AUTHORIZED FUNDS

The total amount authorized to be appropriated by this Act is hereby reduced by $24,972,120,000.

SA 4836. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IMPROVEMENTS TO CHIPS.

Section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) CONDITIONS OF RECEIPT.—

''(1) REQUIRED AGREEMENT.—A covered entity to which the Secretary awards Federal financial assistance under this section shall enter into an agreement that specifies that, during the 5-year period immediately following the award of the Federal financial assistance—

''(A) the covered entity will not—

''(i) repurchase an equity security that is listed on a national securities exchange of the covered entity or any parent company of the covered entity, except to the extent required under a contractual obligation that is in effect as of the date of enactment of this subsection;

''(ii) outsource or offshore jobs to a location outside of the United States; or

''(iii) abrogate existing collective bargaining agreements; and

''(B) the covered entity will remain neutral in any union organizing effort.

''(2) FINANCIAL PROTECTION OF GOVERNMENT.—

''(A) IN GENERAL.—The Secretary may not award Federal financial assistance to a covered entity under this section, unless—

''(i)(I) the covered entity has issued securities that are traded on a national securities exchange; and

''(II) the Secretary of the Treasury receives a warrant or equity interest in the covered entity; or

''(ii) in the case of any covered entity other than a covered entity described in clause (i), the Secretary of the Treasury receives, in the discretion of the Secretary of the Treasury—

''(I) a warrant or equity interest in the covered entity; or

''(II) a senior debt instrument issued by the covered entity.

''(B) TERMS AND CONDITIONS.—The terms and conditions of any warrant, equity interest, or senior debt instrument received under subparagraph (A) shall be set by the Secretary and shall meet the following requirements:

''(i) PURPOSES.—Such terms and conditions shall be designed to provide for a reasonable participation by the Secretary of Commerce, for the benefit of taxpayers, in equity appreciation in the case of a warrant or other equity interest, or a reasonable interest rate premium, in the case of a debt instrument.

''(ii) AUTHORITY TO SELL, EXERCISE, OR SURRENDER.—For the primary benefit of taxpayers, the Secretary may sell, exercise, or surrender a warrant or any senior debt instrument received under this subparagraph. The Secretary shall not exercise voting power with respect to any shares of common stock acquired under this subparagraph.

''(iii) SUFFICIENCY.—If the Secretary determines that a covered entity cannot feasibly issue warrants or other equity interests as required by this subparagraph, the Secretary may accept a senior debt instrument in an amount and on such terms as the Secretary determines appropriate.''.

SA 4837. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 4838. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date that is 2 days after the date of enactment of this Act.

SA 4839. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date that is 3 days after the date of enactment of this Act.

SA 4840. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. ___. EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

SA 4841. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''1 day'' and insert ''2 days''.

SA 4842. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 1, strike ''2'' and insert ''3''.

SA 4843. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''3 days'' and insert ''4 days''.

SA 4844. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''4'' and insert ''5''.

SA 4845. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. IMPOSITION OF SANCTIONS WITH RESPECT TO CHINESE AND RUSSIAN COMPANIES THAT SIGN CONTRACTS OR OTHERWISE DO BUSINESS WITH THE TALIBAN IN STRATEGIC RESOURCE SECTORS.

(a) IN GENERAL.—The President shall impose the sanctions described in subsection (b) with respect to any covered foreign entity that, on or after the date of the enactment of this Act—

(1) signs a contract with the Taliban with respect to a strategic resource sector; or

(2) otherwise agrees to do business with the Taliban in a strategic resource sector.

(b) SANCTIONS.—

(1) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a covered foreign entity described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of any regulation, license, or order issued to carry out subparagraph (A) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of that section.

(C) IMPLEMENTATION.—The President may exercise all authorities under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this paragraph.

(2) INCLUSION ON ENTITY LIST.—The President shall include any covered foreign entity described in subsection (a) on the entity list maintained by the Bureau of Industry and Security and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations.

(c) DEFINITIONS.—In this section:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means—

(A) an entity organized under the laws of the People's Republic of China or the Russian Federation, including any jurisdiction within either such country; or

(B) a significant subsidiary (as defined in section 210.1–02(w) of title 17, Code of Federal Regulations, or successor regulations) of an entity described in subparagraph (A).

(2) CRITICAL MINERAL.—The term ''critical mineral'' means a critical mineral—

(A) included in the final list of critical minerals published by the Secretary of the Interior in the Federal Register on May 18, 2018 (83 Fed. Reg. 23295); or

(B) as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(3) STRATEGIC RESOURCE SECTOR.—The term ''strategic resource sector'' means a sector of the economy relating to trade or investment in any critical mineral.

(4) UNITED STATES PERSON.—the term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted to the United States for permanent residence; and

(B) an entity organized under the laws of the United States or any jurisdiction within the United States (including any foreign branch of such an entity).

SA 4846. Mr. CORNYN (for himself, Mr. CARPER, Mr. MENENDEZ, Mr. SCOTT of South Carolina, Ms. HASSAN, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Customs Trade Partnership Against Terrorism

SEC. 1071. SHORT TITLE.

This subtitle may be cited as the ''Customs Trade Partnership Against Terrorism Pilot Program Act of 2021'' or the ''CTPAT Pilot Program Act of 2021''.

SEC. 1072. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives.

(2) CTPAT.—The term ''CTPAT'' means the Customs Trade Partnership Against Terrorism established under subtitle B of title II of the Security and Accountability for Every Port Act (6 U.S.C. 961 et seq.).

SEC. 1073. PILOT PROGRAM ON PARTICIPATION OF THIRD-PARTY LOGISTICS PROVIDERS IN CTPAT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall carry out a pilot program to assess whether allowing entities described in subsection (b) to participate in CTPAT would enhance port security, combat terrorism, prevent supply chain security breaches, or otherwise meet the goals of CTPAT.

(2) FEDERAL REGISTER NOTICE.—Not later than one year after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a notice specifying the requirements for the pilot program required by paragraph (1).

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) a non-asset-based third-party logistics provider that—

(A) arranges international transportation of freight and is licensed by the Department of Transportation; and

(B) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2); or

(2) an asset-based third-party logistics provider that—

(A) facilitates cross border activity and is licensed or bonded by the Federal Maritime Commission, the Transportation Security Administration, U.S. Customs and Border Protection, or the Department of Transportation;

(B) manages and executes logistics services using its own warehousing assets and resources on behalf of its customers; and

(C) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2).

(c) REQUIREMENTS.—In carrying out the pilot program required by subsection (a)(1), the Secretary shall—

(1) ensure that—

(A) not more than 10 entities described in paragraph (1) of subsection (b) participate in the pilot program; and

(B) not more than 10 entities described in paragraph (2) of that subsection participate in the program;

(2) provide for the participation of those entities on a voluntary basis;

(3) continue the program for a period of not less than one year after the date on which the Secretary publishes the Federal Register notice required by subsection (a)(2); and

(4) terminate the pilot program not more than 5 years after that date.

(d) REPORT REQUIRED.—Not later than 180 days after the termination of the pilot program under subsection (c)(4), the Secretary shall submit to the appropriate congressional committees a report on the findings of, and any recommendations arising from, the pilot program concerning the participation in CTPAT of entities described in subsection (b), including an assessment of participation by those entities.

SEC. 1074. REPORT ON EFFECTIVENESS OF CTPAT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing the effectiveness of CTPAT.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of—

(A) security incidents in the cargo supply chain during the 5-year period preceding submission of the report that involved criminal activity, including drug trafficking, human smuggling, commercial fraud, or terrorist activity; and

(B) whether those incidents involved participants in CTPAT or entities not participating in CTPAT.

(2) An analysis of causes for the suspension or removal of entities from participating in CTPAT as a result of security incidents during that 5-year period.

(3) An analysis of the number of active CTPAT participants involved in one or more security incidents while maintaining their status as participants.

(4) Recommendations to the Commissioner of U.S. Customs and Border Protection for improvements to CTPAT to improve prevention of security incidents in the cargo supply chain involving participants in CTPAT.

SA 4847. Ms. CANTWELL (for herself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike title XXXV and insert the following:

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2022, for programs associated with maintaining the United States Merchant Marine, the following amounts:

(1) For expenses necessary to support the United States Merchant Marine Academy, $90,532,000, of which—

(A) $85,032,000, to remain available until September 30, 2023, shall be for Academy operations; and

(B) $5,500,000, to remain available until expended, shall be for facilities maintenance and repair and equipment.

(2) For expenses necessary for operations, support, and training activities for the State maritime academies, $50,780,000, of which—

(A) $2,400,000, to remain available until September 30, 2026, shall be for the Student Incentive Program;

(B) $6,000,000, to remain available until September 30, 2023, shall be for direct payments for State maritime academies;

(C) $3,800,000, to remain available until expended, shall be for training ship fuel assistance;

(D) $8,080,000, to remain available until expended, shall be for offsetting the costs of training ship sharing; and

(E) $30,500,000, to remain available until expended, shall be for maintenance and repair, of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $315,600,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $81,853,000, of which—

(A) $10,000,000, to remain available until expended, shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code;

(B) $11,000,000, to remain available until expended, shall be for the Marine Highways Program, including to make grants as authorized under section 55601 of title 46, United States Code; and

(C) $60,853,000, to remain available until September 30, 2022, shall be for headquarters operations expenses.

(5) For expenses necessary for the disposal of vessels in the National Defense Reserve Fleet of the Maritime Administration, $10,000,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States-flag merchant fleet to serve the national security needs of the United States, as authorized under chapter 531 of title 46, United States Code, $318,000,000, which shall remain available until expended.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000, to remain available until expended, shall be for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $3,000,000, to remain available until expended, may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide for the Tanker Security Fleet, as authorized under chapter 534 of title 46, United States Code, $60,000,000, which shall remain available until expended.

(9) For expenses necessary to provide assistance to small shipyards and for maritime training programs authorized under section 54101 of title 46, United States Code, $40,000,000, which shall remain available until expended.

(10) For expenses necessary to implement the Port and Intermodal Improvement Program, $750,000,000, to remain available until expended, except that no such funds may be used to provide a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary determines such equipment would result in a net loss of jobs within a port of port terminal.

Subtitle B—Other Matters

SEC. 3511. EXPANDING THE MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.

(a) MARITIME ENVIRONMENTAL AND TECHNICAL ASSISTANCE PROGRAM.—From the amount appropriated under section 3501(1)(A), not more than 60 percent shall be reserved for activities related to technologies that support port and vessel air emissions reductions and to support zero emissions technologies, including identification of new fuel or other power sources.

(b) USES.—Section 50307 of title 46, United States Code, is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

''(e) USES.—The results of activities conducted under subsection (b)(1) shall be used to inform the policy decisions of the United States related to domestic regulations and to the United States position on matters before the International Maritime Organization.''.

SEC. 3512. SUSTAINABLE PORT INFRASTRUCTURE.

(a) SHORT TITLE.—This section may be cited as the ''Sustainable Port Infrastructure Act''.

(b) PORT DEVELOPMENT.—Section 50302(c) of title 46, United States Code, is amended—

(1) in paragraph (3)(A)(ii)—

(A) in subclause (II), by striking ''or'' after the semicolon; and

(B) by adding at the end the following:

''(IV) projects that improve the resiliency of ports to address sea-level rise, flooding, extreme weather events, including earthquakes, hurricanes and tsunami inundation, including projects for—

''(aa) port electrification or electrification master planning;

''(bb) harbor craft or equipment replacements/retrofits;

''(cc) development of port or terminal micro-grids;

''(dd) providing idling reduction infrastructure;

''(ee) purchase of cargo handling equipment and related infrastructure;

''(ff) worker training to support electrification technology;

''(gg) installation of port bunkering facilities from ocean-going vessels for fuels;

''(hh) electric vehicle charge or hydrogen refueling infrastructure for drayage, and medium or heavy duty trucks and locomotives that service the port and related grid upgrades; or

''(ii) other related to port activities including charging infrastructure, electric rubber-tired gantry cranes, and anti-idling technologies; or'';

(2) in paragraph (7)(B), by striking ''18 percent'' and inserting ''25 percent''; and

(3) in paragraph (10)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(B) by inserting after subparagraph (A) the following:

''(B) EFFICIENT USE OF NON-FEDERAL FUNDS.—

''(i) IN GENERAL.—Notwithstanding any other provision of law and subject to approval by the Secretary, in the case of any grant for a project under this section, during the period beginning on the date on which the grant recipient is selected and ending on the date on which the grant agreement is signed—

''(I) the grant recipient may obligate and expend non-Federal funds with respect to the project for which the grant is provided; and

''(II) any non-Federal funds obligated or expended in accordance with subclause (I) shall be credited toward the non-Federal cost share for the project for which the grant is provided.

''(ii) REQUIREMENTS.—

''(I) APPLICATION.—In order to obligate and expend non-Federal funds under clause (i), the grant recipient shall submit to the Secretary a request to obligate and expend non-Federal funds under that clause, including—

''(aa) a description of the activities the grant recipient intends to fund;

''(bb) a justification for advancing the activities described in item (aa), including an assessment of the effects to the project scope, schedule, and budget if the request is not approved; and

''(cc) the level of risk of the activities described in item (aa).

''(II) APPROVAL.—The Secretary shall approve or disapprove each request submitted under subclause (I).

''(III) COMPLIANCE WITH APPLICABLE REQUIREMENTS.—Any non-Federal funds obligated or expended under clause (i) shall comply with all applicable requirements, including any requirements included in the grant agreement.

''(iii) EFFECT.—The obligation or expenditure of any non-Federal funds in accordance with this subparagraph shall not—

''(I) affect the signing of a grant agreement or other applicable grant procedures with respect to the applicable grant;

''(II) create an obligation on the part of the Federal Government to repay any non-Federal funds if the grant agreement is not signed; or

''(III) affect the ability of the recipient of the grant to obligate or expend non-Federal funds to meet the non-Federal cost share for the project for which the grant is provided after the period described in clause (i).''.

SEC. 3513. ELIJAH CUMMINGS SHIP AMERICAN ACT.

(a) REPEAL IN MAP-21.—Section 100124 of the Moving Ahead for Progress in the 21st Century Act (Public Law 112–141) is repealed, and the provisions of law that were repealed or amended by that section are reenacted and amended, respectively, to read as if such section were not enacted.

(b) REPEAL IN BIPARTISAN BUDGET ACT OF 2013.—Section 602 of the Bipartisan Budget Act of 2013 (Public Law 113–67) is repealed, and the provisions of law that were repealed or amended by that section are reenacted and amended, respectively, to read as of such section were not enacted.

(c) TRANSPORTATION REQUIREMENTS FOR CERTAIN EXPORTS SPONSORED BY THE SECRETARY OF AGRICULTURE.—Subsection (a)(1) of section 55314 of title 46, United States Code, as reenacted by this section, is amended by striking ''25 percent'' and inserting ''75 percent''.

(d) FINANCING THE TRANSPORTATION OF AGRICULTURAL COMMODITIES.—Section 55316(a) of title 46, United States Code, as reenacted by this section, is amended by inserting ''or from the application of section 55305 of this title, requiring transportation on privately-owned commercial vessels of the United States for 100 percent of the gross tonnage of certain equipment, materials, or commodities'' before the period.

(e) CARGOES PROCURED, FURNISHED, OR FINANCED BY THE UNITED STATES GOVERNMENT.—Section 55305(b) of title 46, United States Code, is amended by striking ''50'' and inserting ''75''.

SEC. 3514. SENSE OF CONGRESS ON THE UNITED STATES MERCHANT MARINE.

It is the sense of Congress that the United States Merchant Marine is a critical part of the United States' national infrastructure, and the men and women of the United States Merchant Marine are essential workers.

SEC. 3515. ENSURING DIVERSE MARINER RECRUITMENT.

Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall develop and deliver to Congress a strategy to assist State maritime academies and the United States Merchant Marine Academy to improve the representation of women and underrepresented communities in the next generation of the mariner workforce, including—

(1) Black or African American;

(2) Hispanic or Latino;

(3) Asian;

(4) American Indians, Alaska Native, or Native Hawaiians; or

(5) Pacific Islander.

SEC. 3516. MARITIME TECHNOLOGICAL ADVANCEMENT ACT OF 2021.

(a) SHORT TITLE.—This section may be cited as the ''Maritime Technological Advancement Act of 2021''.

(b) CENTERS OF EXCELLENCE FOR DOMESTIC MARITIME WORKFORCE.—Section 51706 of title 46, United States Code, is amended—

(1) in subsection (a), by striking ''of Transportation'';

(2) in subsection (b), in the subsection heading, by striking ''Assistance'' and inserting ''Cooperative Agreements'';

(3) by redesignating subsection (c) as subsection (d);

(4) in subsection (d), as redesignated by paragraph (2), by adding at the end the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.''; and

(5) by inserting after subsection (b) the following:

''(c) GRANT PROGRAM.—

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

''(A) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Maritime Administration.

''(B) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an institution that has a demonstrated record of success in training and is—

''(i) a postsecondary educational institution (as such term is defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that offers a 2-year program of study or a 1-year program of training;

''(ii) a postsecondary vocational institution, as defined under title 600.6 of title 34, Code of Federal Regulations, or similar successor regulation; or

''(iii) another structured experiential learning training program for American workers in the United States maritime industry, including a program offered by a labor organization or conducted in partnerships with a nonprofit organization or 1 or more employers in the maritime industry.

''(C) UNITED STATES MARITIME INDUSTRY.—The term 'United States maritime industry' means all segments of the maritime-related transportation system of the United States, both in domestic and foreign trade, and in coastal, offshore, and inland waters, as well as non-commercial maritime activities, such as pleasure boating and marine sciences (including all scientific research vessels), and all of the industries that support or depend upon such uses, including vessel construction and repair, vessel operations, ship logistics supply, berthing, port operations, port intermodal operations, marine terminal operations, vessel design, marine brokerage, marine insurance, marine financing, chartering, maritime-oriented supply chain operations, offshore industry, offshore wind, and maritime-oriented research and development.

''(2) GRANT AUTHORIZATION.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Administrator may award maritime career training grants to eligible institutions for the purpose of developing, offering, or improving educational or career training programs for workers in the United States related to the maritime workforce.

''(B) GUIDELINES.—Not later than 1 year after the date of enactment of this section, the Administrator shall—

''(i) promulgate guidelines for the submission of grant proposals under this subsection; and

''(ii) publish and maintain such guidelines on the website of the Maritime Administration.

''(3) LIMITATIONS.—The Administrator may not award a grant under this subsection in an amount that is more than $12,000,000.

''(4) REQUIRED INFORMATION.—

''(A) IN GENERAL.—An eligible institution that desires to receive a grant under this subsection shall submit to the Administrator a grant proposal that includes a detailed description of—

''(i) the specific project for which the grant proposal is submitted, including the manner in which the grant will be used to develop, offer, or improve an educational or career

training program that is suited to maritime industry workers;

''(ii) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of maritime workers in the community served by the eligible institution, particularly any individuals with a barrier to employment;

''(iii) the extent to which the project for which the grant proposal is submitted fits within any overall strategic plan developed by an eligible community; and

''(iv) a description of the previous experience of the eligible institution in providing maritime educational or career training programs.

''(B) COMMUNITY OUTREACH REQUIRED.—In order to be considered by the Administrator, a grant proposal submitted by an eligible institution under this subsection shall—

''(i) demonstrate that the eligible institution—

''(I) reached out to employers to identify—

''(aa) any shortcomings in existing maritime educational and career training opportunities available to workers in the community; and

''(bb) any future employment opportunities within the community and the educational and career training skills required for workers to meet the future maritime employment demand; and

''(II) reached out to other similarly situated entities in an effort to benefit from any best practices that may be shared with respect to providing maritime educational or career training programs to workers eligible for training; and

''(ii) include a detailed description of—

''(I) the extent and outcome of the outreach conducted under clause (i);

''(II) the extent to which the project for which the grant proposal is submitted will contribute to meeting any shortcomings identified under clause (i)(I)(aa) or any maritime educational or career training needs identified under clause (i)(I)(bb); and

''(III) the extent to which employers, including small- and medium-sized firms within the community, have demonstrated a commitment to employing workers who would benefit from the project for which the grant proposal is submitted.

''(5) CRITERIA FOR AWARD OF GRANTS.—

''(A) IN GENERAL.—Subject to the appropriation of funds, the Administrator shall award a grant under this subsection based on—

''(i) a determination of the merits of the grant proposal submitted by the eligible institution to develop, offer, or improve maritime educational or career training programs to be made available to workers;

''(ii) an evaluation of the likely employment opportunities available to workers who complete a maritime educational or career training program that the eligible institution proposes to develop, offer, or improve;

''(iii) an evaluation of prior demand for training programs by workers in the community served by the eligible institution, as well as the availability and capacity of existing maritime training programs to meet future demand for training programs;

''(iv) any prior designation of an institution as a Center of Excellence for Domestic Maritime Workforce Training and Education; and

''(v) an evaluation of the previous experience of the eligible institution in providing maritime educational or career training programs.

''(B) MATCHING REQUIREMENTS.—A grant awarded under this subsection may not be used to satisfy any private matching requirement under any other provision of law.

''(6) COMPETITIVE AWARDS .—

''(A) IN GENERAL.—The Administrator shall award grants under this subsection to eligible institutions on a competitive basis in accordance with guidelines and requirements established by the Administrator under paragraph (2)(B).

''(B) TIMING OF GRANT NOTICE.—The Administrator shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of enactment of the appropriations Act for the fiscal year concerned.

''(C) TIMING OF GRANTS.—The Administrator shall award grants under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

''(D) APPLICATION OF REQUIREMENTS.—The requirements under subparagraphs (B) and (C) shall not apply until the guidelines required under paragraph (2)(B) have been promulgated.

''(E) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding subparagraph (C), amounts awarded as a grant under this subsection that are not expended by the grantee shall remain available to the Administrator for use for grants under this subsection.

''(F) ADMINISTRATIVE COSTS.—Not more than 3 percent of amounts made available to carry out this subsection may be used for the necessary costs of grant administration.

''(7) ELIGIBLE USES OF GRANT FUNDS.—An eligible institution receiving a grant under this subsection—

''(A) shall carry out activities that are identified as priorities for the purpose of developing, offering, or improving educational or career training programs for the United States maritime industry workforce;

''(B) shall provide training to upgrade the skills of the United States maritime industry workforce, including training to acquire covered requirements as well as technical skills training for jobs in the United States maritime industry; and

''(C) may use the grant funds to—

''(i) admit additional students to maritime training programs;

''(ii) develop, establish, and annually update viable training capacity, courses and mechanisms to rapidly upgrade skills and perform assessments of merchant mariners during time of war or national emergency and to increase credentials for domestic or defense needs where training can decrease the gap in the numbers of qualified mariners for sealift;

''(iii) provide services to upgrade the skills of United States offshore wind marine service workers who transport, install, operate, or maintain offshore wind components and turbines, including training, curriculum, and career pathway development, on-the-job training, safety, and health training, and classroom training;

''(iv) expand existing or create new maritime training programs, including through partnerships and memoranda of understanding with 4-year institutions of higher education, labor organizations, apprenticeships with the United States maritime industry, or with 1 or more employers in the maritime industry;

''(v) create new maritime career pathways;

''(vi) expand existing or create new training programs for transitioning military veterans to careers in the United States maritime industry;

''(vii) expand existing or create new training programs that address the needs of individuals with a barrier to employment, as determined by the Secretary in consultation with the Secretary of Labor, in the United States maritime industry;

''(viii) purchase, construct, develop, expand, or improve training facilities, buildings, and equipment to deliver maritime training programs;

''(ix) recruit and train additional faculty to expand the maritime training programs offered by the eligible institution;

''(x) provide financial assistance through scholarships or tuition waivers, not to exceed the applicable tuition expenses associated with the covered programs;

''(xi) promote the use of distance learning that enables students to take courses through the use of teleconferencing, the Internet, and other media technology;

''(xii) assist in providing services to address maritime workforce recruitment and training of youth residing in targeted high-poverty areas within empowerment zones and enterprise communities;

''(xiii) implement partnerships with national and regional organizations with special expertise in developing, organizing, and administering maritime workforce recruitment and training services;

''(xiv) carry out customized training in conjunction with an existing registered apprenticeship program or pre-apprenticeship program, paid internship, or joint labor-management partnership;

''(xv) carry out customized training in conjunction with an existing registered apprenticeship program or pre-apprenticeship program, paid internship, or joint labor-management partnership;

''(xvi) design, develop, and test an array of approaches to providing recruitment, training, or retention services, to enhance diversity, equity and inclusion in the United States maritime industry workforce;

''(xvii) in conjunction with employers, organized labor, other groups (such as community coalitions), and Federal, State, or local agencies, design, develop, and test various training approaches in order to determine effective practices; or

''(xviii) assist in the development and replication of effective service delivery strategies for the United States maritime industry as a whole.

''(8) PUBLIC REPORT.—Not later than December 15 in each of the calendar years 2023 through 2025, the Administrator shall make available on a publicly available website a report and provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives—

''(A) describing each grant awarded under this subsection during the preceding fiscal year;

''(B) assessing the impact of each award of a grant under this subsection in a fiscal year preceding the fiscal year referred to in subparagraph (A) on workers receiving training; and

''(C) describing the performance of the grant awarded with respect to the indicators of performance under section 116(b)(2)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(2)(A)(i)).

''(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $60,000,000 for each of the fiscal years 2022 through 2026.''.

SEC. 3517. PREPARING THE MARITIME WORKFORCE FOR LOW AND ZERO EMISSION VESSELS.

(a) DEVELOPMENT OF STRATEGY.—The Secretary of Transportation, in consultation with the United States Merchant Marine Academy, State maritime academies, and civilian nautical schools and the Secretary of the department in which Coast Guard is operating, shall develop a strategy to ensure there is an adequate supply of trained United States citizen mariners sufficient to meet the operational requirements of low and zero emission vessels.

(b) REPORT.—Not later than 6 months after the date the Secretary of Transportation determines that there is commercially viable technology for low and zero emission vessels, the Secretary of Transportation shall—

(1) submit a report on the strategy developed under subsection (a) and plans for its implementation to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives; and

(2) make such report publicly available.

SEC. 3518. NAVAL TECHNOLOGY TRANSFER FOR QUIETING FEDERAL NON-COMBATANT VESSELS.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, the Administrator of the Maritime Administration, and the Secretary of the department in which the Coast Guard is operating, shall, not later than 18 months after the date of enactment of this Act, submit a report to the committees identified under subsection (b) and publish an unclassified report—

(1) identifying existing, at the time of submission, non-classified naval technologies that reduce underwater noise; and

(2) evaluating the effectiveness and feasibility of incorporating such technologies in the design, procurement, and construction of non-combatant vessels of the United States.

(b) COMMITTEES.—The report under subsection (a) shall be submitted the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Defense for carrying out this section, $100,000 for fiscal year 2022, to remain available until expended.

SEC. 3519. STUDY EXAMINING THE IMPACT OF STORMWATER RUNOFF AND TIRES NEAR PORTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall commence a study that—

(1) examines the existing science on tire-related chemicals in stormwater runoff at ports and associated transportation infrastructure and the impacts of such chemicals on Pacific salmon and steelhead;

(2) examines the challenges of studying tire-related chemicals in stormwater runoff at ports and associated transportation infrastructure and the impacts of such chemicals on Pacific salmon and steelhead;

(3) provides recommendations for improving monitoring of stormwater and research related to run-off for tire-related chemicals and the impacts of such chemicals on Pacific salmon and steelhead at ports and associated transportation infrastructure near ports; and

(4) provides recommendations based on the best available science on relevant management approaches at ports and associated transportation infrastructure under their respective jurisdictions.

(b) SUBMISSION OF STUDY.—Not later than 18 months after commencing the study under subsection (a), the Administrator of the National Oceanic and Atmospheric Administration, in concert with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall—

(1) submit the study to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, including detailing any findings from the study; and

(2) make such study publicly available.

SEC. 3520. STRATEGIC SEAPORTS.

Section 50302(c)(6) of title 46, United States Code, is amended by adding at the end the following:

''(C) INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS.—In selecting projects described in paragraph (3) for funding under this subsection, the secretary shall consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1985) that would improve the commercial operations of those seaports.''.

SEC. 3521. IMPROVING PROTECTIONS FOR MIDSHIPMEN ACT.

(a) SHORT TITLE.—This section may be cited as the ''Improving Protections for Midshipmen Act''.

(b) SUSPENSION OR REVOCATION OF MERCHANT MARINER CREDENTIALS FOR PERPETRATORS OF SEXUAL HARASSMENT OR SEXUAL ASSAULT.—

(1) IN GENERAL.—Chapter 77 of title 46, United States Code, is amended by inserting after section 7704 the following:

''SEC. 7704a. SEXUAL HARASSMENT OR SEXUAL ASSAULT AS GROUNDS FOR SUSPENSION OR REVOCATION.

''(a) SEXUAL HARASSMENT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part within 10 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual harassment, then the license, certificate of registry, or merchant mariner's document shall be suspended or revoked.

''(b) SEXUAL ASSAULT.—If it is shown at a hearing under this chapter that a holder of a license, certificate of registry, or merchant mariner's document issued under this part within 20 years before the beginning of the suspension and revocation proceedings, is the subject of a substantiated claim of sexual assault, then the license, certificate of registry, or merchant mariner's document shall be revoked.

''(c) SUBSTANTIATED CLAIM.—

''(1) IN GENERAL.—The term 'substantiated claim' means—

''(A) a finding by any administrative or legal proceeding that the individual committed sexual harassment or sexual assault in violation of any Federal, State, local or Tribal law or regulation; or

''(B) a determination after an investigation by the Coast Guard that it is more likely than not the individual committed sexual harassment or sexual assault as defined in subsection (c).

''(2) INVESTIGATION BY THE COAST GUARD.—An investigation by the Coast Guard under paragraph (1)(B) shall include evaluation of the following materials that shall be provided to the Coast Guard:

''(A) Any inquiry or determination made by the employer as to whether the individual committed sexual harassment or sexual assault.

''(B) Upon request, from an employer or former employer of the individual, any investigative materials, documents, records, or files in its possession that are related to the claim of sexual harassment or sexual assault by the individual.

''(d) DEFINITIONS.—

''(1) SEXUAL HARASSMENT.—The term 'sexual harassment' means any of the following:

''(A) Conduct that—

''(i) involves unwelcome sexual advances, requests for sexual favors, or deliberate or repeated offensive comments or gestures of a sexual nature when—

''(I) submission to such conduct is made either explicitly or implicitly a term or condition of a person's job, pay, or career;

''(II) submission to or rejection of such conduct by a person is used as a basis for career or employment decisions affecting that person;

''(III) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment; or

''(IV) conduct may have been by a person's supervisor, a supervisor in another area, a co-worker, or another credentialed mariner; and

''(ii) is so severe or pervasive that a reasonable person would perceive, and the victim does perceive, the environment as hostile or offensive.

''(B) Any use or condonation, by any person in a supervisory or command position, of any form of sexual behavior to control, influence, or affect the career, pay, or job of a subordinate.

''(C) Any deliberate or repeated unwelcome verbal comment or gesture of a sexual nature by any fellow employee of the complainant.

''(2) SEXUAL ASSAULT.—The term 'sexual assault' means any form of abuse or contact as defined in chapter 109A of title 18, United States Code.

''(e) REGULATIONS.—The Secretary of the department in which the Coast Guard is operating may issue further regulations as necessary to update the definitions in this section, consistent with descriptions of sexual harassment and sexual assault addressed in title 10 and title 18, United States Code, and any other relevant Federal laws, to implement subsection (a) of this section.''.

(2) CLERICAL AMENDMENT.—The table of sections of chapter 77 of title 46, United States Code, is amended by inserting after the item relating to section 7704 the following:

''7704a. Sexual harassment or sexual assault as grounds for suspension or revocation.''.

(c) SUPPORTING THE UNITED STATES MERCHANT MARINE ACADEMY.—

(1) IN GENERAL.—Chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''SEC. 51323. SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION INFORMATION MANAGEMENT SYSTEM.

''(a) INFORMATION MANAGEMENT SYSTEM.—

''(1) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall establish an information management system to track and maintain, in such a manner that patterns can be reasonably identified, information regarding claims and incidents involving cadets that are reportable pursuant to subsection (d) of section 51318 of this chapter.

''(2) INFORMATION MAINTAINED IN THE SYSTEM.—Information maintained in the system shall include the following information, to the extent that information is available:

''(A) The overall number of sexual assault or sexual harassment incidents per fiscal year.

''(B) The location of each such incident, including vessel name and the name of the company operating the vessel, if applicable.

''(C) The names and ranks of the individuals involved in each such incident.

''(D) The general nature of each such incident, to include copies of any associated reports completed on the incidents.

''(E) The type of inquiry made into each such incident.

''(F) A determination as to whether each such incident is substantiated.

''(G) Any informal and formal accountability measures taken for misconduct related to the incident, including decisions on whether to prosecute the case.

''(3) PAST INFORMATION INCLUDED.—The information management system under this section shall include the relevant data listed in this subsection related to sexual assault and sexual harassment that the Maritime Administrator possesses, and shall not be limited to data collected after January 1, 2023.

''(4) PRIVACY PROTECTIONS.—The Maritime Administrator and the Department of Transportation Chief Information Officer shall coordinate to ensure that the information management system under this section shall be established and maintained in a secure fashion to ensure the protection of the privacy of any individuals whose information is entered in such system.

''(5) CYBERSECURITY AUDIT.—Ninety days after the implementation of the information management system, the Office of Inspector General of the Department of Transportation shall commence an audit of the cybersecurity of the system and shall submit a report containing the results of that audit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

''(b) SEA YEAR PROGRAM.—The Maritime Administrator shall provide for the establishment of in-person and virtual confidential exit interviews, to be conducted by personnel who are not involved in the assignment of the midshipmen to a Sea Year vessel, for midshipmen from the Academy upon completion of Sea Year and following completion by the midshipmen of the survey under section 51322(d).

''SEC. 51324. STUDENT ADVISORY BOARD AT THE UNITED STATES MERCHANT MARINE ACADEMY.

''(a) IN GENERAL.—The Administrator of the Maritime Administration shall establish at the United States Merchant Marine Academy an advisory board to be known as the Advisory Board to the Secretary of Transportation (referred to in this section as the 'Advisory Board').

''(b) MEMBERSHIP.—The Advisory Board shall be composed of not fewer than 12 midshipmen of the Merchant Marine Academy who are enrolled at the Merchant Marine Academy at the time of the appointment, including not fewer than 3 cadets from each class.

''(c) APPOINTMENT; TERM.—Midshipmen shall serve on the Advisory Board pursuant to appointment by the Administrator of the Maritime Administration. Appointments shall be made not later than 60 days after the date of the swearing in of a new class of midshipmen at the Academy. The term of membership of a midshipmen on the Advisory Board shall be 1 academic year.

''(d) REAPPOINTMENT.—The Administrator of the Maritime Administration may reappoint not more than 6 cadets from the previous term to serve on the Advisory Board for an additional academic year if the Administrator determines such reappointment to be in the best interests of the Merchant Marine Academy.

''(e) MEETINGS.—The Advisory Board shall meet with the Secretary of Transportation at least once each academic year to discuss the activities of the Advisory Board. The Advisory Board shall meet in person with the Administrator of the Maritime Administration not less than 2 times each academic year to discuss the activities of the Advisory Board.

''(f) DUTIES.—The Advisory Board shall—

''(1) identify health and wellbeing, diversity, and sexual assault and harassment challenges and other topics considered important by the Advisory Board facing midshipmen both at the Merchant Marine Academy, off campus, and while aboard ships during Sea Year or other training opportunities;

''(2) discuss and propose possible solutions, including improvements to culture and leadership development at the Merchant Marine Academy; and

''(3) periodically, review the efficacy of the program in section 51323(b), as appropriate, and provide recommendations to the Maritime Administrator for improvement.

''(g) WORKING GROUPS.—The Advisory Board may establish one or more working groups to assist the Advisory Board in carrying out its duties, including working groups composed in part of midshipmen at the Merchant Marine Academy who are not current members of the Advisory Board.

''(h) REPORTS AND BRIEFINGS.—The Advisory Board shall regularly provide the Secretary of Transportation and the Administrator of the Maritime Administration reports and briefings on the results of its duties, including recommendations for actions to be taken in light of such results. Such reports and briefings may be provided in writing, in person, or both.

''SEC. 51325. SEXUAL ASSAULT ADVISORY COUNCIL.

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a Sexual Assault Advisory Council (in this section referred to as the 'Council').

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—The Council shall be composed of not fewer than 8 and not more than 14 individuals selected by the Secretary of Transportation who are alumni that have graduated within the last 4 years or current midshipmen of the United States Merchant Marine Academy (including midshipmen or alumni who were victims of sexual assault and midshipmen or alumni who were not victims of sexual assault) and governmental and nongovernmental experts and professionals in the sexual assault field.

''(2) EXPERTS INCLUDED.—The Council shall include—

''(A) not less than 1 member who is licensed in the field of mental health and has prior experience working as a counselor or therapist providing mental health care to survivors of sexual assault in a victim services agency or organization; and

''(B) not less than 1 member who has prior experience developing or implementing sexual assault or sexual assault prevention and response policies in an academic setting.

''(3) RULES REGARDING MEMBERSHIP.—No employee of the Department of Transportation shall be a member of the Council. The number of governmental experts appointed to the Council shall not exceed the number of nongovernmental experts.

''(c) DUTIES; AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—The Council shall meet not less often than semi-annually to—

''(A) review—

''(i) the policies on sexual harassment, dating violence, domestic violence, sexual assault, and stalking under section 51318 of this title; and

''(ii) related matters the Council views as appropriate; and

''(B) develop recommendations designed to ensure that such policies and such matters conform, to the extent practicable, to best practices in the field of sexual assault and sexual harassment response and prevention.

''(2) AUTHORIZED ACTIVITIES.—To carry out this subsection, the Council may—

''(A) conduct case reviews, as appropriate and only with the consent of the victim of sexual assault or harassment;

''(B) interview current and former midshipmen of the United States Merchant Marine Academy (to the extent that such midshipmen provide the Department of Transportation express consent to be interviewed by the Council); and

''(C) review—

''(i) exit interviews under section 51323(b) and surveys under section 51322(d);

''(ii) data collected from restricted reporting; and

''(iii) any other information necessary to conduct such case reviews.

''(3) PERSONALLY IDENTIFIABLE INFORMATION.—In carrying out this subsection, the Council shall comply with the obligations of the Department of Transportation to protect personally identifiable information.

''(d) REPORTS.—On an annual basis for each of the 5 years after the date of enactment of this section, and at the discretion of the Council thereafter, the Council shall submit, to the President and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives, a report on the Council's findings based on the reviews conducted pursuant to subsection (c) and related recommendations.

''(e) EMPLOYEE STATUS.—Members of the Council shall not be considered employees of the United States Government for any purpose and shall not receive compensation other than reimbursement of travel expenses and per diem allowance in accordance with section 5703 of title 5.

''(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

''SEC. 51326. DIVERSITY AND INCLUSION ACTION PLAN.

''(a) IN GENERAL.—Not later than January 1, 2023, the Maritime Administrator shall issue a Diversity and Inclusion Action Plan for the United States Merchant Marine Academy (referred to in this section as the 'Plan') and make the Plan publicly available.

''(b) CONTENTS OF DIVERSITY AND INCLUSION ACTION PLAN; SURVEYS.—

''(1) IN GENERAL.—The Plan shall—

''(A) contain a description of how the United States Merchant Marine Academy will increase recruiting efforts in historically underrepresented communities, including through partnerships with historically Black colleges and universities and maritime centers of excellence designated under section 51706;

''(B) develop and make available resources to—

''(i) establish responsibilities for midshipmen, faculty, and staff of the Academy with respect to diversity and inclusion;

''(ii) create standards of—

''(I) training that require interpersonal dialogue on diversity and inclusion;

''(II) setting behavioral boundaries with others; and

''(III) specific processes for the reporting and documentation of misconduct related to hazing, bullying, hate, and harassment;

''(iii) hold leaders and other individuals at the Academy accountable for violations of such standards;

''(iv) equip midshipmen, faculty, and staff of the Academy with the resources and materials to promote a diverse and inclusive working environment; and

''(v) address how concepts of diversity and inclusion can be integrated into the curriculum and training of the Academy.

''(2) SURVEYS.—The Maritime Administrator shall—

''(A) require a biannual survey of midshipmen, faculty, and staff of the Academy assessing—

''(i) the inclusiveness of the environment of the Academy; and

''(ii) the effectiveness of the Plan; and

''(B) require an annual survey of faculty and staff of the Academy assessing the inclusiveness of the environment of the Sea Year program.''.

(2) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this section, the Maritime Administrator shall provide Congress with a briefing on the resources necessary to properly implement this section.

(3) CONFORMING AMENDMENTS.—The chapter analysis for chapter 513 of title 46, United States Code, is amended by adding at the end the following:

''51323. Sexual assault and sexual harassment prevention information management system.

''51324. Student advisory board at the United States Merchant Marine Academy.

''51325. Sexual assault advisory council.

''51326. Diversity and inclusion action plan.''.

(4) UNITED STATES MERCHANT MARINE ACADEMY STUDENT SUPPORT PLAN.—

(A) STUDENT SUPPORT PLAN.—Not later than January 1, 2023, the Maritime Administrator shall issue a Student Support Plan for the United States Merchant Marine Academy, in consultation with relevant mental health professionals in the Federal Government or experienced with the maritime industry or related industries. Such plan shall—

(i) address the mental health resources available to midshipmen, both on-campus and during Sea Year;

(ii) establish a tracking system for suicidal ideations and suicide attempts of midshipmen;

(iii) create an option for midshipmen to obtain assistance from a professional care provider virtually; and

(iv) require an annual survey of faculty and staff assessing the adequacy of mental health resources for midshipmen of the Academy, both on campus and during Sea Year.

(B) REPORT TO CONGRESS.—Not later than 30 days after the date of enactment of this Act, the Maritime Administrator shall provide Congress with a report on the resources necessary to properly implement this paragraph.

(d) SPECIAL VICTIMS ADVISOR.—Section 51319 of title 46, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) SPECIAL VICTIMS ADVISOR.—

''(1) IN GENERAL.—The Secretary shall designate an attorney (to be known as the 'Special Victims Advisor') for the purpose of providing legal assistance to any cadet of the Academy who is the victim of an alleged sex-related offense regarding administrative and criminal proceedings related to such offense, regardless of whether the report of that offense is restricted or unrestricted.

''(2) SPECIAL VICTIMS ADVISORY.—The Secretary shall ensure that the attorney designated as the Special Victims Advisor has knowledge of Uniform Code of Military Justice procedures, as well as criminal and civil law.

''(3) PRIVILEGED COMMUNICATIONS.—Any communications between a victim of an alleged sex-related offense and the Special Victim Advisor, when acting in their capacity as such, shall have the same protection that applicable law provides for confidential attorney-client communications.''; and

(3) by adding at the end the following:

''(e) UNFILLED VACANCIES.—The Administrator of the Maritime Administration may appoint qualified candidates to positions under subsection (a) and (c) of this section without regard to sections 3309 through 3319 of title 5, United States Code.''.

(e) CATCH A SERIAL OFFENDER ASSESSMENT.—

(1) ASSESSMENT.—Not later than one year after the date of enactment of this Act, the Commandant of the Coast Guard, in coordination with the Maritime Administrator, shall conduct an assessment of the feasibility and process necessary, and appropriate responsible entities to establish a program for the United States Merchant Marine Academy and United States Merchant Marine modeled on the Catch a Serial Offender program of the Department of Defense using the information management system required under subsection (a) of section 51323 of title 46, United States Code, and the exit interviews under subsection (b) of such section.

(2) LEGISLATIVE CHANGE PROPOSALS.—If, as a result of the assessment required by paragraph (1), the Commandant or the Administrator determines they need additional authority to implement the program described in paragraph (1), the Commandant or the Administrator, as applicable, shall provide appropriate legislative change proposals to Congress.

(f) SHIPBOARD TRAINING.—Section 51322(a) of title 46, United States Code, is amended by adding at the end the following:

''(3) TRAINING.—

''(A) IN GENERAL.—As part of training that shall be provided not less than semi-annually to all midshipmen of the Academy, pursuant to section 51318, the Maritime Administrator shall develop and implement comprehensive in-person sexual assault risk-reduction and response training that, to the extent practicable, conforms to best practices in the sexual assault prevention and response field and includes appropriate scenario-based training.

''(B) DEVELOPMENT AND CONSULTATION WITH EXPERTS.—In developing the sexual assault risk-reduction and response training under subparagraph (A), the Maritime Administrator shall consult with and incorporate, as appropriate, the recommendations and views of experts in the sexual assault field.''.

SA 4848. Ms. CORTEZ MASTO (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROMOTING PRIVACY ENHANCING TECHNOLOGIES.

(a) DEFINITION OF PRIVACY ENHANCING TECHNOLOGY.—In this section the term ''privacy enhancing technology'' means any software solution, technical processes, or other technological means of protecting an individual's privacy and the confidentiality of data, which may include—

(1) anonymization and pseudonymization techniques, filtering tools, anti-tracking technology, differential privacy tools, synthetic data generation tools, cryptographic techniques (such as secure multi-party computation and homomorphic encryption), and systems for federated learning; and

(2) any other software solution, technical processes, or other technological means that the Director of the National Science Foundation, in consultation with the Director of the National Institute of Standards and Technology outside experts, determines to be a technology that enhances privacy.

(b) NATIONAL SCIENCE FOUNDATION SUPPORT OF RESEARCH ON PRIVACY ENHANCING TECHNOLOGY.—The Director of the National Science Foundation, in consultation with other relevant Federal agencies (as determined by the Director), shall support merit-reviewed and competitively awarded research on privacy enhancing technologies, which may include—

(1) fundamental research on technologies for de-identification, pseudonymization, anonymization, or obfuscation to protect individuals' privacy in data sets;

(2) fundamental research on algorithms, machine learning, and other similar mathematical tools used to protect individual privacy when collecting, storing, sharing, aggregating, or analyzing data;

(3) fundamental research on technologies that promote data minimization principles in data collection, sharing, transfers, retention, and analytics;

(4) research awards on privacy enhancing technologies coordinated with other relevant Federal agencies and programs;

(5) research on barriers to, and opportunities for, the adoption of privacy enhancing technologies, including studies on effective business models for privacy enhancing technologies; and

(6) international cooperative research, awards, challenges, and pilot projects on privacy enhancing technologies with key United States allies and partners.

(c) INTEGRATION INTO THE COMPUTER AND NETWORK SECURITY PROGRAM.—Subparagraph (D) of section 4(a)(1) of the Cyber Security Research and Development Act (15 U.S.C. 7403(a)(1)(D)) is amended to read as follows:

''(D) privacy enhancing technologies and confidentiality;''.

(d) COORDINATION WITH THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY AND OTHER STAKEHOLDERS.—

(1) IN GENERAL.—The Director of the Office of Science and Technology Policy, acting through the Networking and Information Technology Research and Development Program, shall coordinate with the Director of the National Science Foundation, the Director of the National Institute of Standards and Technology, and the Federal Trade Commission to accelerate the development and use of privacy enhancing technologies.

(2) OUTREACH.—The Director of the National Institute of Standards and Technology shall conduct outreach to—

(A) receive input from private, public, and academic stakeholders on the development and potential uses of privacy enhancing technologies, including the National Institutes of Health and the Centers for Disease Control and Prevention regarding specific applications in public health research; and

(B) develop ongoing public and private sector engagement to create and disseminate voluntary, consensus-based resources to increase the integration of privacy enhancing technologies in data collection, sharing, transfers, retention, and analytics by the public and private sectors.

(e) REPORT ON PRIVACY ENHANCING TECHNOLOGY RESEARCH.—Not later than 3 years after the date of enactment of this Act, the Director of the Office of Science and Technology Policy, acting through the Networking and Information Technology Research and Development Program, shall, in coordination with the Director of the National Science Foundation, the Director of the National Institute of Standards and

Technology, and the Chair of the Federal Trade Commission, submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives, a report containing—

(1) the progress of research on privacy enhancing technologies;

(2) the progress of the development of voluntary resources described under subsection (d)(2)(B); and

(3) any policy recommendations that could facilitate and improve communication and coordination between the private sector, the National Science Foundation, and relevant Federal agencies through the implementation of privacy enhancing technologies.

SA 4849. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 511, beginning in subsection (d)(4), strike the period at the end of subparagraph (B)(ii) and all that follows through subsection (g) and insert the following: ''; and

(C) by adding at the end the following new subsection:

''(p) No person may be inducted for training and service under this title if such person—

''(1) has a dependent child and the other parent of the dependent child has been inducted for training or service under this title unless the person volunteers for such induction; or

''(2) has a dependent child who has no other living parent.''.

(5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is amended by striking ''the President is requested'' and all that follows through ''race or national origin'' and inserting ''the President is requested to appoint the membership of each local board so that each board has both male and female members and, to the maximum extent practicable, it is proportionately representative of those registrants within its jurisdiction in each applicable basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e–2(a)), but no action by any board shall be declared invalid on the ground that such board failed to conform to such representation quota''.

(6) Section 16(a) (50 U.S.C. 3814(a)) is amended by striking ''men'' and inserting ''persons''.

(e) MAINTAINING THE HEALTH OF THE SELECTIVE SERVICE SYSTEM.—Section 10(a) (50 U.S.C. 3809(a)) is amended by adding at the end the following new paragraph:

''(5) The Selective Service System shall conduct exercises periodically of all mobilization plans, systems, and processes to evaluate and test the effectiveness of such plans, systems, and processes. Once every 4 years, the exercise shall include the full range of internal and interagency procedures to ensure functionality and interoperability and may take place as part of the Department of Defense mobilization exercise under section 10208 of title 10, United States Code. The Selective Service System shall conduct a public awareness campaign in conjunction with each exercise to communicate the purpose of the exercise to the public.''.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—The Military Selective Service Act is amended—

(1) in section 4 (50 U.S.C. 3803)—

(A) in subsection (a) in the third undesignated paragraph—

(i) by striking ''his acceptability in all respects, including his'' and inserting ''such person's acceptability in all respects, including such person's''; and

(ii) by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(B) in subsection (c)—

(i) in paragraph (2), by striking ''any enlisted member'' and inserting ''any person who is an enlisted member''; and

(ii) in paragraphs (3), (4), and (5), by striking ''in which he resides'' and inserting ''in which such person resides'';

(C) in subsection (g), by striking ''coordinate with him'' and inserting ''coordinate with the Director''; and

(D) in subsection (k)(1), by striking ''finding by him'' and inserting ''finding by the President'';

(2) in section 5(d) (50 U.S.C. 3805(d)), by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(3) in section 6 (50 U.S.C. 3806)—

(A) in subsection (c)(2)(D), by striking ''he may prescribe'' and inserting ''the President may prescribe'';

(B) in subsection (d)(3), by striking ''he may deem appropriate'' and inserting ''the President considers appropriate''; and

(C) in subsection (h), by striking ''he may prescribe'' each place it appears and inserting ''the President may prescribe'';

(4) in section 10 (50 U.S.C. 3809)—

(A) in subsection (b)—

(i) in paragraph (3)—

(I) by striking ''He shall create'' and inserting ''The President shall create''; and

(II) by striking ''upon his own motion'' and inserting ''upon the President's own motion'';

(ii) in paragraph (4), by striking ''his status'' and inserting ''such individual's status''; and

(iii) in paragraphs (4), (6), (8), and (9), by striking ''he may deem'' each place it appears and inserting ''the President considers''; and

(B) in subsection (c), by striking ''vested in him'' and inserting ''vested in the President'';

(5) in section 13(b) (50 U.S.C. 3812(b)), by striking ''regulation if he'' and inserting ''regulation if the President'';

(6) in section 15 (50 U.S.C. 3813)—

(A) in subsection (b), by striking ''his'' each place it appears and inserting ''the registrant's''; and

(B) in subsection (d), by striking ''he may deem'' and inserting ''the President considers'';

(7) in section 16(g) (50 U.S.C. 3814(g))—

(A) in paragraph (1), by striking ''who as his regular and customary vocation'' and inserting ''who, as such person's regular and customary vocation,''; and

(B) in paragraph (2)—

(i) by striking ''one who as his customary vocation'' and inserting ''a person who, as such person's customary vocation,''; and

(ii) by striking ''he is a member'' and inserting ''such person is a member'';

(8) in section 18(a) (50 U.S.C. 3816(a)), by striking ''he is authorized'' and inserting ''the President is authorized'';

(9) in section 21 (50 U.S.C. 3819)—

(A) by striking ''he is sooner'' and inserting ''sooner'';

(B) by striking ''he'' each subsequent place it appears and inserting ''such member''; and

(C) by striking ''his consent'' and inserting ''such member's consent'';

(10) in section 22(b) (50 U.S.C. 3820(b)), in paragraphs (1) and (2), by striking ''his'' each place it appears and inserting ''the registrant's''; and

(11) except as otherwise provided in this section—

(A) by striking ''he'' each place it appears and inserting ''such person'';

(B) by striking ''his'' each place it appears and inserting ''such person's'';

(C) by striking ''him'' each place it appears and inserting ''such person''; and

(D) by striking ''present himself'' each place it appears in section 12 (50 U.S.C. 3811) and inserting ''appear''.

(g) ENACTMENT OF AUTHORIZATION REQUIRED FOR DRAFT.—

(1) AMENDMENT.—Section 17 of the Military Selective Service Act (50 U.S.C. 3815) is amended by adding at the end the following new subsection:

''(d) No person shall be inducted for training and service in the Armed Forces unless Congress first passes and there is enacted a law expressly authorizing such induction into service.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that the amendments made by subsections (d) and (g) shall take effect 1 year after such date of enactment.

SA 4850. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXTENSION OF FUND.

(a) IN GENERAL.—Section 3(d) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended—

(1) by striking the first sentence and inserting ''The Fund shall terminate 2 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2022.''; and

(2) by striking ''22-year'' and inserting ''2-year''.

(b) TRANSFER OF AMOUNTS.—Section 3 of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by adding at the end the following:

''(f) TRANSFER OF AMOUNTS.—Notwithstanding any limitations on the use of amounts described in section 524(c) of title 28, United States Code, during the 2-year period described in subsection (d), the Attorney General shall transfer such amounts as are necessary to carry out disbursements under this Act from the Department of Justice Assets Forfeiture Fund established under such section 524(c) to the Fund.''.

(c) AFFECTED AREAS.—Section 4 of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note; Public Law 101–426) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) in subclause (II), by striking ''; or'' and inserting a semicolon;

(bb) by redesignating subclause (III) as subclause (IV); and

(cc) by inserting after subclause (II) the following:

''(III) was physically present in the affected area described in subsection (b)(1)(D) for the period beginning on July 16, 1945, and ending on August 16, 1945; or''; and

(II) in clause (ii)(I), by striking ''physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III)'' and inserting ''physical presence described in subclause (I), (II), or (III) of clause (i) or onsite participation described in clause (i)(IV)''; and

(ii) in subparagraph (B)—

(I) in clause (i), by striking ''subclause (I) or (II) of subparagraph (A)(i)'' and inserting ''subclause (I), (II), or (III) of subparagraph (A)(i)''; and

(II) in clause (ii), by striking ''subclause (III)'' and inserting ''subclause (IV)''; and

(B) in paragraph (2)—

(i) in subparagraph (B), by striking '', or'' and inserting a comma;

(ii) by redesignating subparagraph (C) as subparagraph (D);

(iii) by inserting after subparagraph (B) the following:

''(C) was physically present in the affected area described in subsection (b)(1)(D) for the period beginning on July 16, 1945, and ending on August 16, 1945, or''; and

(iv) in the matter following subparagraph (D), as so redesignated, by striking ''subparagraph (A) or (B)'' and all that follows through ''subparagraph (C)'' and inserting ''subparagraph (A), (B), or (C)) or $75,000 (in the case of an individual described in subparagraph (D)''; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''in the State'' and all that follows through ''Piute'' and inserting ''the State of Utah'';

(B) in subparagraph (B), by striking ''; and'' and inserting a semicolon; and

(C) by adding at the end the following:

''(D) with respect to a claim by an individual under subsection (a)(1)(A)(i)(III) or subsection (a)(2)(C), only the counties of Bernalillo, Chaves, Guadalupe, Lincoln, Sandoval, San Miguel, Santa Fe, Socorro, Torrance, and Valencia in the State of New Mexico; and''.

SA 4851. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. 744. PROHIBITION ON COVID–19 VACCINATION REQUIREMENTS FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1110b the following new section:

''§ 1110c. Prohibition on COVID–19 vaccination requirement

''(a) IN GENERAL.—The Secretary of Defense may not require any member of an Armed Force to receive a vaccine with respect to the Coronavirus Disease 2019 (COVID–19).

''(b) MEMBER OF AN ARMED FORCE DEFINED.—In this section the term 'member of an Armed Force' means a member of the Army, Navy, Air Force, Marine Corps, Coast Guard, or Space Force, including any member of a reserve component thereof on active service or active status.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1110b the following new item:

''1110c. Prohibition on COVID–19 vaccination requirement.''.

SA 4852. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 106__. FEDERAL PERMITTING IMPROVEMENT.

Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended, in the matter preceding clause (i), by inserting ''semiconductors, artificial intelligence and machine learning, high-performance computing and advanced computer hardware and software, quantum information science and technology, data storage and data management, cybersecurity,'' after ''manufacturing,''.

SA 4853. Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 106__. FEDERAL PERMITTING IMPROVEMENT.

Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended—

(1) in the matter preceding clause (i), by inserting ''semiconductors, artificial intelligence and machine learning, high-performance computing and advanced computer hardware and software, quantum information science and technology, data storage and data management, cybersecurity,'' after ''manufacturing,'';

(2) in clause (iii)(III), by striking ''or'' at the end;

(3) in clause (iv)(II), by striking the period at the end and inserting ''; or''; and

(4) by adding at the end the following:

''(v)(I) is of substantial national importance and complexity, as determined by a majority vote of the Council; and

''(II)(aa) is subject to NEPA;

''(bb) requires the preparation of an environmental document; or

''(cc) requires an authorization or environmental review that involves 2 or more agencies.''.

SA 4854. Mr. TUBERVILLE (for himself, Mr. MANCHIN, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XIV, insert the following:

SEC. 1424. ENSURING THE CONSIDERATION OF TITANIUM IN SUPPLY CHAIN REVIEWS AND NATIONAL DEFENSE STOCKPILE REPORTS.

(a) CONSIDERATION IN REPORT ON NATIONAL DEFENSE STOCKPILE.—The Secretary of Defense shall include, in the first report submitted under section 14 of the Strategic and Critical Materials Stock Piling Act (10 U.S.C. 98h–5) after the date of the enactment of this Act, the following:

(1) A material summary evaluating titanium, including in ore and metal forms.

(2) An assessment of the current state of United States domestic titanium ore production and domestic production of titanium metal.

(3) A discussion of the implications of the current state of such domestic production for Department of Defense needs.

(b) FOLLOW-ON REPORT ON NATIONAL SECURITY IMPLICATIONS OF IMPORTS.—Not later than June 1, 2022, the Secretary of Commerce, acting through the Under Secretary of Commerce for Industry and Security, shall submit to Congress a follow-on report to the report of the Department of Commerce entitled ''The Effect of Imports of Titanium Sponge on the National Security'' and dated November 29, 2019, that includes the following:

(1) A summary of any changes in the domestic titanium industry and global titanium sponge industry that may have occurred since the issuance of the report.

(2) A summary of factors that contributed to further reliance on imports or reductions in domestic production of titanium since the issuance of the report.

(3) Any updates to the findings and conclusions of the report as a result of the updated information summarized pursuant to paragraph (1) and (2).

SA 4855. Ms. DUCKWORTH (for herself and Ms. ERNST) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. ASSESSMENT OF THE COUNTER-UNMANNED AERIAL SYSTEMS (UAS) CAPABILITY OF PARTNER FORCES IN IRAQ.

(a) IN GENERAL.—Not later than March 1, 2022, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives an assessment of—

(1) the current state of counter-UAS capability of partner forces in Iraq, including in the Iraqi Kurdistan Region; and

(2) its implications for the security of United States and partner forces in the region against UAS attack.

(b) ELEMENTS.—The assessment required by subsection (a) shall include descriptions of—

(1) the current level of counter-UAS training and equipment available to partner forces in Iraq, including in the Iraqi Kurdistan Region;

(2) the type of additional training and equipment needed to maximize the level of counter-UAS capability of partner forces in Iraq, including in the Iraqi Kurdistan Region;

(3) the availability of additional training and equipment required to maximize partner forces' counter-UAS capability;

(4) an assessment of the current and anticipated threat from UAS systems to Iraqi and coalition security forces to determine the appropriate level of requirements for counter-UAS systems and training; and

(5) any other matters the Secretary of Defense determines appropriate.

SA 4856. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1054. JOINT DEPARTMENT OF DEFENSE AND DEPARTMENT OF AGRICULTURE STUDY ON CHINESE MILITARY AND CHINESE COMMUNIST PARTY INFLUENCE IN THE UNITED STATES AGRICULTURAL SUPPLY CHAIN.

(a) STUDY.—The Secretary of Defense, in coordination with the Secretary of Agriculture, shall carry out a study regarding the influence of the Chinese Communist Party and the People's Liberation Army on the United States agricultural supply chain. The study shall evaluate the influence of the Chinese Communist Party and People's Liberation Army on the importation and United States domestic production of critical components used for animal feed and animal nutrition.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Agriculture, shall submit to the congressional defense committees, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Agriculture of the House of Representatives a report on the results of the study conducted under subsection (a).

SA 4857. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 6456, add the following:

(c) IMPROVEMENTS TO CHIPS.—Section 9902 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4652) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) CONDITIONS OF RECEIPT.—

''(1) REQUIRED AGREEMENT.—A covered entity to which the Secretary awards Federal financial assistance under this section shall enter into an agreement that specifies that, during the 5-year period immediately following the award of the Federal financial assistance—

''(A) the covered entity will not—

''(i) repurchase an equity security that is listed on a national securities exchange of the covered entity or any parent company of the covered entity, except to the extent required under a contractual obligation that is in effect as of the date of enactment of this subsection;

''(ii) outsource or offshore jobs to a location outside of the United States; or

''(iii) abrogate existing collective bargaining agreements; and

''(B) the covered entity will remain neutral in any union organizing effort.

''(2) FINANCIAL PROTECTION OF GOVERNMENT.—

''(A) IN GENERAL.—The Secretary may not award Federal financial assistance to a covered entity under this section, unless—

''(i)(I) the covered entity has issued securities that are traded on a national securities exchange; and

''(II) the Secretary of the Treasury receives a warrant or equity interest in the covered entity; or

''(ii) in the case of any covered entity other than a covered entity described in clause (i), the Secretary of the Treasury receives, in the discretion of the Secretary of the Treasury—

''(I) a warrant or equity interest in the covered entity; or

''(II) a senior debt instrument issued by the covered entity.

''(B) TERMS AND CONDITIONS.—The terms and conditions of any warrant, equity interest, or senior debt instrument received under subparagraph (A) shall be set by the Secretary and shall meet the following requirements:

''(i) PURPOSES.—Such terms and conditions shall be designed to provide for a reasonable participation by the Secretary of Commerce, for the benefit of taxpayers, in equity appreciation in the case of a warrant or other equity interest, or a reasonable interest rate premium, in the case of a debt instrument.

''(ii) AUTHORITY TO SELL, EXERCISE, OR SURRENDER.—For the primary benefit of taxpayers, the Secretary may sell, exercise, or surrender a warrant or any senior debt instrument received under this subparagraph. The Secretary shall not exercise voting power with respect to any shares of common stock acquired under this subparagraph.

''(iii) SUFFICIENCY.—If the Secretary determines that a covered entity cannot feasibly issue warrants or other equity interests as required by this subparagraph, the Secretary may accept a senior debt instrument in an amount and on such terms as the Secretary determines appropriate.''.

SA 4858. Mr. TOOMEY (for himself and Mr. CARDIN) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Iran Sanctions

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Masih Alinejad Harassment and Unlawful Targeting Act of 2021'' or the ''Masih Alinejad HUNT Act''.

SEC. 1292. FINDINGS.

Congress finds that the Government of the Islamic Republic of Iran surveils, harasses, terrorizes, tortures, abducts, and murders individuals who peacefully defend human rights and freedoms in Iran, and innocent entities and individuals considered by the Government of Iran to be enemies of that regime, including United States citizens on United States soil, and takes foreign nationals hostage, including in the following instances:

(1) In 2021, Iranian intelligence agents were indicted for plotting to kidnap United States citizen, women's rights activist, and journalist Masih Alinejad, from her home in New York City, in retaliation for exercising her rights under the First Amendment to the Constitution of the United States. Iranian agents allegedly spent at least approximately half a million dollars to capture the outspoken critic of the authoritarianism of the Government of Iran, and studied evacuating her by military-style speedboats to Venezuela before rendition to Iran.

(2) Prior to the New York kidnapping plot, Ms. Alinejad's family in Iran was instructed by authorities to lure Ms. Alinejad to Turkey. In an attempt to intimidate her into silence, the Government of Iran arrested 3 of Ms. Alinejad's family members in 2019, and sentenced her brother to 8 years in prison for refusing to denounce her.

(3) According to Federal prosecutors, the same Iranian intelligence network that allegedly plotted to kidnap Ms. Alinejad is also targeting critics of the Government of Iran who live in Canada, the United Kingdom, and the United Arab Emirates.

(4) In 2021, an Iranian diplomat was convicted in Belgium of attempting to carry out a 2018 bombing of a dissident rally in France.

(5) In 2021, a Danish high court found a Norwegian citizen of Iranian descent guilty of illegal espionage and complicity in a failed plot to kill an Iranian Arab dissident figure in Denmark.

(6) In 2021, the British Broadcasting Corporation (BBC) appealed to the United Nations to protect BBC Persian employees in London who suffer regular harassment and threats of kidnapping by Iranian government agents.

(7) In 2021, 15 militants allegedly working on behalf of the Government of Iran were arrested in Ethiopia for plotting to attack citizens of Israel, the United States, and the United Arab Emirates, according to United States officials.

(8) In 2020, Iranian agents allegedly kidnapped United States resident and Iranian-German journalist Jamshid Sharmahd, while he was traveling to India through Dubai. Iranian authorities announced they had seized Mr. Sharmahd in ''a complex operation'', and paraded him blindfolded on state television. Mr. Sharmahd is arbitrarily detained in Iran, allegedly facing the death penalty. In 2009, Mr. Sharmahd was the target of an alleged Iran-directed assassination plot in Glendora, California.

(9) In 2020, the Government of Turkey released counterterrorism files exposing how Iranian authorities allegedly collaborated with drug gangs to kidnap Habib Chabi, an Iranian-Swedish activist for Iran's Arab minority. In 2020, the Government of Iran allegedly lured Mr. Chabi to Istanbul through a female agent posing as a potential lover. Mr. Chabi was then allegedly kidnapped from

Istanbul, and smuggled into Iran where he faces execution, following a sham trial.

(10) In 2020, a United States-Iranian citizen and an Iranian resident of California pleaded guilty to charges of acting as illegal agents of the Government of Iran by surveilling Jewish student facilities, including the Hillel Center and Rohr Chabad Center at the University of Chicago, in addition to surveilling and collecting identifying information about United States citizens and nationals who are critical of the Iranian regime.

(11) In 2019, 2 Iranian intelligence officers at the Iranian consulate in Turkey allegedly orchestrated the assassination of Iranian dissident journalist Masoud Molavi Vardanjani, who was shot while walking with a friend in Istanbul. Unbeknownst to Mr. Molavi, his ''friend'' was in fact an undercover Iranian agent and the leader of the killing squad, according to a Turkish police report.

(12) In 2019, around 1,500 people were allegedly killed amid a less than 2 week crackdown by security forces on anti-government protests across Iran, including at least an alleged 23 children and 400 women.

(13) In 2019, Iranian operatives allegedly lured Paris-based Iranian journalist Ruhollah Zam to Iraq, where he was abducted, and hanged in Iran for sedition.

(14) In 2019, a Kurdistan regional court convicted an Iranian female for trying to lure Voice of America reporter Ali Javanmardi to a hotel room in Irbil, as part of a foiled Iranian intelligence plot to kidnap and extradite Mr. Javanmardi, a critic of the Government of Iran.

(15) In 2019, Federal Bureau of Investigation agents visited the rural Connecticut home of Iran-born United States author and poet Roya Hakakian to warn her that she was the target of an assassination plot orchestrated by the Government of Iran.

(16) In 2019, the Government of Denmark accused the Government of Iran of directing the assassination of Iranian Arab activist Ahmad Mola Nissi, in The Hague, and the assassination of another opposition figure, Reza Kolahi Samadi, who was murdered near Amsterdam in 2015.

(17) In 2018, German security forces searched for 10 alleged spies who were working for Iran's al-Quds Force to collect information on targets related to the local Jewish community, including kindergartens.

(18) In 2017, Germany convicted a Pakistani man for working as an Iranian agent to spy on targets including a former German lawmaker and a French-Israeli economics professor.

(19) In 2012, an Iranian American pleaded guilty to conspiring with members of the Iranian military to bomb a popular Washington, D.C., restaurant with the aim of assassinating the ambassador of Saudi Arabia to the United States.

(20) In 1996, agents of the Government of Iran allegedly assassinated 5 Iranian dissident exiles across Turkey, Pakistan, and Baghdad, over a 5-month period that year.

(21) In 1992, the Foreign and Commonwealth Office of the United Kingdom expelled 2 Iranians employed at the Iranian Embassy in London and a third Iranian on a student visa amid allegations they were plotting to kill Indian-born British American novelist Salman Rushdie, pursuant to the fatwa issued by then supreme leader of Iran, Ayatollah Ruhollah Khomeini.

(22) In 1992, 4 Iranian Kurdish dissidents were assassinated at a restaurant in Berlin, Germany, allegedly by Iranian agents.

(23) In 1992, singer, actor, poet, and gay Iranian dissident Fereydoun Farrokhzad was found dead with multiple stab wounds in his apartment in Germany. His death is allegedly the work of Iran-directed agents.

(24) In 1980, Ali Akbar Tabatabaei, a leading critic of Iran and then president of the Iran Freedom Foundation, was murdered in front of his Bethesda, Maryland, home by an assassin disguised as a postal courier. The Federal Bureau of Investigation had identified the ''mailman'' as Dawud Salahuddin, born David Theodore Belfield. Mr. Salahuddin was working as a security guard at an Iranian interest office in Washington, D.C., when he claims he accepted the assignment and payment of $5,000 from the Government of Iran to kill Mr. Tabatabaei.

(25) Other exiled Iranian dissidents alleged to have been victims of the Government of Iran's murderous extraterritorial campaign include Shahriar Shafiq, Shapour Bakhtiar, and Gholam Ali Oveissi.

(26) Iranian Americans face an ongoing campaign of intimidation both in the virtual and physical world by agents and affiliates of the Government of Iran, which aims to stifle freedom of expression and eliminate the threat Iranian authorities believe democracy, justice, and gender equality pose to their rule.

SEC. 1293. DEFINITIONS.

In this subtitle:

(1) ADMISSION; ADMITTED; ALIEN.—The terms ''admission'', ''admitted'', and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(3) CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''correspondent account'' and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(4) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning of that term as determined by the Secretary of the Treasury pursuant to section 104(i) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8513(i)).

(5) FOREIGN PERSON.—The term ''foreign person'' means any individual or entity that is not a United States person.

(6) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1294. REPORT AND IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS WHO ARE RESPONSIBLE FOR OR COMPLICIT IN ABUSES TOWARD DISSIDENTS ON BEHALF OF THE GOVERNMENT OF IRAN.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Attorney General, shall submit to the appropriate congressional committees a report that—

(A) includes a detailed description and assessment of—

(i) the state of human rights and the rule of law inside Iran, including the rights and well-being of women, religious and ethnic minorities, and the LGBTQ community in Iran;

(ii) actions taken by the Government of Iran during the year preceding submission of the report to target and silence dissidents both inside and outside of Iran who advocate for human rights inside Iran;

(iii) the methods used by the Government of Iran to target and silence dissidents both inside and outside of Iran; and

(iv) the means through which the Government of Iran finances efforts to target and silence dissidents both inside and outside of Iran;

(B) identifies foreign persons working as part of the Government of Iran or acting on behalf of that Government (including members of paramilitary organizations such as Ansar-e-Hezbollah and Basij-e Mostaz'afin), that the Secretary of State determines, based on credible evidence, are knowingly responsible for, complicit in or involved in ordering, conspiring, planning or implementing the surveillance, harassment, kidnapping, illegal extradition, imprisonment, torture, killing, or assassination of citizens of Iran (including citizens of Iran of dual nationality) and citizens of the United States both inside and outside Iran who seek—

(i) to expose illegal or corrupt activity carried out by officials of the Government of Iran;

(ii) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, expression, association, and assembly, and the rights to a fair trial and democratic elections, in Iran; or

(iii) to obtain, exercise, defend, or promote the rights and well-being of women, religious and ethnic minorities, and the LGBTQ community in Iran; and

(C) includes, for each foreign person identified subparagraph (B), a clear explanation for why the foreign person was so identified.

(2) UPDATES OF REPORT.—The report required by paragraph (1) shall be updated, and the updated version submitted to the appropriate congressional committees, during the 10-year period following the date of the enactment of this Act—

(A) not less frequently than annually; and

(B) with respect to matters relating to the identification of foreign persons under paragraph (1)(B), on an ongoing basis as new information becomes available.

(3) FORM OF REPORT.—

(A) IN GENERAL.—Each report required by paragraph (1) and each update required by paragraph (2) shall be submitted in unclassified form but may include a classified annex.

(B) PUBLIC AVAILABILITY.—The Secretary of State shall post the unclassified portion of each report required by paragraph (1) and each update required by paragraph (2) on a publicly available internet website of the Department of State.

(b) IMPOSITION OF SANCTIONS.—In the case of a foreign person identified under paragraph (1)(B) of subsection (a) in the most recent report or update submitted under that subsection, the President shall—

(1) if the foreign person meets the criteria for the imposition of sanctions under subsection (a) of section 1263 of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note), impose sanctions under subsection (b) of that section; and

(2) if the foreign person does not meet such criteria, impose the sanctions described in subsection (c).

(c) SANCTIONS DESCRIBED.—The sanctions to be imposed under this subsection with respect to a foreign person are the following:

(1) BLOCKING OF PROPERTY.—The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit

all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) IN GENERAL.—

(i) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1)(B) is—

(I) inadmissible to the United States;

(II) ineligible to receive a visa or other documentation to enter the United States; and

(III) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—The visa or other entry documentation of an alien described in subsection (a)(1)(B) shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(II) IMMEDIATE EFFECT.—A revocation under subclause (I) shall—

(aa) take effect immediately; and

(bb) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(d) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a person if the President determines and reports to the appropriate congressional committees, not later than 15 days before the termination of the sanctions that—

(1) credible information exists that the person did not engage in the activity for which sanctions were imposed;

(2) the person has been prosecuted appropriately for the activity for which sanctions were imposed; or

(3) the person has—

(A) credibly demonstrated a significant change in behavior;

(B) has paid an appropriate consequence for the activity for which sanctions were imposed; and

(C) has credibly committed to not engage in an activity described in subsection (a) in the future.

SEC. 1295. REPORT AND IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS CONDUCTING SIGNIFICANT TRANSACTIONS WITH PERSONS RESPONSIBLE FOR OR COMPLICIT IN ABUSES TOWARD DISSIDENTS ON BEHALF OF THE GOVERNMENT OF IRAN.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not earlier than 30 days and not later than 60 days after the Secretary of State submits to the appropriate congressional committees a report required by section 1294(a), the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a report that identifies any foreign financial institution that knowingly conducts a significant transaction with a foreign person identified in the report submitted under section 1294(a).

(2) FORM OF REPORT.—

(A) IN GENERAL.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(B) PUBLIC AVAILABILITY.—The Secretary of the Treasury shall post the unclassified portion of each report required by paragraph (1) on a publicly available internet website of the Department of the Treasury.

(b) IMPOSITION OF SANCTIONS.—The Secretary of the Treasury may prohibit the opening, or prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by a foreign financial institution identified under subsection (a)(1).

SEC. 1296. EXCEPTIONS; WAIVERS; IMPLEMENTATION.

(a) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under sections 1294 and 1295 shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under section 1294(c)(2) shall not apply with respect to the admission of an alien to the United States if the admission of the alien is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations.

(b) NATIONAL SECURITY WAIVER.—The President may waive the application of sanctions under section 1294 with respect to a person if the President—

(1) determines that the waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a report on the waiver and the reasons for the waiver.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this subtitle.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 1294(b)(1) or 1295(b) or any regulation, license, or order issued to carry out either such section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 1297. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—Notwithstanding any other provision of this subtitle, the authorities and requirements to impose sanctions under this subtitle shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

SA 4859. Mr. RISCH (for himself, Mr. PORTMAN, Mr. CRUZ, Mr. BARRASSO, Mr. JOHNSON, Mr. COTTON, Mr. DAINES, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1237. IMPOSITION OF SANCTIONS WITH RESPECT TO NORD STREAM 2.

(a) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the President shall—

(1) impose sanctions under subsection (b) with respect to any corporate officer of an entity established for or responsible for the planning, construction, or operation of the Nord Stream 2 pipeline or a successor entity; and

(2) impose sanctions under subsection (c) with respect to any entity described in paragraph (1).

(b) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE OF IDENTIFIED PERSONS AND CORPORATE OFFICERS.—

(1) IN GENERAL.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(1) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien described in subsection (a)(1) shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(c) BLOCKING OF PROPERTY OF IDENTIFIED PERSONS.—The President shall exercise all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of an entity described in subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(d) CONDITIONS FOR REMOVAL OF SANCTIONS.—Subject to review by Congress under section 216 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511), the President may waive the application of sanctions under this section if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees a report on the waiver and the reason for the waiver.

(e) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(f) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE, LAW ENFORCEMENT, AND NATIONAL SECURITY ACTIVITIES.—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under this section shall not apply with respect to the admission of an alien to the United States if the admission of the alien is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—Notwithstanding any other provision of this section, the authorities and requirements to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(g) SUNSET.—The authority to impose sanctions under this section shall terminate on the date that is 5 years after the date of the enactment of this Act.

(h) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN.—The terms ''admission'' , ''admitted'' , and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person within the United States.

SEC. 1238. CONGRESSIONAL REVIEW OF WAIVER UNDER PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019.

Section 7503(f) of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92; 22 U.S.C. 9526 note) is amended, in the matter preceding paragraph (1), by striking ''The President'' and inserting ''Subject to review by Congress under section 216 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511), the President''.

SEC. 1239. APPLICATION OF CONGRESSIONAL REVIEW UNDER COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

Section 216(a)(2) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by inserting ''(other than sanctions described in clause (i)(IV) of that subparagraph)'' after ''subparagraph (B)''; and

(B) in clause (ii), by inserting ''or otherwise remove'' after ''waive''; and

(2) in subparagraph (B)(i)—

(A) in subclause (II), by striking ''; or'' and inserting a semicolon;

(B) in subclause (III), by striking ''; and'' and inserting a semicolon; and

(C) by adding at the end the following:

''(IV) section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92; 22 U.S.C. 9526 note); or

''(V) section 1237 of the National Defense Authorization Act for Fiscal Year 2022; and''.

SEC. 1240. INCLUSION OF MATTER RELATING TO NORD STREAM 2 IN REPORT UNDER COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

Each report submitted under section 216(a)(1) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(1)) relating to sanctions under section 1237 of this Act or section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92; 22 U.S.C. 9526 note) shall include—

(1) an assessment of the security risks posed by Nord Stream 2, including—

(A) the presence along Nord Stream 2 or Nord Stream 1 infrastructure or pipeline corridors of undersea surveillance systems and sensors, fiber optic terminals, or other systems that are capable of conducting military or intelligence activities unrelated to civilian energy transmission, including those designed to enhance Russian Federation antisubmarine warfare, surveillance, espionage, or sabotage capabilities;

(B) the use of Nord Stream-affiliated infrastructure, equipment, personnel, vessels, financing, or other assets—

(i) to facilitate, carry out, or conceal Russian Federation maritime surveillance, espionage, or sabotage activities;

(ii) to justify the presence of Russian Federation naval vessels or military personnel or equipment in international waters or near North Atlantic Treaty Organization or partner countries;

(iii) to disrupt freedom of navigation; or

(iv) to pressure or intimidate countries in the Baltic Sea;

(C) the involvement in the Nord Stream 2 pipeline or its affiliated entities of current or former Russian, Soviet, or Warsaw Pact intelligence and military personnel and any business dealings between Nord Stream 2 and entities affiliated with the intelligence or defense sector of the Russian Federation; and

(D) malign influence activities of the Government of the Russian Federation, including strategic corruption and efforts to influence European decision-makers, supported or financed through the Nord Stream 2 pipeline;

(2) an assessment of whether the Russian Federation maintains gas transit through Ukraine at levels consistent with the volumes set forth in the Ukraine-Russian Federation gas transit agreement of December 2019 and continues to pay the transit fees specified in that agreement;

(3) an assessment of the status of negotiations between the Russian Federation and Ukraine to secure an agreement to extend gas transit through Ukraine beyond the expiration of the agreement described in paragraph (2); and

(4) an assessment of whether the United States and Germany have agreed on a common definition for energy ''weaponization'' and the associated triggers for sanctions and other enforcement actions, pursuant to the Joint Statement of the United States and Germany on support for Ukraine, European energy security, and our climate goals, dated July 21, 2021; and

(5) a description of the consultations with United States allies and partners in Europe, including Ukraine, Poland, and the countries in Central and Eastern Europe most impacted by the Nord Stream 2 pipeline concerning the matters agreed to as described in paragraph (4).

SA 4860. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3867 proposed by Mr. REED to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Sanctions Relating to the Actions of the Russian Federation With Respect to Ukraine

SEC. 1291. DEFINITIONS.

In this subtitle:

(1) ADMISSION; ADMITTED; ALIEN.—The terms ''admission'', ''admitted'', and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) DEFENSE ARTICLE; DEFENSE SERVICE.—The terms ''defense article'' and ''defense service'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(4) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term in regulations prescribed by the Secretary of the Treasury.

(6) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(7) KNOWINGLY.—The term ''knowingly'' with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(8) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1292. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the national security interests of the United States to continue and deepen the security partnership between the United States and Ukraine, including through providing both lethal and non-lethal assistance to Ukraine;

(2) aggression and malign influence by the Government of the Russian Federation in Ukraine is a threat to the democratic sovereignty of Ukraine, a valued and key partner of the United States;

(3) economic and financial sanctions, when used as part of a coordinated and comprehensive strategy, are a powerful tool to advance United States foreign policy and national security interests;

(4) the United States should expedite the provision of lethal and non-lethal assistance to Ukraine, and use all available tools to

support and bolster the defense of Ukraine against potential aggression and military escalation by the Government of the Russian Federation;

(5) the United States should work closely with partners and allies to encourage the provision of lethal and non-lethal assistance to support and bolster the defense of Ukraine; and

(6) substantial new sanctions should be imposed in the event that the Government of the Russian Federation engages in escalatory military or other offensive operations against Ukraine.

SEC. 1293. DETERMINATION WITH RESPECT TO OPERATIONS OF THE RUSSIAN FEDERATION IN UKRAINE.

Not later than 15 days after the date of the enactment of this Act, and periodically as necessary thereafter, the President shall—

(1) determine whether—

(A) the Government of the Russian Federation is engaged in or knowingly supporting a significant escalation in hostilities or hostile action in or against Ukraine, compared to the level of hostilities or hostile action in or against Ukraine prior to November 1, 2021; and

(B) if so, whether such escalation has the aim of undermining, overthrowing, or dismantling the Government of Ukraine, occupying the territory of Ukraine, or interfering with the sovereignty or territorial integrity of Ukraine; and

(2) submit to the appropriate congressional committees a report on that determination.

SEC. 1294. IMPOSITION OF SANCTIONS WITH RESPECT TO OFFICIALS OF THE GOVERNMENT OF THE RUSSIAN FEDERATION RELATING TO OPERATIONS IN UKRAINE.

(a) IN GENERAL.—Upon making an affirmative determination under section 1293(1) and not later than 30 days following such a determination, the President shall impose the sanctions described in subsection (d) with respect to each of the officials specified in subsection (b).

(b) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

(1) The President of the Russian Federation.

(2) The Prime Minister of the Russian Federation.

(3) The Foreign Minister of the Russian Federation.

(4) The Minister of Defense of the Russian Federation.

(5) The Chief of the General Staff of the Armed Forces of the Russian Federation.

(6) The Commander-in-Chief of the Land Forces of the Russian Federation.

(7) The Commander of the Aerospace Forces of the Russian Federation.

(8) The Commander of the Airborne Forces of the Russian Federation.

(9) The Commander in Chief of the Navy of the Russian Federation.

(10) The Commander of the Strategic Rocket Forces of the Russian Federation.

(11) The Commander of the Special Operations Forces of the Russian Federation.

(12) The Commander of Logistical Support of the Russian Armed Forces.

(c) ADDITIONAL OFFICIALS.—

(1) LIST REQUIRED.—Not later than 30 days after making an affirmative determination under section 1293(1), and every 90 days thereafter, the President shall submit to the appropriate congressional committees a list of foreign persons that the President determines are—

(A) senior officials of any branch of the armed forces of the Russian Federation leading any of the operations described in section 1293(1); or

(B) senior officials of the Government of the Russian Federation, including any branch of the armed forces or intelligence agencies of the Russian Federation, engaged in planning or implementing such operations.

(2) IMPOSITION OF SANCTIONS.—Upon the submission of each list required by paragraph (1), the President shall impose the sanctions described in subsection (d) with respect to each foreign person identified on the list.

(d) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person under this section are the following:

(1) PROPERTY BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (b) or (c) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

SEC. 1295. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—Upon making an affirmative determination under section 1293(1) and not later than 30 days following such a determination, the President shall impose the sanctions described in subsection (c) with respect to 3 or more of the following financial institutions:

(A) Sberbank.

(B) VTB.

(C) Gazprombank.

(D) VEB.RF.

(E) RDIF.

(F) Promsvyazbank.

(2) SUBSIDIARIES AND SUCCESSOR ENTITIES.—The President may impose the sanctions described in subsection (c) with respect to any subsidiary of, or successor entity to, a financial institution specified in paragraph (1).

(b) ADDITIONAL FOREIGN FINANCIAL INSTITUTIONS.—

(1) LIST REQUIRED.—Not later than 30 days after making an affirmative determination under section 1293(1), and every 90 days thereafter, the President shall submit to the appropriate congressional committees a list of foreign persons that the President determines—

(A) are significant financial institutions owned or operated by the Government of the Russian Federation; and

(B) should be sanctioned in the interest of United States national security.

(2) IMPOSITION OF SANCTIONS.—Upon the submission of each list required by paragraph (1), the President shall impose the sanctions described in subsection (c) with respect to each foreign person identified on the list.

(c) SANCTIONS DESCRIBED.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person subject to subsection (a) or (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

SEC. 1296. PROHIBITION ON AND IMPOSITION OF SANCTIONS WITH RESPECT TO TRANSACTIONS INVOLVING RUSSIAN SOVEREIGN DEBT.

(a) PROHIBITION ON TRANSACTIONS.—Upon making an affirmative determination under section 1293(1) and not later than 30 days following such a determination, the President shall prohibit all transactions by United States persons involving the sovereign debt of the Government of the Russian Federation issued on or after the date of the enactment of this Act, including governmental bonds.

(b) IMPOSITION OF SANCTIONS WITH RESPECT TO STATE-OWNED ENTERPRISES.—

(1) IN GENERAL.—Not later than 60 days after making an affirmative determination under section 1293(1), the President shall identify and impose the sanctions described in subsection (d) with respect to foreign persons that the President determines engage in transactions involving the debt—

(A) of not less than 10 entities owned or controlled by the Government of the Russian Federation; and

(B) that is not subject to any other sanctions imposed by the United States.

(2) APPLICABILITY.—Sanctions imposed under paragraph (1) shall apply with respect to debt of an entity described in subparagraph (A) of that paragraph that is issued after the date that is 90 days after the President makes an affirmative determination under section 1293(1).

(c) LIST; IMPOSITION OF SANCTIONS.—Not later than 30 days after making an affirmative determination under section 1293(1), and every 90 days thereafter, the President shall—

(1) submit to the appropriate congressional committees a list of foreign persons that the President determines are engaged in transactions described in subsection (a); and

(2) impose the sanctions described in subsection (d) with respect to each such person.

(d) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person described in subsection (b) or (c) are the following:

(1) PROPERTY BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (b) or (c) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

SEC. 1297. IMPOSITION OF SANCTIONS WITH RESPECT TO NORD STREAM 2.

(a) IN GENERAL.—Upon making an affirmative determination under section 1293(1) and not later than 30 days following such a determination, the President shall impose the sanctions described in subsection (b) with respect to a foreign person that is—

(1) any entity established for or responsible for the planning, construction, or operation of the Nord Stream 2 pipeline or a successor entity; and

(2) any corporate officer of an entity described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person under this section are the following:

(1) PROPERTY BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a)(2) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

SEC. 1298. SANCTIONS WITH RESPECT TO RUSSIAN EXTRACTIVE INDUSTRIES.

(a) IDENTIFICATION.—Not later than 60 days after making an affirmative determination under section 1293(1), the President shall identify foreign persons in any of the sectors or industries described in subsection (b) that the President determines should be sanctioned in the interest of United States national security.

(b) SECTORS AND INDUSTRIES DESCRIBED.—The sectors and industries described in this subsection are the following:

(1) Oil and gas extraction and production.

(2) Coal extraction, mining, and production.

(3) Minerals extraction and processing.

(4) Any other sector or industry with respect to which the President determines the imposition of sanctions is in the United States national security interest.

(c) LIST; IMPOSITION OF SANCTIONS.—Not later than 90 days after making an affirmative determination under section 1293(1), the President shall—

(1) submit to the appropriate congressional committees a list of the persons identified under subsection (a); and

(2) impose the sanctions described in subsection (d) with respect to each such person.

(d) SANCTIONS DESCRIBED.—The sanctions to be imposed with respect to a foreign person under subsection (c) are the following:

(1) PROPERTY BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (c) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

SEC. 1299. AUTHORIZATION FOR USE OF WAR RESERVE STOCKPILE FOR ARMED FORCES OF UKRAINE.

Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h) or any other authorized limits set in law, the Secretary of Defense, in concurrence with the Secretary of State, is authorized to transfer defense articles from any war reserve stockpile to Ukraine for the purpose of assisting and supporting the Armed Forces of Ukraine.

SEC. 1299A. USE OF DEPARTMENT OF DEFENSE LEASE AUTHORITY AND SPECIAL DEFENSE ACQUISITION FUND TO SUPPORT UKRAINE.

(a) USE OF SPECIAL DEFENSE ACQUISITION FUND.—The Secretary of Defense, in concurrence with the Secretary of State, shall utilize, to the maximum extent possible, the Special Defense Acquisition Fund established under section 51 of the Arms Export Control Act (22 U.S.C. 2795) to expedite the procurement and delivery of defense articles and defense services for the purpose of assisting and supporting the Armed Forces of Ukraine.

(b) USE OF LEASE AUTHORITY.—The Secretary of Defense, in concurrence with the Secretary of State, shall utilize, to the maximum extent possible, its lease authority, including with respect to no-cost leases, to provide defense articles to Ukraine for the purpose of assisting and supporting the Armed Forces of Ukraine.

SEC. 1299B. IMPLEMENTATION; REGULATIONS; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this subtitle.

(b) REGULATIONS.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this subtitle.

(c) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this subtitle or any regulation, license, or order issued to carry out this subtitle shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 1299C. EXCEPTIONS; WAIVER.

(a) EXCEPTIONS.—

(1) INTELLIGENCE ACTIVITIES.—This subtitle shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT OBJECTIVES.—Sanctions under this subtitle shall not apply to an alien if admitting the alien into the United States—

(A) is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

(B) would further important law enforcement objectives.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—Notwithstanding any other provision of this subtitle, the authority or a requirement to impose sanctions under this subtitle shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(b) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under this subtitle with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

SEC. 1299D. TERMINATION.

The President may terminate the sanctions imposed under this subtitle after determining and certifying to the appropriate congressional committees that the Government of the Russian Federation has—

(1) verifiably withdrawn all of its forces from Ukrainian territory that was not occupied or subject to control by forces or proxies of the Government of the Russian Federation prior to November 1, 2021;

(2) ceased supporting proxies in Ukrainian territory described in paragraph (1); and

(3) has entered into an agreed settlement with a legitimate democratic government of Ukraine.

SEC. 1299E. SUNSET.

The provisions of this subtitle shall terminate on the date that is 3 years after the date of the enactment of this Act.

ORDERS FOR TUESDAY, NOVEMBER 30, 2021

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, November 30; 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. 4350; further, that the Senate recess from 12:30 until 2:15

p.m. to allow for the weekly caucus meetings.

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

ORDER FOR ADJOURNMENT

Mr. BROWN. If there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order following the remarks of my colleague from Ohio.

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

The Senator from Ohio.

OPIOID EPIDEMIC

Mr. PORTMAN. Mr. President, I thank my colleague from Ohio, and I am on the floor today to talk about a major public health crisis facing our country, one that is resulting in thousands of people losing their lives, causing the death of over 100,000 Americans a year, and has negatively impacted so many millions more in my home State of Ohio and all around the country.

And, no, I am not talking about COVID–19. I am talking about an epidemic within the pandemic. I am talking about the surging epidemic of drug use and addiction that has fueled a record number of overdose deaths and threatens to get even worse.

In the past 19 months or so, our attention has, understandably, been directed toward the COVID–19 crisis. And, once again, we see with Omicron the possibility of another variant coming, and those public health challenges are real.

But I have to tell you that it has led us to ignore another crisis. The Centers for Disease Control, the CDC, recently issued a report which was shocking and should serve as a wake-up call to all of us.

It said that between April of 2020 and April of 2021, the most recent year for which we have data, we had over 100,000 individuals lose their lives to drug overdose deaths in this country. That is the highest ever. It is a record.

By the way, 100,000 deaths per year is more than the deaths from gunshot wounds and the deaths from car accidents combined. It is truly the epidemic within the pandemic.

Away from the headlines, we have this other tragic healthcare crisis that has left no part of the country unaffected. Forty-six States and the District of Columbia have seen their overdose rates go up in the last year, with a 26-percent increase in my home State of Ohio. In some States, there are now as many drug overdose deaths as there are COVID deaths.

Like many of you, I have seen firsthand the damage drugs like crystal meth or cocaine or heroin or now the synthetic opioids are causing to the families we represent, to people who have gotten caught in that spiral of drug abuse and addiction.

I have also seen the heroic efforts of first responders who have saved people's lives by administering naloxone, which some call Narcan, its brand name. It is a miracle drug that literally saves lives by being able to reverse the effects of an overdose.

And I have ridden with law enforcement and treatment providers on rapid response teams in various places in Ohio that follow up with those who have overdosed. Literally, somebody overdoses, and then this rapid response team—usually made up of law enforcement but also treatment providers, social workers—goes to people's homes, and it is amazing what you will find out.

I was, frankly, a little surprised during my first visit—then, I got more used to it—which is that people respond very favorably. Most people who are approached by these rapid response teams agree to get into treatment. And isn't that the key? Using Narcan again and again and again to save someone's life is not the answer. The answer is to get that person into treatment so that that person can get back to his or her family, his or her work, and to a normal life and to be more productive in life.

I have also met with families and loved ones affected, hearing their stories about how losing a family member to addiction has had such a negative impact, often tearing those families apart.

And, of course, I have talked to a lot of people in recovery who have told me about the grip of addiction on their lives and how they got help and what worked and what didn't work.

Unfortunately, a lot of people get help, get into treatment, and it doesn't work for them. They have to do it again and again. But, ultimately, for those who can stay in recovery and are able to stay sober and clean, they have the most amazing stories. And so many of them are coming back and contributing in big ways to our communities—many helping others. Their recovery, basically, is reaching out to others and helping them along the way. Some are called recovery coaches, which is a more formal title, but so many of them are, in effect, recovery coaches helping others who are struggling.

There are so many lives that have been touched by this crisis—100,000-plus deaths, but so many others affected. And I have made it a goal of mine to make sure Congress is playing its role in addressing this effort that must be at the community level, at the State level, but also at the national level to respond to what is a true national crisis.

What makes it especially heartbreaking to me is that, only a few years ago, we had finally begun to make progress on this. We were beginning to turn the corner. We were seeing lower addiction rates. We were seeing lower overdose deaths for the first time in decades.

How did we do it? Well, we redoubled our efforts on prevention, on getting people into treatment, on getting people into longer term recovery, making more naloxone available.

Thanks to the bipartisan leadership here in Congress, the Comprehensive Addiction and Recovery Act, or CARA, which I coauthored with my colleague SHELDON WHITEHOUSE, and the 21st Century CURES Act were both signed into law in 2016, helping to pave the way for several billion dollars in new Federal funding to strengthen State, local, and nonprofit efforts to combat addiction.

Our CARA legislation and the follow-up CARA.2 legislation that we passed a few years ago took a comprehensive approach based on best practices. We actually had seminars here in Washington. We brought people from all over the country here. We had four different conferences where we got information as to what was working and not working in our communities, and things that were working we funded.

We directed resources toward more treatment and recovery services for individuals and more focus on prevention.

I can't overstate how critical these kinds of proven services are for people on the path to recovery. Congress had never, before this legislation, ever funded recovery services.

I have visited a number of inpatient and outpatient centers for addiction in Ohio to talk with those working to overcome their addiction. They have told me time and again how these recovery services gave them the structure, the support, and, most importantly, the hope they needed to be able to overcome this disease.

And we actually started to see that hope translate into real success on the ground, real numbers and real people's lives.

In 2017, Ohio's overdose death rate had increased for 30-plus straight years, and Ohio's death per capita that year, 2017, was almost three times that of the national average.

But that next year, in 2018, as these two signature laws, CARA and CURES, were fully implemented, Ohio began to turn the tide with a 22-percent reduction in overdose deaths in 1 year.

Again, after more than 30 years of increases in overdose deaths every single year, a 22-percent decrease. Nationally, overdose deaths declined that year about 4 percent, again, after a year after year of increases. In 2019, we had a slight decrease also. These were promising developments.

But since then, there has been a lethal convergence on both the supply side of this issue and the demand side of this issue. Sam Quinones, the author of ''Dreamland,'' which I think is the seminal book on the rise of opioids in this country, recently put it well. He said in an interview that before COVID hit, Mexican cartels had achieved their goal, finally, of covering our country with ''the most . . . mind-mangling drugs we've ever seen. . . . It just so happened that we went into isolation at the very moment when these drugs hit their apex.''

A terrible coincidence that as the supply increased because of the greed of traffickers, the demand increased because of COVID. These two things came together, and that has caused this huge increase in overdoses, addiction, and overdose deaths.

Let's look at the supply side of this crisis first. The record number of deadly narcotics and other drugs that are taking the lives of moms, dads, children, and loved ones all across the country are coming into our country in record numbers. As many are aware, for much of the past few decades, the most common cause of overdose deaths were prescription opioids like OxyContin or Percocet. Often people who suffered a serious injury or accident needed pain relief, and often, unfortunately, doctors and dentists overprescribed opioids. People developed an addiction that led to accidental overdoses, often from cheaper and more available heroin when the prescription drugs ran out.

Now we are dealing with a class of drugs that are tens if not hundreds of times deadlier than those prescription drugs, the so-called synthetic opioids. The most well known of these is fentanyl, which, as you can see by this chart of drug overdoses, has become the drug most responsible for overdose deaths.

The red here is overdose deaths overall, and the blue is overdose deaths that are attributed to fentanyl. You can see what has happened. Fentanyl was about half of overdose deaths in 2018. Half of all overdose deaths was one drug, fentanyl. In 2019, it was more than half and, in 2020, way more than half of all the overdose deaths caused by one drug, a synthetic opioid called fentanyl. It is the deadliest one.

Incredibly, 80 percent of drug overdoses in Ohio and overdose deaths in Ohio can now be attributed to this deadly substance, based on what the experts tell me—80 percent. It is not surprising that the amount of fentanyl seized on the streets of Ohio cities like Dayton, OH, recently has nearly doubled compared to last year. And it is not only the amount of fentanyl that is flooding our country.

Evil traffickers have increasingly disguised it by mixing it with other drugs or pressing it into fake pills to look like common pharmaceuticals. This concerted effort to expand the reach of fentanyl addiction started before the pandemic, but it is only accelerating.

It is a profitable business for drug dealers. Compared to heroin, fentanyl is less expensive to manufacture and, pound-for-pound, far more potent. A few flakes can kill you. Traffickers make a bigger profit, and people are trapped into addiction more easily.

Traffickers increasingly lace fentanyl with other drugs—cocaine, crystal meth, heroin, and even marijuana in some cases. They do it as a way to boost its effects and cut down on its costs. In Mexico, they use cheap pill presses to mold fentanyl doses into the shape of prescription drugs—everyday pills that people take for a variety of reasons. What that means is that many of the individuals who now lose their lives to a fentanyl overdose don't even know they are taking fentanyl until it is too late.

Recently, I participated in a roundtable discussion on the border crisis and how it has impacted the addiction crisis. We heard from an Ohio mother, Virginia Krieger, who lost her daughter Tiffany to an accidental fentanyl death. Virginia told us about how Tiffany had been unable to get the care she wanted from her physician. That led her to buying pills on the street—pills she was told were Percocet, and it looked like Percocet. That is what was stamped on it. But in reality, it was laced with lethal doses of heroin and fentanyl. When Tiffany took these pills for her pain, she was poisoned by the fentanyl, and the life of a young 26-year-old woman was snuffed out far too soon.

We are hearing this across the State. Recently, in Cleveland, OH, Xanax pills, an antianxiety medication—fake pills pressed by Mexican traffickers contained fentanyl and caused overdoses and overdose deaths.

My heart goes out to these families. My heart goes out to Virginia, who, by the way, has channeled her grief into something positive, and that is going to schools and explaining to young people how dangerous this is. Her view is that no one should ever take a pill unless they know it comes from a pharmacy.

She is right. People across the country need to know that pills of all shapes and sizes can contain fentanyl even though they might say something else. No street drug is safe right now from the threat of fentanyl poisoning, and too many kids and adults who weren't addicted to opioids are unknowingly ingesting these substances and putting themselves at risk. We need to be on high alert. Parents and kids need to know that right now no drug you get on the street can be safe.

Our communities are saturated with fentanyl and other synthetic opioids right now. Among other things, of course, this drives the price of the drugs down. So, yes, the most important thing is to reduce the demand for drugs, but with its overwhelming supply, the price of the drug goes down and there is higher use and higher demand.

A conversation about how we can cut down on the supply side of course has to start with our strategy on our southern border. For years, fentanyl and other synthetic opioids were overwhelmingly illegally manufactured in China. As then-chairman of the Permanent Subcommittee on Investigations, I led a bipartisan investigation back in 2017 which showed that fentanyl was coming into our country from China primarily through our own lax Postal Service. Our own Postal Service was the conduit. That is why I worked in a bipartisan manner to write and pass what is called the STOP Act, which required the Postal Service, for the first time, to crack down on fentanyl through the mail.

We required the Postal Service to get advanced tracking data on international shipments coming to the United States, showing the package's origin, contents, and destination. This allowed law enforcement to spot potentially dangerous packages ahead of time and make it much more difficult to move fentanyl into the United States in this manner. Other carriers were already doing it—FedEx, private carriers, DHL, but the post office was not.

The good news is that the STOP Act has been effective, and also, after persistent engagement and pressure from the United States, China scheduled fentanyl, meaning made it illegal, and its analogues as a class of illegal drugs. We believe these changes have helped to dramatically reduce the flow of fentanyl directly from China into the United States.

But, obviously, it hasn't solved the problem because Mexican transnational criminal organizations know a great business opportunity when they see one, and they moved in to take over the fentanyl market in the United States. Now Mexican transnational criminal organizations work with criminal gangs in China to import into Mexico the ingredients used to make fentanyl, where the final product is made in so-called superlabs.

We have a record amount of the substance pouring in, both at our ports of entry and through other gaps in our southern border security by car, by truck, by courier. This is a problem that continues to get worse as this shocking chart shows us.

Look at the dramatic increases in fentanyl that was seized along the U.S. border. This past fiscal year, Customs and Border Protection seized 11,201 pounds of fentanyl, enough to kill every man, woman, and child in America—more than double the amount from the previous year and four times the amount from fiscal year 2019. Just a few weeks ago in Southern California, border officials discovered 8½ tons of meth in a single truck along with 400 pounds of fentanyl. Remember, it only takes a few flakes of fentanyl to kill you. This 400 pounds could kill millions.

Their smuggling operations are complex and sophisticated, and Customs and Border Protection have their hands full. According to the most recent statistics, last month, seizures of fentanyl increased 42 percent. That is 42 percent in 1 month. This is only how much we know was discovered, was apprehended. We don't know how much more made it over the border undetected.

When I have asked Customs and Border Protection and DHS, our homeland security officials, in public hearings, as I did the week before last, they don't

answer the question because they don't know. But in private conversations with Border Patrol agents, they tell me that they believe the vast majority of drugs are coming in undetected. So this is just the seizures, not the amount of drugs that are streaming across the border.

I take no pleasure in saying this, but the failure of the Biden administration to control the southern border has resulted in record levels of deadly fentanyl coming in to our country and contributes to the growing strength of the Mexican transnational criminal organizations. Part of the problem is that the Biden administration's own policies have encouraged an unprecedented surge of unlawful migrants at the border, diverting our Customs and Border Protection officers and Border Patrol agents away from interdicting drugs. I have seen that on the southern border as has anyone else who has visited.

These law enforcement officers who should be on the line stopping the criminals carrying drugs are instead processing a record number of migrants. This massive influx of unlawful migrants began when President Biden was inaugurated and made specific policy changes, and it has only continued to worsen ever since. We had all hoped that during the summer months, when normally unlawful migration slows down because of the heat, that we would have a lessening of this issue, but it didn't happen. In fact, last month was a record month for October for Border Patrol apprehensions.

As the border crisis created by the Biden administration policy changes continues, the administration has failed to give Customs and Border Protection the resources they need: additional personnel, better technology, infrastructure, and more, to enable them to better protect our Nation along the nearly 2,000-mile border with Mexico. On an average day in 2020, Customs and Border Protection processed 650,000-plus passengers and pedestrians, 187,000 incoming privately owned vehicles, and 77,900 truck, rail, and sea containers. The amount of traffic at the border is going up now that there is less concern about the pandemic.

However, only 2 percent of those privately owned vehicles are physically searched at the border, and less than 20 percent of all those commercial vehicles are scanned for drugs before they cross into the United States.

Let me repeat that: 2 percent. So if you are a smuggler driving a sedan with multiple pounds of fentanyl concealed in hidden compartments, right now you have a very good chance of getting across the border without a search. That is not a gap in our security, that is a gaping hole.

We have known this is a problem. Congress, last January, almost a year ago, passed and President Trump signed into law a requirement that the Department of Homeland Security give Congress a plan and a strategy on using technology and making policy and resources changes to be able to scan all vehicles.

Unfortunately, the Biden administration is late delivering this report. It was due over 4 months ago, and we still don't have it. In conversations with administration officials the week before last, I got assurances that it is coming soon. I hope so. We need it. It would be extremely helpful to have this information as we finalize the spending bills over the next month or so.

I am proud that the recently enacted Infrastructure Investment and Jobs Act invested billions of dollars in upgrading and modernizing our ports of entry, including ports of entry on the southern border. Our ports are aging, some of them badly. This funding would allow Customs and Border Protection officers to have adequate space to do more screening of vehicles.

However, we cannot and should not build a brandnew port of entry and then just install the old legacy technology for scanning and detection of deadly narcotics. We have a once-in-a-generation opportunity to dramatically upgrade seaports of entry with modern, state-of-the-art detection technology that can help our officers catch more of these drugs before they enter our communities.

In May, I introduced bipartisan legislation with Senator MARK KELLY of Arizona to establish a $1 billion irregular migration border response fund so that the Department of Homeland Security is not forced to transfer resources away from drug interdiction priorities to fund processing of individuals, food, clothing, blankets, and transportation when there is an influx of migrants, as has happened periodically. These contingency resources would be available immediately when there is a surge to quickly respond to increased migration at the border.

Considering the crisis at our border and the record amounts of fentanyl coming in, it was not surprising to me in September when the Drug Enforcement Agency, DEA, issued its first public safety alert in more than 6 years after it seized more than 9.5 million fake pills this year, more than the last 2 years combined. As I said, we all need to be on high alert.

We hear a lot these days about problems with the supply chain, with delayed shipments and cancelled orders. I will tell you the Mexican transnational criminal organizations don't have that problem. They are moving more fentanyl than ever into our communities, and once that fentanyl is here, what a waste. Sadly, more people are caught in the grip of addiction.

This brings us to the demand side of the equation. Again, most important to me is reducing the demand for these drugs, but both the demand and the supply side are related.

As we discussed, the supply of deadly fentanyl was already increasing when COVID–19 hit us almost 2 years ago. Clearly, this pandemic has led to more isolation, anxiety for some, depression for others. Millions of Americans lost their jobs through no fault of their own. Millions have lost loved ones to COVID–19. Some in recovery have not been able to be with their treatment providers or with their recovery coaches, as we talked about earlier. Millions have had their lives turned upside down, and some have turned to drugs as a coping mechanism. Others, who were on the path to recovery, have suffered setbacks—relapsing into drug use again.

Last month, I visited with Erin Helms, who runs recovery homes for women in northeast Ohio that I have had the chance to visit. Erin told me about the challenges during COVID to connect people with treatment and recovery support services when they overdose or when they are being released out of the criminal justice system. When we were in the most restrictive time of the pandemic, those people fell through the cracks, and we are seeing the results of that today. These overdose deaths are happening away from the national headlines, but they are taking a toll all the same.

As I said, this is truly a nationwide crisis. It will take all of us here in Congress coming together to work on a bipartisan basis to find solutions to turn the tide again, reduce overdose deaths, and put more affected individuals on the path to recovery.

So what can we do here in Congress in moving forward? What are the answers?

First, we have got to be able to address both the supply side and the demand side. This chart lays out some of the ways we can help with both, all of which I have talked about tonight. This means we need to complete the installation of enhanced border security technology, which has already been appropriated by Congress, so that the Border Patrol has the tools it needs to complete its national security mission—so enhanced border security.

In March, I visited El Paso and saw fully funded construction materials laying on the ground, at the border, at the place where there was a gap in the wall. I heard directly from Border Patrol officers about the importance of enhancing border security to give them the opportunity to complete their national security mission and help them to stop the drugs.

That is why, at his nomination hearing in October, I pressed Tucson Police Chief Chris Magnus, the nominee to be Commissioner of the U.S. Customs and Border Protection, on the need to install the enhanced border technology and complete the funded sections of the wall.

Not only are there physical gaps in the wall right now that we have already paid for, but there is technology, which, to me, is the most important part of the wall. So you need the barrier, but, also, you need the technology to be able to monitor it, and it is only about 10 percent completed in that El Paso sector. That is outrageous.

Everybody—Republicans and Democrats alike—likes to say they are for technology. We should complete the technology along the border and help the Border Patrol be able to do their important job, including keeping these deadly narcotics out of our communities.

We also must pass the bipartisan Border Response Resilience Act, which I talked about, that I introduced with Senator KELLY. It would provide an additional billion dollars to the Border Patrol and U.S. Customs and Border Protection folks during a surge in unlawful migration, like the one we are in right now.

Due to limited resources, Border Patrol agents are pulled off the border to care for migrants, and drug cartels are taking advantage of these open gaps in our Nation's security. Even some of the checkpoints had to be closed down when there was a recent surge on the border near Del Rio, TX. Drug interdiction checkpoints here in the United States are left unmanned so offices can process more migrant families.

But the supply chain doesn't start and end on the U.S. border. Criminals understand the opportunities of the globalized world, and they pose a dynamic threat to the United States. They are smart and adaptable and can take advantage of the complexity and volume of international trade and travel patterns, and they do that. They also understand how to exploit openings in law enforcement and regulatory approaches.

Many of the ingredients used to make fentanyl continue to come from China, and Chinese money laundering networks have emerged as key enablers in the business model of Mexican transnational criminal organizations. This must stop. While we have a complex and difficult agenda with China, this issue needs to remain at the top of our list. I urge the Biden administration to push the Chinese Government to be our partner in cracking down on these international crime rings rather than a tacit enabler. It is in both of our countries' interests.

Likewise, the issue should be front and center in our relationship with Mexico. Both of our countries lose when the traffickers are successful. Our country is inundated with lethal substances, and the cartels gain money and sometimes American-made firearms that allow them to better wage war on the government in Mexico City. For both of our countries' sakes, we need to partner more effectively with Mexico—international cooperation.

We should also recognize that these adaptable drug traffickers will have other options as we go after this current supply chain. We saw this after the STOP Act started to be implemented and traffickers from China shifted to Mexico. There is a risk that it becomes a game of whack-a-mole—when you stop it in one place and it crops up somewhere else. As an example, as we work to stop the flow of fentanyl ingredients from China, other countries, like India, could prove to be good alternative sources. We need to be prepared to partner with India and other potential new sources in this lethal supply chain to ensure we continue to improve our security.

We also need to continue to enforce the provisions in the STOP Act to ensure that our postal service does not, once again, become the viable option for traffickers moving fentanyl into the United States. After missing the initial October 2019 deadline for full implementation of the STOP Act regulations, in March, Customs and Border Patrol finally began demanding 100 percent of advanced tracking data on shipments entering the country. That is good. I am glad we got there. That means that, for every package coming into the United States that originates from a country like India or China, we have a sense of what the package contains, where it is from, and where it is going, or else it doesn't come in.

However, a number of waivers remain in place for these regulations for low-risk, low-volume, and less-developed countries. These waivers allow some countries to continue to skirt these reporting requirements, including, if you can believe it, Russia. It should not be in that category. This means criminals in Russia can continue to send potentially illegal packages into the United States without our knowing in advance what they may contain, posing a significant security risk, and undercutting the goals of the STOP Act.

Frankly, I think it is an unacceptable oversight in enforcement, and I believe there is bipartisan agreement that that is the case. That is why I am urging DHS Secretary Mayorkas and the Biden administration to narrow down the STOP Act waivers and ensure that high-risk countries, like Russia, have to comply with these critical advanced tracking data requirements.

In addition to this added security at the border, closer cooperation with the international community, and better STOP Act enforcement, we need to take the unexpected but important step to make sure that these deadly synthetic opioids actually remain illegal so that our law enforcement can take the proper steps to crack down on them. In order to avoid prosecution, prior to 2018, evil scientists in China and drug traffickers started making slight modifications to fentanyl, sometimes adjusting a single molecule and creating what are essentially fentanyl copycats to get around the law.

While these fentanyl-related substances have the same narcotic properties as fentanyl, their tiny variations allow them to evade prosecution. Oftentimes, actually, these simpler substances than fentanyl were even more deadly. Carfentanil is actually more deadly than fentanyl, and that was one of the substances that was being made. Just this past week, we have learned that a fentanyl-related substance called para-fluorofentanyl has been discovered laced into drugs in my home State of Ohio, as an example.

To address all of this, the Drug Enforcement Administration, in 2018, used its authority to temporarily classify all fentanyl-related drugs as schedule I substances, which allows law enforcement to aggressively intercept and destroy them. Unfortunately, this designation was only temporary. We have successfully extended the designation a few times, but it will expire in about 2 months, at the end of January.

Until we make these fentanyl-related drugs—these are fentanyl copycat drugs, some more dangerous than fentanyl—law enforcement will not have the certainty they need to go after criminals moving these deadly substances, and lives will be lost.

Fortunately, we have legislation, already, to address this. Our bipartisan FIGHT Fentanyl Act, which I introduced with Senator JOE MANCHIN, would fix this problem by permanently classifying fentanyl-related drugs as schedule I. It is about time. That would give our law enforcement the certainty to go after synthetic opioids in all of its forms and show we are committed to addressing the threat posed by this dangerous class of drugs. The FIGHT Fentanyl Act would increase the costs of fentanyl on the street and would be an important step toward rededicating our efforts to stopping these drugs from stealing thousands of lives and causing so much pain.

I urge my colleagues on both sides of the aisle to come together and support this legislation to help us reduce the supply of dangerous synthetic opioids on our streets.

So, again, on the supply side, let's pass legislation to be sure we are making fentanyl permanently illegal.

Let's look at what we can do on the demand side to reduce this demand—insatiable sometimes in our country—for these illegal drugs: more effective prevention and education and ensuring individuals struggling with addiction get the support they need to overcome the disease and no longer feel the need to turn to these dangerous substances. That is all part of it.

The first step, to me, is to continue to build on what we know has worked. Remember, back in 2018, we actually had the first year-over-year decrease in overdose deaths in the country in about three decades—a 22-percent decrease in my home State of Ohio in 1 year. Building on that success starts with building on our CARA legislation we talked about earlier.

Before CARA, the Federal Government provided no funding of any kind for recovery support services, which are so essential to so many in overcoming their addictions. There was also no Federal funding for naloxone, also known as Narcan, which is so effective because it is a miracle drug that allows first responders to reverse the effects of an overdose and save lives and get people into treatment.

CARA also lifted the cap on the number of patients a doctor could treat

with a medication assisted treatment called Suboxone, while also allowing nurse practitioners and physician assistants to prescribe this medication. All of these provisions expanded access to treatment, and that was incredibly important.

I remember a father who came to me from Ohio and talked about his daughter. His daughter had an accident, an injury. She took pain medication. She became addicted to opioids. She then shifted to heroin because it was more available and less expensive. She was in and out of treatment and never took it seriously. One day, she went to her father and said, ''I am ready. I am ready to go into treatment. I am ready to turn my life around.'' He was convinced it was true until he went out to find a treatment provider for her, and as continues to be the case in some communities—and at that time, before 2018, it was the case in many communities—there were no beds available. There was no treatment option. She had to go on a waiting list. While she was on the waiting list, she overdosed on heroin and died in her own bedroom, and her father found her there.

So all of these provisions we put in place expanded access to treatment to be able to ensure that those stories are not repeated.

In the 5 years since our CARA legislation has become law, I have visited with hundreds of recovering addicts at treatment centers; I have visited with experts on local addiction and mental health boards; and I have been to recovery homes and other nonprofits across Ohio. We have talked about what we can do now to build on the successes we were having back in the 2018–2019 period, as well as what we did with regard to CARA 2.0, which is the bill that passed in 2018.

The result of those discussions is CARA 3.0—the third CARA legislation. I introduced that with Senator WHITEHOUSE earlier this year, and it builds on the existing CARA framework and expands its scope to ensure all Americans who are fighting addiction have the chance to overcome this disease. It does so by addressing three important areas: one, research, education, prevention; two, treatment and recovery; and, three, criminal justice reform.

CARA 3.0 will bolster our work to prevent drug abuse—before it even happens—through better research and better education and prevention.

I believe effective prevention is done when it is at the community level, which is where it is most effective, and engages a wide variety of stakeholders—youth, parents, faith leaders, educators—all with a focus on showing the risks of drug abuse and addiction.

There are now about 2,000 community coalitions around the country that do this, and God bless them for the work they do. They benefit from our legislation called the Drug-Free Communities Act, which is also something that is important with regard to CARA 3.0.

Over 25 years ago, I found in my own community an antidrug coalition. It is now called PreventionFIRST! It is still in existence, doing a great job. In fact, I had a Zoom call with the leaders of PreventionFIRST! last week to learn about some of the new innovations they are coming up with to reach more people. They do a drug survey every 2 years—they are in the middle of fielding that right now—where they get the best information. It is almost like a census, not a survey, from high schoolers all over the greater Cincinnati area to find out what drugs are being used, what people's attitudes are about drugs. They take that and use that to try to promote the prevention message in a way that is effective.

I appreciate what they do, again, and that is part of what we need to do in this new legislation, is to redouble our efforts on prevention, to keep people out of the funnel of addiction in the first place. It is obviously the most effective way to address this issue.

In our legislation we call for a massive new national drug awareness campaign as part of this. I believe that ought to be done with help from the private sector, by the way. There are plenty of people in the private sector who have concerns about this issue and should. It affects their workforce.

Certainly, with regard to companies that are in the pharmaceutical business, they should have a strong interest in this. We could leverage funding—taxpayer funding—in ways that could create, for the first time in a couple of decades, a very effective national media campaign to get the word out there.

We know that a number of Federal Agencies have smaller efforts on this front, but we need more coordination and a united message coming from the Federal Government and from the private sector.

Our bill also includes more for research and development of alternative pain treatment methods that don't lead to addiction. To me, it is unbelievable that we are still relying on these opioid pain medications that were developed a couple of decades ago. And although some have worked on this issue—and I appreciate those researchers—we need to put more money and focus on this to find ways to treat pain without the addictive properties of the opioids.

And CARA 3.0 will also take the important step of addressing the disproportionate effect the addiction crisis has had on certain vulnerable communities.

Second, our bill will build on what has worked with regard to treatment and recovery. So the first step is more research, education and prevention. The second one is with regard to treatment and recovery. It will double down on proven evidence-based addiction treatment methods while expanding treatment options for groups particularly vulnerable to addiction, including young people, new and expecting mothers, rural communities, and communities of color.

Third, our bill will build on what works and how we treat addiction. It will double down on these treatment methods. It will, importantly, make permanent the current expanded telehealth options for addiction treatment that were temporarily created in response to the social distancing required by the COVID–19 pandemic.

This is important. Telehealth was something that was a necessity during COVID. People couldn't come to the doctor for visits. They couldn't be at their treatment providers in person. And we wondered whether telehealth would be effective. I believe that for mental health treatment and for addiction services, behavioral health, that it has been incredibly important. And although addictions have gone up during this period, obviously, and the overdose rates are at record highs, my belief—and from talking to experts I have come to this belief—it would be even worse if we had not had the telehealth options.

So in the dark cloud of the pandemic, the silver lining may be that we learned how to use telehealth better. And our legislation allows that to continue to be used with reimbursement; as an example, Medicaid reimbursement or Medicare reimbursement.

CARA 3.0 will also bolster the recovery options for individuals working to put addiction behind them through funding to support the recovery support services and networks. It eliminates the waiver required of physicians who want to provide medication-assisted treatments to their patients and changes the law to allow those drugs to be prescribed via telehealth for greater ease of access.

The bill will also help to destigmatize addiction recovery in the workplace by ensuring that one of these medications to treat addiction does not count as a drug-free workplace violation.

Finally, CARA 3.0 reforms our criminal justice system to ensure that those struggling with addiction, including our veterans, are treated with fairness and common sense, putting them on a path to recovery rather than a downward spiral of abuse.

Importantly, CARA 3.0 funds a Department of Justice grant program to help incarcerated individuals struggling with addiction to receive medication-assisted treatment while they are still in the criminal justice system. This means that when they are released, they have a much higher chance of success.

If someone is addicted, and you don't treat it, and you let them out of the system, they are very likely to go back to a life of addiction. But if we allow medication-assisted treatment in the criminal justice system, we will reduce recidivism or repeated offenses. I think that makes sense for the person addicted, for the community, and certainly for the taxpayer.

CARA and CARA 2.0 have given States and local communities new resources and authorities to make a real

difference. CARA 3.0 renews and strengthens these programs. And given the recent spike in addiction, it provides a boost in funding as well. When added with the existing CARA programs that are authorized through 2023, we would be investing over $1 billion per year to address this longstanding epidemic, putting us on the path toward a brighter future free from addiction.

The addiction epidemic has proven to be resilient. It is a disease that knows no ZIP Code, and one that is always ready to come roaring back should we not stay vigilant.

Columnist Peggy Noonan was exactly right when she wrote a couple of weeks ago in the Wall Street Journal that:

> We have a deep and profound addiction crisis in our country and we've had it so long we forget to see it . . . and nobody's talking about it because nobody has a plan.

She is exactly right. We need a plan right now to tackle this crisis that continues to devastate our country. I have laid out one tonight that can give us some understanding of the magnitude of the problem, the nature of the challenge, but also have the Federal Government take concrete steps to turn the tide once again. Again, we have done it before. Let's do it again.

Washington can and should be a partner to the State and local groups on the ground every day working to combat this crisis. We should be a better partner. We have got to all work together to find constructive solutions to the addiction epidemic and ensure more Americans don't suffer in silence, that we don't lose more lives to these deadly drugs but instead ensure that more Americans can achieve their God-given potential in life.

I yield back my time.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER (Ms. SMITH). Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:23 p.m., adjourned until Tuesday, November 30, 2021, at 10 a.m.