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No. 191

House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Ms. DAVIDS of Kansas).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

November 1, 2021.

I hereby appoint the Honorable SHARICE DAVIDS to act as Speaker pro tempore on this day.

NANCY PELOSI,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2021, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

CONGRESS MUST WORK TOGETHER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. JOYCE) for 5 minutes.

Mr. JOYCE of Pennsylvania. Madam Speaker, attempting to push through yet another socialist spending spree this year might be what liberals think will help their polling numbers, but it is not what the American people need.

In reality, this bill would exacerbate our energy crisis and make our country less safe.

The reckless spending in this legislation can best be defined as build back bankruptcy.

Right now, in my hometown of Altoona, Pennsylvania, gas costs over \$3.50 a gallon. That is money coming directly out of Americans' pockets. If this spending spree is passed, that cost will only go up.

So far, the Biden administration has placed a moratorium on new American drilling, canceled the Keystone XL pipeline, and allowed the Russians to produce oil for our allies in Europe. This legislation, unfortunately, doubles down on the Biden administration's war on American energy.

This lengthy piece of legislation overregulates and overtaxes the natural gas, coal, and Marcellus shale industries that provide good wages and low-cost power to American families.

Instead of supporting American energy, this bill hands out green energy tax credits to wind and solar manufacturers that are unable to meet the energy needs of our country. Wind turbines and solar panels are not going to heat our homes this winter.

We need to focus on regaining America's energy independence. We need to focus on lowering energy costs before winter sets in.

This inflation is not transitory. We cannot wish this problem away.

Passing the Green New Deal dressed up as infrastructure legislation is not the answer to the problem that we are currently facing.

Madam Speaker, I encourage all Members of this body to work together to pass an infrastructure bill that would actually rebuild our roads and rebuild our bridges.

In Congress, we must be responsible stewards of the taxpayers' dollars. We need to find a fiscally responsible way to build roads and to repair bridges.

We need to complete the Appalachian regional highway system, and we need to expand internet access to all citizens across the Commonwealths, across the States, and across America. We need to do this without mortgaging our

children's future. We need to do this without ballooning our deficit in a way that would hamstring the American people for decades to come.

PAYOUTS TO ILLEGAL IMMIGRANTS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Madam Speaker, the American people are wondering: What is the Biden administration thinking?

Last week, The Wall Street Journal reported that the Department of Justice is negotiating a settlement that would give \$450,000 per person to illegal immigrants. For a parent and child, the payout increases to \$900,000.

To put this in context, if a service-member is killed in action, their next of kin receives an insurance payment of \$400,000. What this means is that the Biden administration will pay illegal immigrants more than the families of America's fallen heroes.

That fact alone is repulsive. These people broke the law by illegally entering our country, and now they are about to receive a payout from the government.

That is the kind of welfare mentality that is corrupting this country and will do nothing but encourage more illegals to try to enter our country.

Shame on President Biden and his administration.

RECOGNIZING MILITARY FAMILY APPRECIATION MONTH

Ms. FOXX. Madam Speaker, behind every man and woman in uniform are family members who exhibit great resilience while their loved ones serve this great country.

No matter their backgrounds or where life's journey has taken them, these families are all connected by service and their collective love for America.

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Madam Speaker, November is Military Family Appreciation Month, a solemn time when we recognize the innumerable military families from all corners of America.

We recognize their support for their loved ones in uniform and the sacrifices that they continue to make every day.

I salute particularly those from the Fifth District of North Carolina and thank them for their service.

The simple truth is that every American owes them and their loved ones both at home and abroad a profound debt of gratitude.

May we never forget that.

WHERE IS THE ACCOUNTABILITY

Ms. FOXX. Madam Speaker, if I laid over 1,500 pages of text in front of you right now, would you be able to tell me quickly what is on every single page? If the answer is no, that is not surprising.

Yet, that is exactly what happened last week when the majority decided to drop the text of the massive socialist tax and spending package at a moment's notice.

Does this sound familiar? It is what happened when House Democrats passed ObamaCare, and nobody had the time to read its text either, although Republicans made an earnest effort to read every page. It is the same irresponsible tactic of passing a bill to find out what is lurking beneath its pages.

Madam Speaker, this process is making a mockery of the people's House, and it is downright shameful. It is time to stop it.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CASTEN) at 2 p.m.

PRAYER

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

Be forever blessed, O God, in the songs of the saints who have gone before us, who confessed Your name in the living of their days. We praise You, the God of our parents and our parents' parents, the Lord of all who have graced this Earth.

To You, O God, the rock, the refuge and strength of our forebears, You who put their fears to rest that they would stand bravely in their well-fought fight, to You be all praise for You are our hope and stay this day.

Give welcome to the souls of those who have left us to be received into

Your loving embrace. And then grant us Your peace as we hold fast to their memory from day to day, knowing that they have been rewarded for their toil.

Now as we receive the legacy of the faithful, whose names we lift up to You in the silence of our hearts, may our days prove as fruitful and our lives as wholly devoted to the tasks You call us to carry forth, on behalf of all the saints who now rest from their labors.

Remind us that the calm of paradise awaits us. In the hope of this promise and the strength of Your name we pray.

Amen.

THE JOURNAL

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

PLEDGE OF ALLEGIANCE

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

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would now entertain up to 15 requests for 1-minute speeches on each side of the aisle.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 28, 2021.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 28, 2021, at 8:26 p.m.:

That the Senate passed without amendment H.R. 5763.

With best wishes, I am,
Sincerely,

GLORIA J. LETT,
Deputy Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Thursday, October 28, 2021:

H.R. 5763, to provide an extension of Federal-aid highway, highway safety,

and transit programs, and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 29, 2021.

Hon. NANCY PELOSI,
The Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on October 29, 2021 at 10:29 a.m., said to contain a message from the President on the continuation of the national emergency with respect to Sudan.

With best wishes, I am,
Sincerely,

CHERYL L. JOHNSON,
Clerk of the House.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 117-69)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Sudan declared in Executive Order 13067 of November 3, 1997, is to continue in effect beyond November 3, 2021.

Sudan made strides in its transition toward democracy since 2019, but the military takeover of the government and arrest of civilian leaders now threaten those positive gains. The crisis that led to the declaration of a national emergency in Executive Order 13067; the expansion of that emergency in Executive Order 13400 of April 26, 2006; and the taking of additional steps with respect to that emergency in Executive Order 13412 of October 13, 2006, Executive Order 13761 of January 13, 2017, and Executive Order 13804 of July 11, 2017, has not been resolved. The situation in Darfur continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I

have determined that it is necessary to continue the national emergency declared in Executive Order 13067, as expanded by Executive Order 13400, with respect to Sudan.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, October 28, 2021.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. DINGELL) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

CATAWBA INDIAN NATION LANDS ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1619) to clarify the status of gaming conducted by the Catawba Indian Nation, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1619

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 "Catawba Indian Nation Lands Act".

SEC. 2. APPLICATION OF CURRENT LAW.

(a) LANDS IN SOUTH CAROLINA.—Section 14 of the Catawba Indian Tribe of South Carolina Claims Settlement Act of 1993 (Public Law 103-116) shall only apply to gaming conducted by the Catawba Indian Nation on lands located in South Carolina.

(b) LANDS IN STATES OTHER THAN SOUTH CAROLINA.—Gaming conducted by the Catawba Indian Nation on lands located in States other than South Carolina shall be subject to the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and sections 1166 through 1168 of title 18, United States Code.

SEC. 3. REAFFIRMATION OF STATUS AND ACTIONS.

(a) RATIFICATION OF TRUST STATUS.—The action taken by the Secretary on July 10, 2020, to place approximately 17 acres of land located in Cleveland County, North Carolina, into trust for the benefit of the Catawba Indian Nation is hereby ratified and confirmed as if that action had been taken under a Federal law specifically authorizing or directing that action.

(b) ADMINISTRATION.—The land placed into trust for the benefit of the Catawba Indian Nation by the Secretary on July 10, 2020, shall—

(1) be a part of the Catawba Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for an Indian Tribe; and

(2) be deemed to have been acquired and taken into trust as part of the restoration of lands for an Indian tribe that is restored to Federal recognition pursuant to section 20(b)(1)(B)(iii) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)(B)(iii)).

(c) RULES OF CONSTRUCTION.—Nothing in this Act shall—

(1) enlarge, impair, or otherwise affect any right or claim of the Catawba Indian Nation to any land or interest in land in existence before the date of the enactment of this Act;

(2) affect any water right of the Catawba Indian Nation in existence before the date of the enactment of this Act;

(3) terminate or limit any access in any way to any right-of-way or right-of-use issued, granted, or permitted before the date of the enactment of this Act; or

(4) alter or diminish the right of the Catawba Indian Nation to seek to have additional land taken into trust by the United States for the benefit of the Catawba Indian Nation.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today is the first day of the month that is dedicated to Native American heritage. As we all know, the United States' historic treatment of our indigenous governments and peoples is fraught with genocide, displacement, termination, and attempts to eliminate Native American culture, language, and identity.

But as a Nation, we have also taken actions to remedy and to build back from that sad history. In 1934, Congress recognized that termination was the wrong policy and passed the Indian Reorganization Act, which recognized Tribal governments and placed most remaining Tribal land into trust. In 1975, we passed the Indian Self-Determination Act, which allowed Tribes to reassert their sovereignty and jurisdiction over their own lands and programs intended to benefit them, but the work is far from done.

Through bipartisan legislation we are debating today, and many other legis-

lative initiatives we will undertake this 117th Congress, we are furthering Tribal recognition and reacquisition of Tribal homelands. We are strengthening the consultation requirements to provide better healthcare to the 70 percent of Native Americans living in urban areas. In the infrastructure bill and Build Back Better Act, we will have historic levels of funding for programs that meet the trust responsibilities owed to Native Americans, promised to them as the United States entered into treaties and took over their historic lands.

Our work today declares that it is not enough to just acknowledge Native American heritage, we must also pass the legislation that protects that heritage and strengthens Tribal sovereignty and self-determination.

Madam Speaker, I want to thank Majority Leader HOYER for scheduling these bills to be heard today as we begin Native American Heritage month. I especially want to thank Chairman GRIJALVA and Ranking Member WESTERMAN for moving the bills through the Natural Resources Committee.

Madam Speaker, I wish to thank the sponsors of the bills and the committee staff who dedicate themselves to getting things done on behalf of the indigenous peoples of our country.

Madam Speaker, I will turn to H.R. 1619. The Catawba Indian Nation Lands Act, introduced by Representative CLYBURN of South Carolina, will ratify and confirm the Department of the Interior's decision to take into trust 17 acres of land in Cleveland County, North Carolina, for the benefit of the Catawba Indian Nation.

The Catawba Indian Nation is the only Federally-recognized Tribe in South Carolina, and its approximately 3,400 members reside primarily in the Catawba River Valley. The current Catawba Reservation is made up of multiple parcels of land in South Carolina, totaling about 700 acres.

To improve the Tribal economy and meet the needs of Tribal members, the Catawba Nation petitioned the Department of the Interior to place approximately 17 acres of land, known as the Kings Mountain site, into trust in Cleveland County, North Carolina, for gaming and other purposes.

On March 12, 2020, the Department of the Interior accepted the Catawba Indian Nation's request to transfer the land into trust. The Department's decision derived from the terms of the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993, which ended the Nation's fight against the State of South Carolina in its assertion of aboriginal land claims.

The Act not only restored the Federal trust relationship between the Nation and the Federal Government, but it also contained various provisions about the trust acquisition of land by the Secretary of the Interior, the use of such land for gaming, and the applicability of the Indian Gaming Regulatory Act.

Following the announcement of the Department of the Interior's decision, the Eastern Band of Cherokee Indians filed a suit against it to block the Nation's plans to construct a casino complex at the Kings Mountain site.

Among other assertions, the Eastern Band of Cherokee Indians claims that the project will encroach upon its aboriginal territory. However, the historical records demonstrate the Kings Mountain site is within the aboriginal and historical lands of the Catawba Nation.

H.R. 1619 will thus reaffirm the Department of the Interior's recognition of Catawba Indian Nation's historical and ancestral ties to the lands in Kings Mountain and the Catawba Nation's right to conduct gaming operations on those lands under the terms of the Indian Gaming Regulatory Act.

The legislation will provide much-needed economic development opportunities to the Nation and the surrounding local communities.

Madam Speaker, I want to thank Mr. CLYBURN for championing this bipartisan legislation, and I urge its quick adoption. I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 1619 would ratify and reaffirm a March 2020 decision by the Department of the Interior to place 17 acres of the land located in Kings Mountain, North Carolina, into trust for the Catawba Indian Nation.

In 1980, the Catawba Tribe filed a land claim for former Tribal land in South Carolina, but the agreement they entered with the State failed to provide a clear understanding as to where the Tribe may have lands held in trust, what process is required, or whether the Indian Gaming Regulatory Act applies to the Catawba Nation.

By 1993, the Tribe and the State of South Carolina entered into an agreement to settle the lawsuit, and the South Carolina legislature enacted a law ratifying that agreement.

That same year, Congress ratified the settlement agreement by passing the Catawba Indian Tribe of South Carolina Land Claims Settlement Act and extinguished any other potential claims of the Catawba.

In exchange, the Catawba received \$50 million, the restoration of their status as a Federally-recognized Tribe, and a streamlined process for restoring its land base in South Carolina.

But confusion about the Tribe's land continued as it submitted an application with the Department of the Interior to place land in Cleveland County, North Carolina, acquired into trust to develop a casino.

Even after the Department of the Interior approved the Catawba's trust application, determining that the Tribe met the restored lands exemption under the Indian Gaming Regulatory Act, there were still ambiguities that led to a challenge in court.

Madam Speaker, I hope that this bill will finally resolve the remaining issues and give the Catawba Tribe certainty about its land and the ways it can use it.

Madam Speaker, I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Madam Speaker, I rise today to call upon this august body for a favorable vote on H.R. 1619. That is a very interesting number for this legislation. This legislation is known as the Catawba Indian Nation Lands Act.

The Catawba Indian Nation Lands Act clarifies that the Catawba Indian Nation is subject to the well-established rules and regulations of the Indian Gaming Regulatory Act on their modern and ancestral lands in the State of North Carolina.

This legislation will clarify the Tribe's 1993 Land Claims Settlement Act and reaffirm recent action taken by the Department of the Interior to take land into trust for the Tribe.

Most importantly, this bipartisan legislation is a very significant step toward rectifying historic injustices that have been perpetrated against the Catawba Indian Nation.

Like, in many other instances of current effects of historical inequities, the Catawba Nation experiences high unemployment and poverty rates causing many of its citizens to rely upon Federal and State governments for basic social services.

The enactment of this legislation is critical to helping the Catawba Indian Nation secure economic self-sufficiency as Congress originally intended when it passed the Indian Gaming Regulatory Act of 1988.

Madam Speaker, I respectfully ask my colleagues for a favorable vote on this Act.

Mr. WESTERMAN. Madam Speaker, I yield such time as he may consume to the gentleman from South Carolina (Mr. TIMMONS).

Mr. TIMMONS. Madam Speaker, I rise today in strong support of H.R. 1619, the Catawba Indian Nation Lands Act. I was proud to partner with the majority whip, Mr. CLYBURN, and several other of my colleagues from North and South Carolina in introducing this legislation.

This bill is straightforward. It would simply codify action taken by President Trump's Department of the Interior last year, granting 17 acres of the Catawba Indian Nation's ancestral lands into trust for the Tribe.

This action by the Interior Department has been held up needlessly in the Federal court system, although the only decisions so far have been held in favor of the Catawbas. This bill would cut short that process and confirm the ability for the Catawba Indian Nation to move forward with their plans for this piece of land which, I would note

again, is most certainly within the borders of their ancestral homelands.

This piece of land will be critical in providing economic opportunity for a community that suffers from above-average unemployment and poverty rates. This will enable self-sufficiency and reduce the need for members of the Catawba population to rely on Federal and State governments for basic social services.

This step has been many years in the making, and I am glad to have played a small part in getting it done. I would also like to thank our partners in the Senate, Senators GRAHAM, TILLIS, and BURR for spearheading this effort in their body. Hopefully, we can get this important piece of legislation to the President's desk in short order.

Madam Speaker, in closing, I would like to ask my colleagues to join me in support of this bill. It is bipartisan, it is common sense, and it will very much help the 3,400 members of the Catawba Nation in North and South Carolina live more prosperous lives.

Mr. WESTERMAN. Madam Speaker, I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Madam Speaker, let me first thank Congressman LEGER FERNANDEZ for her friendship and leadership, and thank her for yielding time to me this afternoon.

Madam Speaker, I rise in support of H.R. 1619, the Catawba Indian Nation Lands Act.

A few moments ago, Congressman CLYBURN made reference to the fact that 1619 was a very significant number. What he was referring to, Madam Speaker, was that it was the year 1619 that the first slaves arrived in America—the first African slaves, I might say, arrived in America.

□ 1615

It is very interesting that this bill bears that number, but I am in full support of this legislation.

Madam Speaker, this is good, bipartisan legislation. You can see that it has support on both sides of the aisle. It will ratify actions taken by the Department of the Interior that placed 17 acres of land in North Carolina that are within the Catawba's service area, as defined by Congress in 1993, that land was placed into trust for the benefit of the Tribe.

This bill would enable the Catawba Indian Nation to secure economic self-sufficiency as envisioned by Congress in passing the Indian Gaming Regulatory Act of 1987. It will generate millions of dollars in economic development and create thousands of jobs in North Carolina, where few jobs currently exist.

That, Madam Speaker, is why I have such a deep interest in this legislation, because of the economic impact.

The Catawba Nation has already signed an agreement. I need to make

sure the record is clear about that. The Catawba Nation has already signed an agreement with our Governor, Governor Roy Cooper, and they have the support of the local community.

Madam Speaker, I respectfully urge my colleagues to vote "yes" on this important legislation.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I think that we have heard today about the importance of how we are, in essence, making history by undoing a little bit of the unfortunate history of the United States. This small parcel of land, which will be taken into trust, will yield significant benefits for the Tribe.

I do appreciate the fact that, like all the legislation we are considering today, it is bipartisan and that all of those who are supporting it recognize the benefits that it will bring to the Catawba Nation.

Madam Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 1619.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

LUMBEE RECOGNITION ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2758) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2758

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 "Lumbee Recognition Act".

SEC. 2. FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254, chapter 375), is amended—

(1) by striking section 2;

(2) in the first sentence of the first section, by striking "That the Indians" and inserting the following:

"SEC. 3. DESIGNATION OF LUMBEE INDIANS.

"The Indians";

(3) in the preamble—

(A) by inserting before the first undesignated clause the following:

"SECTION 1. FINDINGS.

"Congress finds that—";

(B) by designating the undesignated clauses as paragraphs (1) through (4), respectively, and indenting appropriately;

(C) by striking "Whereas" each place it appears;

(D) by striking "and" after the semicolon at the end of each of paragraphs (1) and (2) (as so designated); and

(E) in paragraph (4) (as so designated), by striking "": Now, therefore," and inserting a period;

(4) by moving the enacting clause so as to appear before section 1 (as so designated);

(5) by striking the last sentence of section 3 (as designated by paragraph (2));

(6) by inserting before section 3 (as designated by paragraph (2)) the following:

"SEC. 2. DEFINITIONS.

"In this Act:

"(1) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(2) TRIBE.—The term 'Tribe' means the Lumbee Tribe of North Carolina or the Lumbee Indians of North Carolina."; and

(7) by adding at the end the following:

"SEC. 4. FEDERAL RECOGNITION.

"(a) IN GENERAL.—Federal recognition is extended to the Tribe (as designated as petitioner number 65 by the Office of Federal Acknowledgment).

"(b) APPLICABILITY OF LAWS.—All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Tribe and its members.

"(c) PETITION FOR ACKNOWLEDGMENT.—Notwithstanding section 3, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Tribe (as determined under section 5(d)) may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgment of tribal existence.

"SEC. 5. ELIGIBILITY FOR FEDERAL SERVICES.

"(a) IN GENERAL.—The Tribe and its members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes.

"(b) SERVICE AREA.—For the purpose of the delivery of Federal services and benefits described in subsection (a), those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

"(c) DETERMINATION OF NEEDS.—On verification by the Secretary of a tribal roll under subsection (d), the Secretary and the Secretary of Health and Human Services shall—

"(1) develop, in consultation with the Tribe, a determination of needs to provide the services for which members of the Tribe are eligible; and

"(2) after the tribal roll is verified, each submit to Congress a written statement of those needs.

"(d) TRIBAL ROLL.—

"(1) IN GENERAL.—For purpose of the delivery of Federal services and benefits described in subsection (a), the tribal roll in effect on the date of enactment of this section shall, subject to verification by the Secretary, define the service population of the Tribe.

"(2) VERIFICATION LIMITATION AND DEADLINE.—The verification by the Secretary under paragraph (1) shall—

"(A) be limited to confirming documentary proof of compliance with the membership criteria set out in the constitution of the Tribe adopted on November 16, 2001; and

"(B) be completed not later than 2 years after the submission of a digitized roll with supporting documentary proof by the Tribe to the Secretary.

"SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.

"(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is hereby authorized to take land into trust for the benefit of the Tribe.

"(b) TREATMENT OF CERTAIN LAND.—An application to take into trust land located within Robeson County, North Carolina, under this section shall be treated by the Secretary as an 'on reservation' trust acquisition under part 151 of title 25, Code of Federal Regulations (or a successor regulation).

"SEC. 7. JURISDICTION OF STATE OF NORTH CAROLINA.

"(a) IN GENERAL.—With respect to land located within the State of North Carolina that is owned by, or held in trust by the United States for the benefit of, the Tribe, or any dependent Indian community of the Tribe, the State of North Carolina shall exercise jurisdiction over—

"(1) all criminal offenses that are committed; and

"(2) all civil actions that arise.

"(b) TRANSFER OF JURISDICTION.—

"(1) IN GENERAL.—Subject to paragraph (2), the Secretary may accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in subsection (a) over Indian country occupied by the Tribe pursuant to an agreement between the Tribe and the State of North Carolina.

"(2) RESTRICTION.—A transfer of jurisdiction described in paragraph (1) may not take effect until 2 years after the effective date of the agreement described in that paragraph.

"(c) EFFECT.—Nothing in this section affects the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

"SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated such sums as are necessary to carry out this Act.

"SEC. 9. SHORT TITLE.

"This Act may be cited as the 'Lumbee Tribe of North Carolina Recognition Act'."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2758, the Lumbee Recognition Act, introduced by Representative BUTTERFIELD from North Carolina, will extend Federal recognition to the Lumbee Tribe of North Carolina.

With approximately 60,000 members, the Lumbee Tribe is the largest in North Carolina, the largest Tribe east of the Mississippi River, and the ninth largest Tribe in the Nation.

In 1885, the Lumbee Tribe was recognized by the State of North Carolina.

The Tribe then sought Federal recognition from the United States in 1889 and has been pursuing its recognition ever since.

Over the past 130 years, numerous bills have been introduced in Congress to federally recognize the Lumbee people, resulting in a significant record of hearing transcripts and committee reports. In addition, numerous studies have been undertaken in academia on Lumbee ancestry, including reports filed by the Department of the Interior on the Tribe's validity.

All of these documents and these reports consistently conclude one thing: The Lumbee people are indeed a distinct, self-governing community that has been continuously and undeniably present in the Robeson County area. However, in 1955, when the Lumbee Tribe once again sought Federal recognition, the U.S. Government was actively terminating its relationship with Tribal governments.

To that end, the Department of the Interior recommended that Congress amend the recognition legislation to deny eligibility for the benefits and services available to the Tribe after becoming recognized under the bill. Congress then enacted this amended legislation in 1956, which had the effect of simultaneously federally recognizing the Lumbee Tribe and effectively terminating that recognition.

In 1987, the Lumbee Tribe attempted to restore their Federal recognition through the Federal acknowledgment process at the Department of the Interior. However, the Department determined that the Tribe was ineligible to participate in the Federal acknowledgment process because Congress, according to the 1956 act, had terminated its relationship with the Tribe. Therefore, only Congress could restore that relationship. This is what the enactment of H.R. 2758 will accomplish.

Federal recognition is the formal establishment of a government-to-government relationship between the United States and a Tribal nation. Its importance to Tribes cannot be overstated.

Federal recognition allows a Tribe to reestablish its homelands and place that land into trust for future generations. Recognizing Tribes as sovereign entities enables Tribal governments to manage resources, including local jurisdiction and taxation issues. Recognition also entitles Tribal citizens to distinctive benefits, including eligibility to participate in many Federal programs, including for healthcare and education.

That is why the enactment of this legislation is vital to the Lumbee Tribe. Let's keep in mind that the Lumbee Tribe has been seeking formal Federal recognition for over 100 years. Now is the time.

Other Tribes that were terminated by congressional action had come before Congress and had their relationship reestablished through legislation. After a century of inaction, it is finally time

that we extend Federal recognition to the Lumbee Tribe.

Madam Speaker, I want to thank Representative BUTTERFIELD for championing this bipartisan legislation. I urge its quick adoption, and I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2758 would extend Federal recognition to the Lumbee Tribe of North Carolina and remove a bar that has prevented the Tribe from being federally recognized.

Recognizing the Lumbee Tribe would make its members eligible for services, benefits, and immunities available to other federally recognized Indian Tribes. The bill would also establish a service area to deliver Federal programs to Robeson, Cumberland, Hoke, and Scotland Counties in North Carolina.

In 1956, an act by Congress designated certain Indians as Lumbee Indians of North Carolina and declared that they shall enjoy all rights as citizens of the State of North Carolina and the United States. At the same time, the act made them ineligible for services available to recognized Tribes and makes Indian statutes inapplicable to them.

This scheme has led to conflicting Department of the Interior solicitor opinions regarding whether the Lumbee Tribe may pursue administrative recognition. H.R. 2758 would resolve those conflicting administrative opinions and recognize the Tribe so that its Members can receive the benefits that other Tribes have.

Madam Speaker, I want to thank Representative DAN BISHOP from the State of North Carolina for his leadership on the issue.

Madam Speaker, I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Madam Speaker, let me first thank Congresswoman LEGER FERNANDEZ for her friendship, her extraordinary leadership, and her passionate leadership. The gentlewoman is a wonderful member of this body, and I thank her so much for all that she does. She and I serve on another committee together, the Elections Subcommittee, and I have seen her in action.

Madam Speaker, I thank all of our cosponsors of this legislation for their support, both Democratic and Republican, including the Tribe's Representative, Congressman DAN BISHOP from the Ninth District of North Carolina, who is my friend.

Madam Speaker, I rise in strong support of my bill, H.R. 2758, the Lumbee Recognition Act, and I urge my colleagues to vote for its passage.

Madam Speaker, the Lumbee Recognition Act will finally extend full Federal recognition to the Lumbee Tribe of North Carolina and make its

members eligible for the same services and the same benefits provided to members of other federally recognized Tribes.

Most importantly, the bill would establish, once and for all, the Lumbee Tribe as an independent and sovereign entity under Federal law.

Madam Speaker, we have an opportunity before us to do the right thing and fix a historic wrong by passing my bill. North Carolina has recognized the Lumbee Tribe since 1885, and this body, the Congress, recognized the Tribe in the 1950s but, during the dark days of the termination era, refused to allow the Lumbee Tribe access to federally funded services and benefits. What a shame.

Almost all Tribes that were "terminated" in this troubling era have since been restored to Federal recognition. We are long overdue in delivering the same justice to the Lumbee Tribe.

This legislation has tremendous bipartisan support inside and outside North Carolina as demonstrated by a unanimous House vote to pass this very bill last Congress and President Biden's support for full Federal recognition of the Lumbee Tribe. Now is the time, Madam Speaker, to get it done.

Madam Speaker, the merits of the Lumbee's claim for full Federal recognition have long been accepted by our State of North Carolina, academia, and the Federal Government. It is long past time for Congress to give the Lumbee the respect they deserve and to treat them with the fundamental fairness that has been withheld for so many years.

As Ms. LEGER FERNANDEZ said earlier, this is the first day of Native American History Month. What an honor.

Madam Speaker, I urge my colleagues to vote "yes" and stand on the right side of history.

Ms. LEGER FERNANDEZ. Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. BISHOP) who has done so much work on this issue.

Mr. BISHOP of North Carolina. Madam Speaker, I thank the gentleman for yielding, and I thank Representative BUTTERFIELD for those fine comments. I agree with him 100 percent.

That bill that Congress passed back in 1956 said this, even as it recognized the Lumbee: "Nothing in this act shall make such Indians eligible for any services performed by the United States for Indians because of their status as Indians, and none of the statutes of the United States which affect Indians because of their status as Indians shall be applicable to the Lumbee Indians."

My goodness. What an error, what a mistake, and what an injustice. But that is what the Congress of that time

said, and it is high time for us to correct that injustice. Therefore, I am proud to be a cosponsor with Representative BUTTERFIELD and Representative HUDSON of this legislation.

The Lumbee have for three centuries been a cohesive and distinct community of aboriginal origins and durable institutions, especially schools, living near the Lumber River in Robeson County.

The Lumbee have been called by several names, but it cannot be disputed that they are the continuously present and vital people shown on a map drawn in 1725 whose common modern surnames appear on a document written in 1771: Locklear, Chavis, Dees, Sweat, and Groom. They are the Lumbee who were living in Long Swamp in the 1730s, the community now known as Prospect.

I said these words last year when it appeared very favorable that we were going to pass Lumbee recognition then, and I am going to say it continuously until we get this done, that this is going to be the year.

I know the Lumbee. I know the Warriors Ball and Lumbee Homecoming, UNC-Pembroke and Old Main, the Lumbee Cultural Center and the Cozy Corner. The Lumbee are supremely patriotic Americans, God-fearing and washed in the blood, devoted to the liberating cause of education and to civic involvement, proud of their community, and loving and welcoming to strangers. They are the best of America, and the only honorable course for the United States Congress is to accord them their due recognition at long last.

So my thank-you to Representative BUTTERFIELD for sponsoring this legislation. I thank Representative HUDSON and Representatives GRIJALVA and WESTERMAN for permitting it to come forward—staunch supporters of the Lumbees' pursuit of justice. I thank Senators BURR and TILLIS. Lumbee recognition took on new life when both North Carolina Senators began to champion it.

Thanks also to former Representative Mike McIntyre of Robeson County, who worked for Lumbee recognition for more than a decade. We almost accomplished passage last year. This is going to be the year.

Madam Speaker, I urge overwhelming support for the Lumbee Recognition Act.

□ 1630

Mr. WESTERMAN. Madam Speaker, I thank the gentleman for his unwavering support for his constituents and his efforts to work across the aisle.

Madam Speaker, I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I have no further requests for time, and I would inquire whether my colleague has any remaining speakers on their side.

I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I am ready to close, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I, too, want to thank Mr. BISHOP, Mr. BUTTERFIELD, Mr. WESTERMAN, and Mr. GRIJALVA for championing this legislation so that we may today undo 100 years of injustice.

Madam Speaker, I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. MANNING). The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 2758.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

PALA BAND OF MISSION INDIANS LAND TRANSFER ACT OF 2021

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1975) to take certain land located in San Diego County, California, into trust for the benefit of the Pala Band of Mission Indians, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1975

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 "Pala Band of Mission Indians Land Transfer Act of 2021".

SEC. 2. TRANSFER OF LAND INTO TRUST FOR THE PALA BAND OF MISSION INDIANS.

(a) TRANSFER AND ADMINISTRATION.—

(1) TRANSFER OF LANDS INTO TRUST.—If, not later than 180 days after the date of the enactment of this Act, the Tribe transfers title to the land referred to in subsection (b) to the United States, the Secretary, not later than 180 days after such transfer, shall take that land into trust for the benefit of the Tribe.

(2) ADMINISTRATION.—The land transferred under paragraph (1) shall be part of the Pala Indian Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for an Indian Tribe.

(b) LAND DESCRIPTION.—The land referred to in subsection (a)(1) is the approximately 721.12 acres of land located in San Diego County, California, generally depicted as "Gregory Canyon Property Boundary" on the map titled "Pala Gregory Canyon Property Boundary and Parcels".

(c) RULES OF CONSTRUCTION.—Nothing in this Act shall—

(1) enlarge, impair, or otherwise affect any right or claim of the Tribe to any land or interest in land that is in existence before the date of the enactment of this Act;

(2) affect any water right of the Tribe in existence before the date of the enactment of this Act; or

(3) terminate or limit any access in any way to any right-of-way or right-of-use

issued, granted, or permitted before the date of the enactment of this Act.

(d) RESTRICTED USE OF TRANSFERRED LANDS.—The Tribe may not conduct, on the land taken into trust for the Tribe pursuant to this Act, gaming activities—

(1) as a matter of claimed inherent authority; or

(2) under any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and regulations promulgated by the Secretary or the National Indian Gaming Commission under that Act.

(e) DEFINITIONS.—For the purposes of this section:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) TRIBE.—The term "Tribe" means the Pala Band of Mission Indians.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 1975, the Pala Band of Mission Indians Land Transfer Act of 2021, introduced by Representative ISSA from California, will direct the Secretary of the Interior to take 721.12 acres of land into trust for the Pala Band of Mission Indians.

The Pala Band of Mission Indians is located in northern San Diego County with 918 enrolled members. Members of the Pala Band belong to the Cupeno and Luiseno Tribes who were forced together by Spanish Franciscan missionaries during the 1800s.

The Pala Band recently purchased property that includes the remaining portion of Gregory Mountain that is not on the existing Pala Band Reservation and other sacred and culturally significant sites in Gregory Canyon. The land was purchased to protect and preserve Gregory Mountain, Medicine Rock, and other sites considered sacred by Luiseno Tribes.

Taking land into trust is an integral part of the government-to-government relationship between the U.S. Government and Tribal governments. By maintaining Tribal lands, Tribal governments can protect and preserve their ancestral homelands or sacred sites considered culturally significant.

This bill takes 721.12 acres into trust for the benefit of the Pala Band, ensuring that the sacred sites and cultural history located on those lands will be honored appropriately and safeguarded. The bill also stipulates that current

land and water rights are not affected by its enactment, nor are any rights-of-way or rights of use that are currently permitted.

Lastly, the Pala Band may not conduct any gaming activities on the land.

Madam Speaker, I want to thank Representative ISSA for championing this bipartisan legislation, and I urge its quick adoption. I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 1975, the Pala Band of Mission Indians Land Transfer Act.

This bill would place approximately 721 acres of land located in San Diego, California, into trust for the Pala Band of Mission Indians.

As Ms. LEGER FERNANDEZ said, gaming pursuant to the Indian Gaming Regulatory Act is prohibited on the lands to be placed into trust by this legislation. In the early 1990s, San Diego, California, voters approved a plan to establish the Gregory Canyon landfill project, but the landfill process fell into bankruptcy and the development company sold a portion of the land to the Tribe for cultural preservation. The Tribe is now requesting to have that land placed into trust to be part of the Tribe's reservation.

I want to thank Mr. ISSA for his leadership on this issue, and I again urge adoption of the measure, and I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. ISSA).

Mr. ISSA. Madam Speaker, I thank the gentleman for yielding. As the chair and ranking member said, this is bipartisan, and I am sure will be bicameral, and, in fact, it is necessary because not only is H.R. 1975 necessary in order to put land in trust, but we, for more than 20 years now, have had to put most land that gets into trust in trust because of action by the Congress.

I want to take this opportunity on behalf of the 18 Tribes that I represent and have represented for most of my 20 years in Congress and say that this is the kind of bill that I hope we will pass further legislation to make unnecessary. The essential right of our first people to reclaim their ancestral land and have it placed into trust on a pro forma basis, on a nearly automatic basis, should not require action by Congress time and time again.

The Pala Band of Indians had to buy this land at their own expense in order to gift it, essentially, to the Federal Government. They do so because of the importance of their ancestral land and their pride in the people they are and the people they have been since before man, Western man, walked into California and disrupted their lives.

So I am proud that, once again, we are putting land in trust. I am proud of the Pala Indians who worked for more than 30 years to recapture this land, to keep it from being effectively taken away in perpetuity. They have done the right thing.

They have reinvested their hard-earned money, in fact, on putting, for their nearly 1,000 members, together a future of Tribal land in which the public can be aware will be taken care of better than it was under private land.

It is interesting to me that, in fact, we have had to get assurances that the Tribe would not use this for gaming, which is understood. But the idea that they cannot use it—they do not, in fact, regain their water rights that they historically would have, and others—quite frankly, is a giveaway that should not be necessary.

I am happy to take the opportunity to thank the chairman and ranking member, but I ask that we really take a hard look at the inefficiency of the system that has caused every single land in trust that has been done for my 18 Tribes, or many of my 18 Tribes over 20 years, to require this action.

I believe we should streamline the process to make the bias in favor of the Tribe's right to reclaim their land, to place it, in fact, into what is trust land, which is another name for it belongs to the Federal Government even though it has been bought out of the hardworking representatives in my district; in this case, Pala.

So I want to thank the gentleman for moving this. I believe this is non-controversial. I know I brought up a point that is more controversial which is getting the bureaucracy to do a job they should do on behalf of Tribes throughout the United States. As somebody who has been honored to represent much of Indian Country in California, I hope I speak accurately for all 18 Tribes that they believe that what was theirs and is theirs again, should be placed in trust as soon as possible.

I thank the gentleman for yielding.

Mr. WESTERMAN. Madam Speaker, I thank the gentleman for his advocacy on the part of his constituents. I do again urge adoption of this.

I am ready to close, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I do want to thank Representative ISSA, Representative WESTERMAN, and Chair GRIJALVA for moving this bipartisan bill forward and taking the action that is required at this time to ensure that the Pala Band of Indians can, indeed, control this land for their sacred and cultural sites.

Madam Speaker, I urge all of my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 1975.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

URBAN INDIAN HEALTH CONFERENCE ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5221) to amend the Indian Health Care Improvement Act to establish an urban Indian organization confer policy for the Department of Health and Human Services.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5221

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 "Urban Indian Health Confer Act".

SEC. 2. URBAN INDIAN ORGANIZATION CONFERENCE POLICY.

Section 514(b) of the Indian Health Care Improvement Act (25 U.S.C. 1660d) is amended to read as follows:

"(b) REQUIREMENT.—The Secretary shall ensure that the Service and the other agencies and offices of the Department confer, to the maximum extent practicable, with urban Indian organizations in carrying out—

"(1) this Act; and

"(2) other provisions of law relating to Indian health care."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 5221, the Urban Indian Health Confer Act, introduced by Natural Resources Chair RAÚL GRIJALVA from Arizona will require agencies and offices within the United States Department of Health and Human Services, or HHS, to confer with Urban Indian Organizations, or UIOs, on policies and initiatives related to healthcare for American Indians and Alaska Natives.

The Indian Health Care Improvement Act established Urban Indian Organizations in response to many American Indians and Alaska Natives living in urban areas and seeking healthcare. Today, approximately 70 percent of all American Indians and Alaska Natives live in urban areas.

The Indian Health Service supports contracts and grants to 41 UIO programs that offer medical services ranging from dental care, optometry, pharmacy services, and community services, such as alcohol and drug abuse prevention, nutrition education, and counseling.

An urban confer policy at HHS will serve as the preferred method of dialogue between the agency and UIOs. Currently, the Indian Health Service is the only agency that maintains a legal obligation to confer with UIOs. This limited scope serves as a barrier for UIOs to communicate with other agencies and offices within HHS.

During the COVID-19 pandemic, the issues with this limited confer policy were, sadly, highlighted. Despite congressional and Tribal support for the inclusion of UIOs and the agency's vaccine allocations, HHS refrained from initiating communications with them. As a result, UIOs were unable to provide input on the vaccine rollout allocations until the deadline, which delayed the vaccine's distribution to many urban American Indians and Alaska Natives.

The failure to communicate with UIOs about healthcare policies that impact urban Indian communities is inconsistent with the Federal trust responsibility and contrary to sound public health policy.

H.R. 5221 will establish direct lines of communication for UIOs across the entire Department and ensure that urban American Indians and Alaska Natives are aware of significant healthcare policy changes.

I want to thank Chair GRIJALVA for championing this critical bipartisan legislation. I am pleased to be a co-sponsor of the bill and I urge quick adoption. I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, October 26, 2021.

Hon. ROBERT C. "BOBBY" SCOTT,
Chair, Committee on Education and Labor,
House of Representatives, Washington, DC.

DEAR CHAIR SCOTT, I write to you concerning H.R. 5221, the "Urban Indian Health Confer Act."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Education and Labor. I acknowledge that your Committee will not formally consider H.R. 5221 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your Committee's Rule X jurisdiction.

I am pleased to support your request to name members of the Committee on Education and Labor to any conference committee to consider such provisions. I will en-

sure that our exchange of letters is included in the Committee Report and the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

RAÚL M. GRIJALVA,
Chair, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, October 21, 2021.

Hon. RAÚL M. GRIJALVA,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN GRIJALVA: I write concerning H.R. 5221, the Urban Indian Health Confer Act. This bill was primarily referred to the Committee on Natural Resources, and additionally to the Committee on Education and Labor. As a result of Leadership and the Committee on Natural Resources having consulted with me concerning this bill generally, I agree to forgo formal consideration of the bill so the bill may proceed expeditiously to the House floor.

The Committee on Education and Labor takes this action with our mutual understanding that by forgoing formal consideration of H.R. 5221, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward so we may address any remaining issues within our Rule X jurisdiction. I also request that you support my request to name members of the Committee on Education and Labor to any conference committee to consider such provisions.

Finally, I would appreciate a response confirming this understanding and ask that a copy of our exchange of letters on this matter be included in the Committee Report filed by the Committee on Natural Resources and in the Congressional Record during floor consideration of H.R. 5221.

Very truly yours,

ROBERT C. "BOBBY" SCOTT,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATURAL RESOURCES,
Washington, DC, November 1, 2021.

Hon. FRANK PALLONE,
Chair, Committee on Energy and Commerce,
House of Representatives, Washington, DC.

DEAR CHAIR PALLONE: I write to you concerning H.R. 5221, the "Urban Indian Health Confer Act."

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce. I acknowledge that your Committee will not formally consider H.R. 5221 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your Committee's Rule X jurisdiction.

I am pleased to support your request to name members of the Committee on Energy and Commerce to any conference committee to consider such provisions. I will ensure that our exchange of letters is included in the Committee Report and the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

RAÚL M. GRIJALVA,
Chair, Committee on Natural Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 1, 2021.

Hon. RAÚL M. GRIJALVA,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN GRIJALVA: I write concerning H.R. 5221, the "Urban Indian Health Confer Act," which was additionally referred to the Committee on Energy and Commerce.

In recognition of the desire to expedite consideration of H.R. 5221, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter into the Congressional Record during floor consideration of the measure.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

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Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, today, the Indian Health Services Urban Indian Health Program consists of 41 nonprofit programs nationwide.

These programs are funded through grants and contracts from the Indian Health Service, pursuant to the authorities of the Indian Health Care Improvement Act.

Urban Indian health organizations that participate in the program provide services such as information, outreach and referral, dental services, primary care services, community health, and other important services.

In 2010, as part of the Patient Protection and Affordable Care Act, Congress reauthorized and amended the Indian Health Care Improvement Act by adding a requirement that the Indian Health Service confer with urban Indian organizations.

In 2014, the Indian Health Service established a policy to guide when the Indian Health Service seeks input from Urban Indian Organizations on health policy matters.

Other agencies within the Department of Health and Human Services that serve American Indians and Alaska Natives, such as the Centers for Medicare and Medicaid Services, the Centers for Disease Control and Prevention, and the Substance Abuse and Mental Health Services Administration, and others, do not have policies regarding conferring with Urban Indian Organizations.

Throughout the COVID-19 pandemic, Urban Indian health organizations were provided no notice that they were required to make selections for COVID-19 vaccine distribution until the day of the deadline imposed by an agency.

This resulted in Urban Indian Organizations struggling to provide accurate responses to changing public health decisions for Indians living in urban areas.

This bill would amend the Indian Health Care Improvement Act to require all agencies within the Department of Health and Human Services to establish an urban Indian organization confer policy.

I thank the sponsor of this legislation, Chairman GRIJALVA, and I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield as much time as he may consume to the gentleman from Arizona (Mr. GRIJALVA), the chairman of the Natural Resources Committee.

Mr. GRIJALVA. Madam Speaker, as stated before, today marks the first day of National Native American Heritage Month.

I want to thank the gentlewoman from New Mexico, the chair of the Subcommittee on Indigenous Peoples of the United States, Ranking Member WESTERMAN, and Ranking Member YOUNG for putting a package together for Congress to vote specifically on significant bipartisan pieces of legislation that deal specifically with Indian Country. I think it is noteworthy and symbolic, and as you see these pieces of legislation, very much necessary. I want to extend my thanks to all of them for that.

While it is a time to celebrate the histories and achievements of Native Americans in this country, it is also a time for Congress to fully recognize the trust and treaty obligations the U.S. Government owes to Tribal governments and to indigenous people in our country.

Ensuring equity for Tribal healthcare entities is an essential part of the Federal trust responsibility, which is the reason that I am proud to sponsor H.R. 5221, the Urban Indian Health Confer Act.

The accessible and culturally competent healthcare services that Indian Health Services provides to Tribal communities are critical to ensuring their well-being.

As stated by the chairwoman, over 70 percent of American Indians and Alaska Natives began seeking healthcare outside of Tribal jurisdictions in our cities and nonreservation communities across this country. Urban Indian Organizations, UIOs, were created to fill that gap.

Today, IHS supports 41 of these programs that offer vital medical services, including dental care, mental health support, optometry services, and social services, such as nutrition, education, and home healthcare.

Although UIOs have been recognized as critical components of the Tribal healthcare system, they continue to experience parity and recognition of purpose and the attention that they deserve for the services they provide to indigenous people and the family services they provide to nonreservation Native people across this country.

At the Department of Health and Human Services, only IHS maintains an obligation to confer with UIOs regarding any healthcare policy changes that may affect urban Indian communities. This issue became glaringly obvious during the COVID-19 pandemic, when the Department excluded UIOs in the vaccine rollout discussions, leaving urban Indian communities among the last to receive vaccine allocations through their local urban Indian centers.

As a Member of Congress who represents a UIO, the Tucson Indian Center, I am grateful for their essential work to keep Tribal communities safe and healthy, especially as we go into a post-COVID-19 pandemic era.

H.R. 5221 will establish direct lines of communication between UIOs and the Department of Health and Human Services so that UIOs have a seat at the table for all relevant Tribal healthcare policy changes.

Ensuring that UIOs achieve equity at the Department is sound public health policy and upholds the U.S. Government's Federal trust responsibility to Indian Country. H.R. 5221 represents a much-needed change.

Madam Speaker, I urge the quick adoption of this bipartisan legislation.

Mr. WESTERMAN. Madam Speaker, I am ready to close, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I want to, once again, thank Ranking Member WESTERMAN, as well as Ranking Member DON YOUNG and Chair GRIJALVA, for bringing forth this legislation. It addresses immediately something that we saw that had lingered, but the pandemic shown its ugly light on what happens when we let things linger and do not deal with them. This legislation fixes that. It highlights the importance of communication, of cooperation, and the confer policy that must be adopted across all of our agencies, not only at HHS.

Madam Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 5221.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

BEAR RIVER NATIONAL HERITAGE AREA STUDY ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules

and pass the bill (H.R. 3616) to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Bear River National Heritage Area, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3616

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 "Bear River National Heritage Area Study Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) HERITAGE AREA.—The term "Heritage Area" means the Bear River National Heritage Area.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(3) STATES.—The term "States" means the States of Utah and Idaho.

(4) STUDY AREA.—The term "study area" means—

(A) areas in the States that are within the main drainage area of the Bear River;

(B) all of Cache, Box Elder, and Rich Counties in the State of Utah, and Bear Lake, Caribou, Franklin, and Oneida Counties in the State of Idaho;

(C) the following communities in Utah: Bear River, Brigham City, Corinne, Deweyville, Elwood, Fielding, Garland, Honeyville, Howell, Mantua, Perry, Plymouth, Portage, Snowville, Tremonton, Willard, Amalga, Clarkston, Cornish, Hyde Park, Hyrum, Lewiston, Logan, Mendon, Millville, Newton, Nibley, North Logan, Paradise, Providence, Richmond, River Heights, Smithfield, Trenton, Wellsville, Garden City, Laketown, Randolph, and Woodruff;

(D) the following communities in Idaho: Malad, Clifton, Dayton, Franklin, Preston, Oxford, Weston, Bancroft, Soda Springs, Grace, Bloomington, Paris, Georgetown, Montpelier, and St. Charles; and

(E) any other areas in the States that—

(i) have heritage aspects that are similar to the areas described in subparagraphs (A), (B), (C), or (D); and

(ii) are adjacent to, or in the vicinity of, those areas.

SEC. 3. STUDY.

(a) IN GENERAL.—The Secretary, in consultation with State and local organizations and governmental agencies, Tribal governments, non-profit organizations, and other appropriate entities, shall conduct a study to assess the suitability and feasibility of designating the study area as a National Heritage Area, to be known as the "Bear River National Heritage Area".

(b) REQUIREMENTS.—The study shall include analysis, documentation, and determinations on whether the study area—

(1) has an assemblage of natural, historic, and cultural resources that—

(A) represent distinctive aspects of the people and cultures of the United States;

(B) are worthy of recognition, conservation, interpretation, and continuing use; and

(C) would be best managed—

(i) through partnerships among public and private entities; and

(ii) by linking diverse and sometimes non-contiguous resources and active communities;

(2) reflects traditions, customs, beliefs, and folklore that are a valuable part of the story of the United States;

(3) provides outstanding opportunities—

(A) to conserve natural, historic, cultural, or scenic features; and

(B) for recreation and education;

(4) contains resources that—

(A) are important to any identified themes of the study area; and

(B) retain a degree of integrity capable of supporting interpretation;

(5) includes residents, business interests, non-profit organizations, and State, local, and Tribal governments, and other appropriate entities that—

(A) are involved in the planning of the Heritage Area;

(B) have developed a conceptual financial plan that outlines the roles of all participants in the Heritage Area, including the Federal Government; and

(C) have demonstrated support for the designation of the Heritage Area;

(6) has a potential management entity to work in partnership with the individuals and entities described in paragraph (5) to develop the Heritage Area while encouraging State and local economic activity;

(7) could impact the rights of private property owners with respect to their private property; and

(8) has a conceptual boundary map that is supported by the public.

SEC. 4. REPORT.

Not later than 3 years after the date on which funds are first made available to carry out this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

(1) the findings of the study under section 3; and

(2) any conclusions and recommendations of the Secretary.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 3616, the Bear River National Heritage Study Act, introduced by my Natural Resources Committee colleague, Representative BLAKE MOORE.

H.R. 3616 would direct the Secretary of the Interior to study the suitability and feasibility of establishing the Bear River National Heritage Area.

The study area would include seven counties in northern Utah and southeastern Idaho, focusing on areas that are within the main drainage area of the Bear River.

Heritage area designations are locally driven initiatives that leverage Federal resources to support the preservation of shared heritage in a manner that boosts conservation, recre-

ation, and economic development. These shared stories are vital, as we consider what is the American story. These heritage centers have proven successful all over the country, and I am pleased to support this bill that will examine the potential of the Bear River region.

I look forward to continuing to work with my colleagues to ensure a successful and sustainable future for the entire Heritage Area program and would, again, like to congratulate Representative MOORE for championing this bill on behalf of his constituents.

Madam Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I first want to thank Chairman GRIJALVA and Chairwoman LEGER FERNANDEZ for their cooperation in moving this bill forward.

H.R. 3616, offered by my colleague, Mr. MOORE of Utah, requires the Secretary of the Interior to conduct a study assessing the suitability and feasibility of designating the Bear River National Heritage Area in northern Utah and southern Idaho.

The Bear River area straddles the Utah-Idaho border where the Great Basin and Rocky Mountains meet. It is home to the Northwestern Band of the Shoshone Nation, the Golden Spike National Historical Park, the Bear River Migratory Bird Refuge, the Hardware Ranch, numerous Latter-day Saints history sites, the Oregon Trail, and a strong agricultural economy and abundant natural beauty.

The Bear River area is a great candidate for study as a potential national heritage area, and this legislation enjoys strong local support.

I commend Congressman MOORE for his work on this legislation, and I urge adoption of the measure.

Madam Speaker, I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield such time as he may consume to the gentleman from Utah (Mr. MOORE).

Mr. MOORE of Utah. Madam Speaker, I thank the ranking member of the House Natural Resources Committee for his support of this legislation and also to my colleague from New Mexico, Representative LEGER FERNANDEZ, for her kind words of support and her support of the bill overall, as well as, most importantly, our committee staff. I thank them all very much.

Madam Speaker, I rise today in strong support of H.R. 3616, the Bear River National Heritage Area Study Act, which would conduct a study to determine the area's suitability for a national heritage area designation. This would help local communities in the area protect important elements of their heritage and promote the area's tourism industry.

This important bill enjoys significant local support and, if enacted, would help the region better share its incredible history with the world.

The Bear River basin, which stretches through northern Utah and southeastern Idaho, played a key role in the settling, expansion, and development of the American West.

Native American Tribes, such as the Shoshone, called this area home because of its lush environment and favorable weather. Today, with the construction of the Boa Ogoi Cultural Interpretive Center in southeastern Idaho, these stories will soon be told like never before.

Eventually, explorers and adventures, fur trappers, and religious pioneers also settled in the area and began to build homes. The region's natural water supply makes it ideal for farming, and it quickly became home to thriving frontier towns. Generations of family farms in northern Utah and southeast Idaho can trace their origins to these early days.

Later, the driving of the golden spike at Promontory Summit marked the completion of the transcontinental railroad, an element of pride for the entire area. This pivotal moment launched our great Nation onto the global stage and into the modern world.

Today, this special place is home to thriving communities that support jobs in the tech, agriculture, education, manufacturing, service, and tourism industries.

As we look backwards to retell the history of this region, these industries are looking forward to writing the next chapter of the Bear River basin's story.

I am grateful for Chairman GRIJALVA, Ranking Member WESTERMAN, Representative LEGER FERNANDEZ, and their fantastic staff for all their help on this effort.

Madam Speaker, I urge all my colleagues to join me in supporting the Bear River National Heritage Area Study Act.

Mr. WESTERMAN. Madam Speaker, I thank the gentleman for bringing this to our attention, I urge adoption, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I urge my colleagues to support this bill. I look forward to listening to the many interconnected and complex stories that will come out of this study and to perhaps visiting the heritage area in the near future. I urge my colleagues to support the legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 3616.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

□ 1700

AUTHORIZING THE SEMINOLE TRIBE OF FLORIDA TO LEASE OR TRANSFER CERTAIN LAND

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (S. 108) to authorize the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 108

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

SECTION 1. APPROVAL NOT REQUIRED TO VALIDATE CERTAIN LAND TRANSACTIONS OF THE SEMINOLE TRIBE OF FLORIDA.

(a) IN GENERAL.—Notwithstanding any other provision of law, without further approval, ratification, or authorization by the United States, the Seminole Tribe of Florida may lease, sell, convey, warrant, or otherwise transfer all or any part of the interest of the Seminole Tribe of Florida in any real property that is not held in trust by the United States for the benefit of the Seminole Tribe of Florida.

(b) TRUST LAND NOT AFFECTED.—Nothing in this section—

(1) authorizes the Seminole Tribe of Florida to lease, sell, convey, warrant, or otherwise transfer all or any part of an interest in any real property that is held in trust by the United States for the benefit of the Seminole Tribe of Florida; or

(2) affects the operation of any law governing leasing, selling, conveying, warranting, or otherwise transferring any interest in any real property that is held in trust by the United States for the benefit of the Seminole Tribe of Florida.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, S. 108, introduced by Senator RUBIO of Florida, will allow the Seminole Tribe of Florida to lease, sell, convey, warrant, or transfer its real property that is not held in trust by the United States.

The Seminole Tribe of Florida is a federally recognized Tribe with its Tribal headquarters located in Hollywood, Florida. It is one of three federally recognized Seminole entities, and many of its enrolled members reside on its six reservations in Florida.

In recent decades, a large portion of the Tribe's economic development strategy has been its investment in commercial real estate properties. So far the Tribe owns one of the largest cattle operations in the U.S., along with the Hard Rock Hotel and Casino franchise and its 74 international properties.

To manage the Tribe's growing portfolio, the Tribal Council established a commercial real estate investment fund to help create generational stability for the Seminole Tribe. Ultimately, the Tribe's hope is to establish a State-chartered subsidiary entity to act as a holding company for certain properties owned by the Tribe.

Unfortunately, the Tribe has been unable to move forward with this project due to concerns raised by lenders and proposed title insurance companies about the Indian Nonintercourse Act.

The act prohibits any "purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from an Indian nation or Tribe of Indians" unless authorized by Congress.

At least two title insurance companies approached by the Tribe have interpreted the act to apply to real estate owned by a State-chartered subsidiary entity of the Tribe. As such, the title companies will not insure the mortgage without an exemption from the act, which in turn effectively kills any ability to finance an acquisition.

S. 108 will, therefore, provide relief from the Indian Nonintercourse Act by clarifying that the Seminole Tribe of Florida has the authority to lease, sell, convey, warrant, or otherwise transfer their interests in property not held in trust by the Federal Government without further approval from the Federal Government.

This bipartisan effort is led in the House by the gentleman from Florida (Mr. SOTO), who is the sponsor of the House companion bill. I congratulate him on his strong advocacy to get this legislation to the President's desk.

S. 108 will allow the Seminole Tribe the ability to continue its economic development, and I urge my colleagues to vote in favor of this bill.

Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank Chairman GRIJALVA and Chairwoman LEGER FERNANDEZ for working together on this bill. I rise in support of S. 108. It is a bill that authorizes the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes.

As Ms. LEGER FERNANDEZ described, this bill would exempt lands held in fee

by the Seminole Tribe of Florida from the limitations imposed by the Indian Nonintercourse Act, which restricts a Tribe from leasing or conveying any lands a Tribe owns without Federal approval.

The act has generated a great deal of confusion and litigation about whether a Tribe can buy, sell, or lease land that it owns. The bill states that the act does not authorize the Tribe to lease, sell, convey, warrant, or otherwise transfer all or any portion of any interest in any real property that is held in trust.

This bill was introduced in response to real estate investment issues encountered by the Seminole Tribe, since at least two title insurance companies would not grant the Tribe insurance.

The bill ensures that the act does not interfere with the ability to convey fee land owned by the Tribe, which would impede the Tribe's economic development activities and hinder job creation.

Madam Speaker, I am prepared to close. I urge adoption of the measure, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I am grateful for this bipartisan legislation. I also think it gives us a path forward on what we might need to do for all Tribes who encounter this issue, but for now I am very much in support of S. 108 and urge my colleagues to support the legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, S. 108.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. GOOD of Virginia. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

OLD PASCUA COMMUNITY LAND ACQUISITION ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4881) to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4881

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 "Old Pascua Community Land Acquisition Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) COMPACT-DESIGNATED AREA.—The term “Compact Designated Area” means the area south of West Grant Road, east of Interstate 10, north of West Calle Adelanto, and west of North 15th Avenue in the City of Tucson, Arizona, as provided specifically in the Pascua Yaqui Tribe—State of Arizona Amended and Restated Gaming Compact signed in 2021.

(2) TRIBE.—The term “Tribe” means the Pascua Yaqui Tribe of Arizona, a federally recognized Indian tribe.

(3) INDIAN TRIBE.—The term “Indian Tribe”—

(A) means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; and

(B) does not include any Alaska Native regional or village corporation.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 3. LAND TO BE HELD IN TRUST.

Upon the request of the Tribe, the Secretary shall accept and take into trust for the benefit of the Tribe, subject to all valid existing rights, any land within the Compact-Designated Area that is owned by Tribe.

SEC. 4. APPLICATION OF CURRENT LAW.

Gaming conducted by the Tribe in the Compact-Designated Area shall be subject to—

(1) the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.); and

(2) sections 1166 through 1168 of title 18, United States Code.

SEC. 5. REAFFIRMATION OF STATUS AND ACTIONS.

(a) ADMINISTRATION.—Land placed into trust pursuant to this Act shall—

(1) be a part of the Pascua Yaqui Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for an Indian Tribe; and

(2) be deemed to have been acquired and taken into trust on September 18, 1978.

(b) RULES OF CONSTRUCTION.—Nothing in this Act shall—

(1) enlarge, impair, or otherwise affect any right or claim of the Tribe to any land or interest in land in existence before the date of the enactment of this Act;

(2) affect any water right of the Tribe in existence before the date of the enactment of this Act;

(3) terminate or limit any access in any way to any right-of-way or right-of-use issued, granted, or permitted before the date of the enactment of this Act; or

(4) alter or diminish the right of the Tribe to seek to have additional land taken into trust by the United States for the benefit of the Tribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 4881, the Old Pascua Community Land Acquisition Act, introduced by the gentleman from Arizona (Mr. GRIJALVA), the Natural Resources Committee Chair, will direct the Secretary of the Interior to take approximately 30 acres of land into trust for the Pascua Yaqui Tribe.

The Pascua Yaqui Tribe is located in southern Arizona, near the city of Tucson, and has approximately 22,000 enrolled Tribal members, with a 2,216-acre reservation.

Before the Federal recognition of the Pascua Yaqui Tribe, Yaqui leaders, local leaders, and others worked together to establish a home for Tribal citizens. In 1921 these efforts led to the formal Pascua Village in Tucson, Arizona.

Before the formal Federal recognition and the establishment of a reservation in 1978, former Congressman Mo Udall of Arizona introduced a bill to establish 202 acres of land southwest of Tucson to the Pascua Yaqui Association.

While many families relocated to this new land base, many other families remained in the Pascua Village, known as Old Pascua. With the growing city of Tucson and the geographic distance from the formal reservation, the Tribe has worked to ensure the Tribal members living within the Pascua Village have remained cared for, including working with the Bureau of Indian Affairs to designate Old Pascua as near-reservation lands.

Earlier this year, the Tribe entered into a State-negotiated compact with the State of Arizona to provide gaming activities in the Old Pascua community. The Secretary of the Interior approved the compact in May 2021.

Further, the Tribe signed an intergovernmental agreement with the city of Tucson to transfer a parcel of land within Tucson into trust for the benefit of the Tribe.

This bill ensures the Old Pascua community remains intact with the Tribe's homelands, and the bill will allow the Tribe to conduct gaming activities, expand economic development opportunities, and engage in cultural practices on their historic land.

I am pleased to cosponsor H.R. 4881, which is a bipartisan bill, with support from the Pascua Yaqui Tribe, the city of Tucson, the State of Arizona, and the Arizona delegation. I support the Old Pascua Community Land Acquisition Act, and I urge my colleagues to vote in favor of the bill.

Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the Pascua Yaqui Tribe owns several parcels of land that it would like to use for gaming. This bill allows them to do that.

In May of 2021, the Governor of Arizona and 21 Tribes amended the Arizona Tribal State Gaming Compact to build a third gaming facility in the compact-designated area in Tucson.

The compact-designated area is known as the Old Pascua community, an area with deep historic ties to the Tribe. The compact requires land to be taken into trust by an act of Congress to open the gaming facility. H.R. 4881 does this by requiring the Secretary of the Interior to place any land owned by the Tribe within the compact-designated area into trust for gaming purposes.

Madam Speaker, I reserve the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. GRIJALVA), the chair of the Natural Resources Committee.

Mr. GRIJALVA. Madam Speaker, I thank the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) for the time and to Ranking Member WESTERMAN.

I am proud to represent the Pascua Yaqui Tribe in Arizona's Third District. We both call southern Arizona our home. The Yaqui people are an integral and historic part of the fiber of southern Arizona, reflecting our history, our cultures, and our people.

H.R. 4881, the Old Pascua Community Land Acquisition Act, will take a 30-acre parcel of land into trust for the Pascua Yaqui Tribe, the area known locally and to the Tribe as Old Pascua community.

As the gentlewoman from New Mexico outlined in her comments, as well as the ranking member, this was the initial focal point for the Yaqui people as they fled persecution. While some families relocated to this new land base, many families remained in the Pascua Village community, known as Old Pascua.

At the time in 1921, it was an isolated area outside the community and outside of Tucson, but things have grown out around them. I think the Yaqui community in Tucson, Arizona, considers Old Pascua not only the formally recognized area for the community but also a sacred site for the Tribe.

Before receiving Federal recognition and a formal reservation south of Tucson, many Pascua Yaqui families called Old Pascua in Tucson their home.

Today many families still call Old Pascua home, yet they continue to fear losing their Yaqui knowledge, culture, history, and traditions due to the encroachment of the growing city of Tucson. Other areas of concern for Yaqui families include the lack of ownership for sacred, cultural, traditional, and religious grounds.

The Tribe has worked tirelessly to ensure that they take care of their Tribal citizens. Earlier this year, as Mr. WESTERMAN outlined, the State of Arizona and the Tribe negotiated a

State compact. This compact included gaming activities in the Old Pascua community to promote the Tribe's governmental operations, cultural and religious activities, job creation, increased Tribal housing, social and community services, healthcare, and educational facilities.

The Tribe has worked tirelessly with the State of Arizona, the city of Tucson, and the county of Pima to address their concerns, and have entered into an intergovernmental agreement supporting the legislation and the land transfer.

Since this agreement, the State has negotiated a compact that reflects that agreement and approved it, and the Department of the Interior has approved it.

H.R. 4881 is a bipartisan bill that will raise the Tribal standard of living, improve system coordination and integration of service delivery, and promote the ongoing transmission of Yaqui knowledge, culture, history, and traditions for future generations.

This bill is a bipartisan bill. It merits the support of all Members, and I would add that it is for the people in southern Arizona an extension of a reality and a confirmation of something that already exists.

Mr. WESTERMAN. Madam Speaker, I yield back the balance of my time.

□ 1715

Ms. LEGER FERNANDEZ. Madam Speaker, this bill, once again, demonstrates that there is strong bipartisan support for our Native American tribes and indigenous communities. I thank Ranking Member WESTERMAN as well as Ranking Member DON YOUNG on the Subcommittee for Indigenous Peoples of the United States.

The other thing this bill does, as has been highlighted by Chairman GRIJALVA, is it comes out of collaboration and conversation with everybody on the ground, the local communities, the States, the county, the Tribe. The people of southern Arizona are asking us to take action, and that is what we must do today.

Madam Speaker, I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 4881.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOOD of Virginia. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

EASTERN BAND OF CHEROKEE HISTORIC LANDS REACQUISITION ACT

Ms. LEGER FERNANDEZ. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2088) to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2088

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 "Eastern Band of Cherokee Historic Lands Reacquisition Act".

SEC. 2. LAND TAKEN INTO TRUST FOR THE EASTERN BAND OF CHEROKEE INDIANS.

(a) LANDS INTO TRUST.—Subject to such rights of record as may be vested in third parties to rights-of-way or other easements or rights-of-record for roads, utilities, or other purposes, the following Federal lands managed by the Tennessee Valley Authority and located on or above the 820-foot (MSL) contour elevation in Monroe County, Tennessee, on the shores of Tellico Reservoir, are declared to be held in trust by the United States for the use and benefit of the Eastern Band of Cherokee Indians:

(1) SEQUOYAH MUSEUM PROPERTY.—Approximately 46.0 acres of land generally depicted as "Sequoyah Museum", "Parcel 1", and "Parcel 2" on the map titled "Eastern Band of Cherokee Historic Lands Reacquisition Map 1" and dated April 30, 2015.

(2) SUPPORT PROPERTY.—Approximately 11.9 acres of land generally depicted as "Support Parcel" on the map titled "Eastern Band of Cherokee Historic Lands Reacquisition Map 2" and dated April 30, 2015.

(3) CHOTA MEMORIAL PROPERTY AND TANASI MEMORIAL PROPERTY.—Approximately 18.2 acres of land generally depicted as "Chota Memorial 1" and "Tanasi Memorial" on the map titled "Eastern Band of Cherokee Historic Lands Reacquisition Map 3" and dated April 30, 2015, and including the Chota Memorial and all land within a circle with a radius of 86 feet measured from the center of the Chota Memorial without regard to the elevation of the land within the circle.

(b) PROPERTY ON LANDS.—In addition to the land taken into trust by subsection (a), the improvements on and appurtenances thereto, including memorials, are and shall remain the property of the Eastern Band of Cherokee Indians.

(c) REVISED MAPS.—Not later than 1 year after the date of a land transaction made pursuant to this section, the Tennessee Valley Authority, after consultation with the Eastern Band of Cherokee Indians and the Secretary of the Interior, shall submit revised maps that depict the land taken into trust under this section, including any corrections made to the maps described in this section to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate.

(d) CONTOUR ELEVATION CLARIFICATION.—The contour elevations referred to in this Act are based on MSL Datum as established by the NGS Southeastern Supplementary Adjustment of 1936 (NGVD29).

(e) CONDITIONS.—The lands taken into trust under this section shall be subject to the conditions described in section 5.

SEC. 3. PERMANENT EASEMENTS TAKEN INTO TRUST FOR THE EASTERN BAND OF CHEROKEE INDIANS.

(a) PERMANENT EASEMENTS.—The following permanent easements for land below the 820-foot (MSL) contour elevation for the following Federal lands in Monroe County, Tennessee, on the shores of Tellico Reservoir, are declared to be held in trust by the United States for the benefit of the Eastern Band of Cherokee Indians:

(1) CHOTA PENINSULA.—Approximately 8.5 acres of land generally depicted as "Chota Memorial 2" on the map titled "Eastern Band of Cherokee Historic Lands Reacquisition Map 3" and dated April 30, 2015.

(2) CHOTA-TANASI TRAIL.—Approximately 11.4 acres of land generally depicted as "Chota-Tanasi Trail" on the map titled "Eastern Band of Cherokee Historic Lands Reacquisition Map 3" and dated April 30, 2015.

(b) REVISED MAPS.—Not later than 1 year after the date of a land transaction made pursuant to this section, the Tennessee Valley Authority, after consultation with the Eastern Band of Cherokee Indians and the Secretary of the Interior, shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Indian Affairs of the Senate revised maps that depict the lands subject to easements taken into trust under this section, including any corrections necessary to the maps described in this section.

(c) CONDITIONS.—The lands subject to easements taken into trust under this section shall be subject to the use rights and conditions described in section 5.

SEC. 4. TRUST ADMINISTRATION AND PURPOSES.

(a) APPLICABLE LAWS.—Except as described in section 5, the lands subject to this Act shall be administered under the laws and regulations generally applicable to lands and interests in lands held in trust on behalf of Indian tribes.

(b) USE OF LAND.—Except the lands described in section 2(a)(2), the lands subject to this Act shall be used principally for memorializing and interpreting the history and culture of Indians and recreational activities, including management, operation, and conduct of programs of and for—

(1) the Sequoyah birthplace memorial and museum;

(2) the memorials to Chota and Tanasi as former capitals of the Cherokees;

(3) the memorial and place of reinterment for remains of the Eastern Band of Cherokee Indians and other Cherokee tribes, including those transferred to the Eastern Band of Cherokee Indians and other Cherokee tribes and those human remains and cultural items transferred by the Tennessee Valley Authority to those Cherokee tribes under the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.); and

(4) interpreting the Trail of Tears National Historic Trail.

(c) USE OF SUPPORT PROPERTY.—The land described in section 2(a)(2) shall be used principally for the support of lands subject to this Act and the programs offered by the Tribe relating to such lands and their purposes including—

(1) classrooms and conference rooms;

(2) cultural interpretation and education programs;

(3) temporary housing of guests participating in such programs or the management of the properties and programs; and

(4) headquarters offices and support space for the trust properties and programs.

(d) LAND USE.—The principal purposes of the use of the land described in section 3(a)—

(1) paragraph (1), shall be for a recreational trail from the general vicinity of the parking lot to the area of the Chota Memorial and

beyond to the southern portion of the peninsula, including interpretive signs, benches, and other compatible improvements; and

(2) paragraph (2), shall be for a recreational trail between the Chota and Tanasi Memorials, including interpretive signs, benches, and other compatible improvements.

SEC. 5. USE RIGHTS, CONDITIONS.

(a) FLOODING OF LAND AND ROADS.—The Tennessee Valley Authority may temporarily and intermittently flood the lands subject to this Act that lie below the 824-foot (MSL) contour elevation and the road access to such lands that lie below the 824-foot (MSL) contour elevation.

(b) FACILITIES AND STRUCTURES.—The Eastern Band of Cherokee Indians may construct, own, operate, and maintain—

(1) water use facilities and nonhabitable structures, facilities, and improvements not subject to serious damage if temporarily flooded on the land adjoining the Tellico Reservoir side of the lands subject to this Act that lie between the 815-foot and 820-foot (MSL) contour elevations, but only after having received written consent from the Tennessee Valley Authority and subject to the terms of such approval; and

(2) water use facilities between the 815-foot (MSL) contour elevations on the Tellico Reservoir side of the lands subject to this Act and the adjacent waters of Tellico Reservoir and in and on such waters after having received written consent from the Tennessee Valley Authority and subject to the terms of such approval, but may not construct, own, operate, or maintain other nonhabitable structures, facilities, and improvements on such lands.

(c) INGRESS AND EGRESS.—The Eastern Band of Cherokee Indians may use the lands subject to this Act and Tellico Reservoir for ingress and egress to and from such land and the waters of the Tellico Reservoir and to and from all structures, facilities, and improvements maintained in, on, or over such land or waters.

(d) RIVER CONTROL AND DEVELOPMENT.—The use rights under this section may not be exercised so as to interfere in any way with the Tennessee Valley Authority's statutory program for river control and development.

(e) TVA AUTHORITIES.—Nothing in this Act shall be construed to affect the right of the Tennessee Valley Authority to—

(1) draw down Tellico Reservoir;

(2) fluctuate the water level thereof as may be necessary for its management of the Reservoir; or

(3) permanently flood lands adjacent to lands subject to this Act that lie below the 815-foot (MSL) contour elevation.

(f) RIGHT OF ENTRY.—The lands subject to this Act shall be subject to a reasonable right of entry by the personnel of the Tennessee Valley Authority and agents of the Tennessee Valley Authority operating in their official capacities as necessary for purposes of carrying out the Tennessee Valley Authority's statutory program for river control and development.

(g) ENTRY ONTO LAND.—To the extent that the Tennessee Valley Authority's operations on the lands subject to this Act do not unreasonably interfere with the Eastern Band of Cherokee Indians' maintenance of an appropriate setting for the memorialization of Cherokee history or culture on the lands and its operations on the lands, the Eastern Band of Cherokee Indians shall allow the Tennessee Valley Authority to enter the lands to clear, ditch, dredge, and drain said lands and apply larvicides and chemicals thereon or to conduct bank protection work and erect structures necessary in the promotion and furtherance of public health, flood control, and navigation.

(h) LOSS OF HYDROPOWER CAPACITY.—All future development of the lands subject to this Act shall be subject to compensation to the Tennessee Valley Authority for loss of hydropower capacity as provided in the Tennessee Valley Authority Flood Control Storage Loss Guideline, unless agreed to otherwise by the Tennessee Valley Authority.

(i) PROTECTION FROM LIABILITY.—The United States shall not be liable for any loss or damage resulting from—

(1) the temporary and intermittent flooding of lands subject to this Act;

(2) the permanent flooding of adjacent lands as provided in this section;

(3) wave action in Tellico Reservoir; or

(4) fluctuation of water levels for purposes of managing Tellico Reservoir.

(j) CONTINUING RESPONSIBILITIES.—The Tennessee Valley Authority shall—

(1) retain sole and exclusive Federal responsibility and liability to fund and implement any environmental remediation requirements that are required under applicable Federal or State law for any land or interest in land to be taken into trust under this Act, as well as the assessments under paragraph (2) to identify the type and quantity of any potential hazardous substances on the lands;

(2) prior to the acquisition in trust, carry out an assessment and notify the Secretary of the Interior and the Eastern Band of Cherokee Indians whether any hazardous substances were stored on the lands and, if so, whether those substances—

(A) were stored for 1 year or more on the lands;

(B) were known to have been released on the lands; or

(C) were known to have been disposed of on the lands; and

(3) if the assessment under paragraph (2) shows that hazardous substances were stored, released, or disposed of on the lands, include in its notice under paragraph (2) to the Secretary of the Interior and the Eastern Band of Cherokee Indians—

(A) the type and quantity of such hazardous substances;

(B) the time at which such storage, release, or disposal took place on the lands; and

(C) a description of any remedial actions, if any, taken on the lands.

SEC. 6. LANDS SUBJECT TO THE ACT.

For the purposes of this Act, the term "lands subject to this Act" means lands and interests in lands (including easements) taken into trust for the benefit of the Eastern Band of Cherokee Indians pursuant to or under this Act.

SEC. 7. GAMING PROHIBITION.

No class II or class III gaming, as defined in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.), shall be conducted on lands subject to this Act.

SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) and the gentleman from Arkansas (Mr. WESTERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico.

GENERAL LEAVE

Ms. LEGER FERNANDEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself such time as I may consume.

H.R. 2088, the Eastern Band of Cherokee Historic Lands Reacquisition Act, introduced by Representative FLEISCHMANN from Tennessee, takes specified lands and easements in Monroe County, Tennessee, into trust for the use and benefit of the Eastern Band of Cherokee Indians.

These areas include the Sequoyah Museum, the Chota Memorial, the Tanasi Memorial, and land to support these properties and cultural programs.

The Eastern Band of Cherokee Indians is one of three federally recognized Cherokee Tribes and is the only federally recognized Tribe in North Carolina.

The Eastern Band's ancestral homeland includes substantial parts of seven eastern States, including Tennessee. The 57,000-acre Qualla Boundary is the name of the Cherokee Indian Reservation in North Carolina.

In 1979, the completion of the Tellico Dam by the Tennessee Valley Authority caused large areas of the Eastern Band's ancestral lands along the Little Tennessee River to be flooded, completely submerging the sacred sites and archaeological remains of the historic Overland Cherokee towns, including the Cherokee capitals of the 1700s.

The Eastern Band can never recover these flooded lands and sites. Especially with that loss in mind, it is important to recognize that there are other locations in the area that require protection and preservation, and we can do that today.

H.R. 2088 helps this cause by transferring approximately 76 acres of historically significant lands from the TVA to the U.S. Government to be held in trust for the Eastern Band of Cherokee Indians. It also grants two permanent easements over TVA property to be held in trust for the Tribe to create recreational trails between the sites.

This legislation will give the Eastern Band greater control over their historic homelands and the opportunity to memorialize the history and culture of the Cherokee people.

I support H.R. 2088, and I urge my colleagues to vote in favor of this bill.

Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 2088, the Eastern Band of Cherokee Historic Lands Reacquisition Act, as amended.

I thank Chairman GRIJALVA and Chairwoman LEGER FERNANDEZ for their cooperation on this bill.

The Eastern Band of Cherokee Indians is a relatively small Tribe located in the Great Smoky Mountains of western North Carolina. The Tribe's reservation covers over 50,000 acres in a region known as the Qualla Boundary.

After the completion of the Tellico Dam in Loudon County, Tennessee, in 1979, the Tribe explained to the Tennessee Valley Authority that there were areas of historic significance impacted by the dam.

H.R. 2088 would place Tennessee Valley Authority land and permanent easements into trust along the shores of the Little Tennessee River and Tellico Reservoir in Monroe County, Tennessee, for the benefit of the Eastern Band of Cherokee Indians.

The parcels to be placed in trust under the bill would primarily be used for memorializing and interpreting the history of the Eastern Band of Cherokee Indians. Gaming pursuant to the Indian Gaming Regulatory Act would be prohibited, and TVA will be able to continue carrying out river control and development to power the Tennessee Valley region.

Madam Speaker, I urge adoption of the measure, and I recognize the gentleman from Tennessee (Mr. FLEISCHMANN) for his continued work on this important legislation.

Madam Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. Madam Speaker, I rise in support of my bill, H.R. 2088, the Eastern Band of Cherokee Historic Lands Reacquisition Act.

The great State of Tennessee, my home State, gets its name from the historic Overhill Cherokee village site called Tanasi located in present-day Monroe County, Tennessee. Tanasi served as the capital of the Cherokee people from as early as 1721.

Unfortunately, as a result of misguided Federal policies, the Cherokee people were forcibly removed from their homes in Tennessee and surrounding States. This tragic period in American history led to the Trail of Tears, a journey on which the United States forcibly marched 15,000 Cherokees to the Indian territory.

My bill, the Eastern Band of Cherokee Historic Lands Reacquisition Act, returns important historical sites back to the Eastern Band of Cherokee Indians, the Tribal Nation comprised of descendants of those Cherokees who resisted removal in the Great Smoky Mountains.

It is on these same lands where the Eastern Band of Cherokee Indians have for decades honored the birthplace of Sequoyah, whose likeness we have all had the opportunity to pass as we make our way from the rotunda of our Capitol to this House floor.

H.R. 2088 would return 76.1 acres of TVA land back to the Eastern Band of Cherokees in trust and grant two per-

manent easements over TVA property to be held in trust for the Tribe for creating recreational trails between the sites.

The Tribe is committed to improving the educational resources of the Sequoyah Birthplace Museum and to providing a means for economic development for the local community through cultural tourism.

The Cherokee Nation has a rich history in the Third District of Tennessee, and I am grateful to be engaged in the process to safeguard their story.

This exact piece of legislation has easily passed the House with broad bipartisan support for the last two Congresses. I strongly urge Members of the United States Senate to understand the importance of Cherokee Tribal land preservation and to support H.R. 2088 so that it may be brought to President Biden's desk in an accelerated manner.

November serves as Indigenous People's Month, and I encourage all of my colleagues in both Chambers to join in passing this momentous piece of legislation.

Ms. LEGER FERNANDEZ. Madam Speaker, I reserve the balance of my time.

Mr. WESTERMAN. Madam Speaker, I again thank the gentleman from Tennessee for his work on this legislation. I thank the chairman and the chairwoman for their work on this package of bills.

Madam Speaker, I urge adoption of this bill, and I yield back the balance of my time.

Ms. LEGER FERNANDEZ. Madam Speaker, I yield myself the balance of my time.

I once again thank Ranking Member WESTERMAN for his support of this package of bipartisan bills that we have brought to the floor today.

It is historic that we begin this month with this commitment to these bills and to getting them passed in a bipartisan manner.

I thank the gentleman from Tennessee (Mr. FLEISCHMANN) for his work and for the bipartisan support we have today on this floor for cultural preservation of Tribal sites.

The idea that we are committed to safeguard—that is such a beautiful word he used—the stories and places of sacred importance to Tribes because we know that too often they are overrun with other interests, that they take over, and they lose those sacred sites.

I am so grateful to all of you for the support of this legislation and the other pieces of legislation that we have brought forward today, which we emphasize, and we dedicate ourselves to a new era where we are working to protect sacred sites, where we are making sure that the healthcare of Indian Tribes is maintained and improved in our urban areas.

It is a very good day on the floor.

I urge all my colleagues to support this bill and all eight bills we have brought forward today.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill, H.R. 2088, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOOD of Virginia. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Science, Space, and Technology:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 28, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the Committee on Science, Space, and Technology. It has been an honor to serve in this capacity.

Sincerely,

PETE SESSIONS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

COMMUNICATION FROM DISTRICT STAFF ASSISTANT, THE HONORABLE CHARLIE CRIST, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Abimael Jimenez, District Staff Assistant, the Honorable CHARLIE CRIST, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 27, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Abimael Jimenez, have been served with a subpoena for testimony issued by the Small Claims Division of the County Court for Pinellas County, Florida.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

ABIMAEEL JIMENEZ,
District Staff Assistant.

COMMUNICATION FROM CHAIR OF COMMITTEE ON ETHICS

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Ethics:

COMMITTEE ON ETHICS,
HOUSE OF REPRESENTATIVES,
November 1, 2021.

Hon. NANCY PELOSI,
Speaker,
Washington, DC.

DEAR SPEAKER PELOSI: On September 22, 2021, the Committee on Ethics (Committee) received notice of a fine imposed upon Representative Marjorie Taylor Greene by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Greene did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

On September 27, 2021, the Committee on Ethics (Committee) received notices of two fines imposed upon Representative Greene by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Greene did not file appeals with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

On September 28, 2021, the Committee on Ethics (Committee) received notice of a fine imposed upon Representative Greene by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Greene did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

Sincerely,

THEODORE E. DEUTCH,
Chairman.
JACKIE WALORSKI,
Ranking Member.

COMMUNICATION FROM CHAIR OF
COMMITTEE ON ETHICS

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Ethics:

COMMITTEE ON ETHICS,
HOUSE OF REPRESENTATIVES,
November 1, 2021.

Hon. NANCY PELOSI,
Speaker,
Washington, DC.

DEAR SPEAKER PELOSI: On September 22, 2021, the Committee on Ethics (Committee) received notice of a fine imposed upon Representative Andrew Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Clyde did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

On September 27, 2021, the Committee on Ethics (Committee) received notice of a fine imposed upon Representative Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Clyde did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

On September 28, 2021, the Committee on Ethics (Committee) received notice of a fine imposed upon Representative Clyde by the Sergeant at Arms pursuant to House Resolution 38 and House Rule II, clause 3(g). Representative Clyde did not file an appeal with the Committee prior to the expiration of the time period specified in clause 3(g)(3)(B) of House Rule II.

Sincerely,

THEODORE E. DEUTCH,
Chairman.
JACKIE WALORSKI,
Ranking Member.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. SCHRIER) at 6 o'clock and 31 minutes p.m.

CATAWBA INDIAN NATION LANDS
ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1619) to clarify the status of gaming conducted by the Catawba Indian Nation, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 361, nays 55, answered “present” 3, not voting 12, as follows:

[Roll No. 340]

YEAS—361

Aguilar	Carter (TX)	Dunn
Allred	Cartwright	Ellzey
Amodei	Case	Escobar
Auchincloss	Casten	Eshoo
Axne	Castor (FL)	Espallat
Babin	Castro (TX)	Estes
Bacon	Chabot	Evans
Baird	Cheney	Fallon
Balderson	Chu	Feenstra
Banks	Cicilline	Ferguson
Barr	Clark (MA)	Fischbach
Barragán	Clarke (NY)	Fitzpatrick
Bass	Cleaver	Fletcher
Beatty	Clyburn	Foster
Bentz	Cohen	Foxx
Bera	Cole	Frankel, Lois
Bergman	Comer	Franklin, C.
Beyer	Connolly	Scott
Bice (OK)	Cooper	Fulcher
Bilirakis	Correa	Gaetz
Bishop (GA)	Costa	Gallagher
Bishop (NC)	Courtney	Galleo
Blumenauer	Craig	Garamendi
Blunt Rochester	Crawford	Garbarino
Bonamici	Crenshaw	Garcia (CA)
Bourdeaux	Crist	Garcia (IL)
Bowman	Crow	Garcia (TX)
Boyle, Brendan	Cuellar	Jimenez
F.	Curtis	Golden
Brady	David (KS)	Gomez
Brown	Davis, Danny K.	Gonzales, Tony
Brownley	Davis, Rodney	Gonzalez (OH)
Buchanan	Dean	Gonzalez,
Buck	DeFazio	Vicente
Bucshon	DeGette	Gooden (TX)
Budd	DeLauro	Gotthelmer
Bush	DeBene	Granger
Bustos	Delgado	Green, Al (TX)
Butterfield	Demings	Griffith
Calvert	DeSaulnier	Grijalva
Cammack	Deutch	Guthrie
Carbajal	Diaz-Balart	Hagedorn
Cárdenas	Dingell	Harder (CA)
Carl	Doggett	Hayes
Carson	Donalds	Hern
Carter (GA)	Doyle, Michael	Hice (GA)
Carter (LA)	F.	Higgins (LA)

Higgins (NY)	McCaul	Scott (VA)
Hill	McClain	Scott, Austin
Himes	McClintock	Scott, David
Hinson	McEachin	Sessions
Horsford	McGovern	Sewell
Houlahan	McHenry	Sherman
Hoyer	McKinley	Simpson
Hudson	McNerney	Sires
Huffman	Meeks	Slotkin
Huizenga	Meijer	Smith (MO)
Issa	Meng	Smith (NE)
Jackson Lee	Meuser	Smith (NJ)
Jacobs (CA)	Mfume	Smith (WA)
Jacobs (NY)	Miller (WV)	Smucker
Jayapal	Moolenaar	Soto
Jeffries	Moore (UT)	Spanberger
Johnson (GA)	Moore (WI)	Spartz
Johnson (OH)	Morelle	Speier
Johnson (SD)	Moulton	Stansbury
Johnson (TX)	Mrvan	Stanton
Jones	Mullin	Stauber
Joyce (OH)	Murphy (FL)	Steel
Joyce (PA)	Murphy (NC)	Stefanik
Kahele	Nadler	Steil
Kaptur	Napolitano	Steube
Katko	Neal	Stevens
Keating	Neguse	Stewart
Keller	Nehls	Strickland
Kelly (IL)	Newhouse	Suozi
Kelly (PA)	Newman	Swalwell
Khanna	Norcross	Takano
Kildee	Nunes	Taylor
Kilmer	O'Halleran	Thompson (CA)
Kim (CA)	Obernolte	Thompson (MS)
Kim (NJ)	Ocasio-Cortez	Thompson (PA)
Kind	Omar	Timmons
Kinzinger	Owens	Titus
Kirkpatrick	Pallone	Tlaib
Krishnamoorthi	Panetta	Tonko
Kuster	Pappas	Torres (CA)
LaHood	Pascrell	Torres (NY)
LaMalfa	Payne	Trahan
Lamb	Pence	Trone
Langevin	Perlmutter	Turner
Larsen (WA)	Peters	Underwood
Larson (CT)	Pfuger	Upton
Latta	Phillips	Valadao
LaTurner	Pingree	Van Dyne
Lawrence	Porter	Vargas
Lawson (FL)	Posey	Veasey
Lee (CA)	Pressley	Vela
Lee (NV)	Price (NC)	Velázquez
Leger Fernandez	Quigley	Wagner
Lesko	Raskin	Walberg
Letlow	Reed	Walorski
Levin (CA)	Reschenthaler	Waltz
Levin (MI)	Rice (NY)	Wasserman
Lieu	Rice (SC)	Schultz
Long	Rogers (AL)	Watson Coleman
Lowenthal	Rogers (KY)	Webster (FL)
Lucas	Ross	Welch
Luria	Rouzer	Wenstrup
Lynch	Roybal-Allard	Westerman
Mace	Ruiz	Wexton
Malinowski	Ruppersberger	Wild
Malliotakis	Rush	Williams (GA)
Maloney,	Ryan	Williams (TX)
Carolyn B.	Salazar	Wilson (FL)
Maloney, Sean	Sánchez	Wilson (SC)
Mann	Sarbanes	Wittman
Manning	Scanlon	Womack
Massie	Schakowsky	Yarmuth
Mast	Schiff	Young
Matsui	Schneider	Zeldin
McBath	Schrier	
McCarthy	Schweikert	

NAYS—55

Aderholt	Gosar	Miller (IL)
Allen	Graves (LA)	Mooney
Arrington	Graves (MO)	Moore (AL)
Biggs	Green (TN)	Norman
Boebert	Greene (GA)	Palazzo
Bost	Grothman	Palmer
Brooks	Harris	Perry
Burchett	Harshbarger	Rodgers (WA)
Burgess	Hartzler	Rose
Cawthorn	Herrell	Rosendale
Cline	Herrera Beutler	Roy
Cloud	Hillingsworth	Rutherford
Clyde	Jackson	Scalise
Davidson	Johnson (LA)	Tenney
DesJarlais	Jordan	Van Drew
Fleischmann	Kelly (MS)	Waters
Fortenberry	Kustoff	Weber (TX)
Gohmert	Lamborn	
Good (VA)	Luetkemeyer	

ANSWERED "PRESENT"—3

Duncan Lofgren McCollum

NOT VOTING—12

Adams Armstrong Emmer Fitzgerald Gibbs Guest Loudermilk Miller-Meeks Pocan Schrader Sherrill Tiffany

□ 1901

Messrs. FORTENBERRY, BOST, BURGESS, Mrs. WATERS, and Mr. JORDAN changed their vote from "yea" to "nay."

Messrs. LAHOOD and TURNER changed their vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. ADAMS. Madam Speaker, had I been present, I would have voted "yea" on rollcall No. 340.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Table listing members recorded pursuant to House Resolution 8, 117th Congress. Includes names like Axne, Barragan, Beatty, etc.

[Roll No. 341]

YEAS—357

Table listing members who voted "yea" (357 total). Includes names like Adams, Dunn, Lee (NV), etc.

Table listing members who voted "yea" (continued from previous block). Includes names like Schrier, Steube, Vela, etc.

NAYS—59

Table listing members who voted "nay" (59 total). Includes names like Allen, Arrington, Biggs, etc.

ANSWERED "PRESENT"—1

Lofgren

NOT VOTING—14

Table listing members who voted "present" (1 total) and those who did not vote (14 total). Includes names like Armstrong, Beatty, etc.

□ 1928

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. EMMER. Mr. Speaker, I was regrettably unable to vote on November 1, 2021. Had I been present, I would have voted "yes" on H.R. 1619 and "yes" on H.R. 2758.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Table listing members recorded pursuant to House Resolution 8, 117th Congress. Includes names like Axne, Barragan, Beatty, etc.

LUMBEE RECOGNITION ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2758) to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 357, nays 59, answered "present" 1, not voting 14, as follows:

Duncan

Nunes (Garcia (CA))	Schiff (Thompson (CA))	Torres (NY) (Auchincloss)
Ocasio-Cortez (Garcia (IL))	Sewell (Cicilline) (CA)	Trone (Beyer)
Palazzo (Fleischmann)	Sires (Pallone) Speier (Scanlon)	Wagner (Walorski)
Payne (Pallone)	Steube (Franklin, C. Scott)	Wasserman Schultz (Soto)
Pingree (Kuster)	Strickland (Jeffries)	Welch (McGovern)
Rush (Underwood)	Thompson (MS) (Butterfield)	Williams (GA) (McBath)
Salazar (Gimenez)	Titus (Connolly)	Wilson (FL) (Hayes)

CONGRATULATING THE ASIA PACIFIC CULTURAL CENTER FOR 25 YEARS OF SERVICE AND DEDICATION

(Mr. KILMER asked and was given permission to address the House for 1 minute.)

Mr. KILMER. Mr. Speaker, E Pluribus Unum, out of many, one.

Our Nation's motto reflects the truth embodied by the Asia Pacific Cultural Center for the last 25 years; that our region's diversity is a blessing; that the people in the cultures that have come from so many places should be celebrated. And, importantly, that the celebration of that diversity can be a force for uniting us.

Since 1996, the Asia Pacific Cultural Center has served as that unifying force in our region, providing programs to support and honor the Asian and Pacific Islander people. It has brought us together.

Over the years, so many of us have learned from APCC programs. Personally, I have participated in traditional ceremonies at Samoan Cultural Days and at the Korean Chuseok Festival. I have tried and even made all kinds of cuisine. I have joined the APCC in healing after tragic moments in our country. Like others, I have joined them in joy and celebration.

I would like to recognize the organization's tremendous leadership, including Lua Pritchard and Patsy Surh O'Connell and congratulate the APCC for 25 years of service and dedication to our community. Here is to many more.

THE BIDEN ECONOMY IS MOVING IN THE WRONG DIRECTION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the Biden economy is moving in the wrong direction, destroying jobs and destroying small businesses.

In the Commerce Department report last week, the estimated third quarter Gross Domestic Product—the value of all goods and services produced in America—came in at a low 2 percent, lower than the last quarter, with Americans making less, below inflation.

Congressman KEVIN BRADY, the Republican leader of the House Ways and Means Committee, has said that there is more proof that President Biden is bungling the recovery, and now faces

serious questions about his competency to heal our economy.

Economic growth has already peaked for President Biden's Presidency, and now he is nearly a million jobs short of his promises. Democrat elite think they are smarter than anyone, and they think Democrat voters are ignorant to believe that \$3.5 trillion in spending costs zero.

In conclusion, God bless our troops, who successfully protected America for 20 years as the global war on terrorism continues moving from Afghanistan to America due to Biden ignoring military advice.

RECOGNIZING KRISTALLNACHT COMMEMORATION

(Ms. SPANBERGER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SPANBERGER. Mr. Speaker, I rise tonight to recognize the Kristallnacht Remembrance Service that has taken place in the community I represent for more than 60 years.

In 1938, during Kristallnacht, the night of broken glass, more than 90 Jews were killed, murdered, and 30,000 Jewish men were arrested and sent to concentration camps. Hundreds of synagogues were burned, and thousands of Jewish homes and businesses were ransacked. It was a prelude to the horrors to come.

Every year, central Virginians come together on the anniversary of Kristallnacht at the Emek Sholom Holocaust Memorial Cemetery in Henrico County, a cemetery that serves as the final resting place for so many Virginians with ties to the Holocaust.

At the service, our community joins to remember what took place, honor loved ones, and remind us that we can never forget.

I am immensely grateful to the local leaders in central Virginia's Jewish community who bring people together for this remembrance service.

This community is committed to education and celebrating Jewish culture, and the Kristallnacht Remembrance Service is indicative of that spirit and that commitment.

RECOGNIZING THE YOUNG HARRIS COLLEGE MEN'S SOCCER TEAM

(MR. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to congratulate and celebrate the accomplishments of the Young Harris College men's soccer team.

As an alumnus of Young Harris College, I am honored to recognize the hard work and resiliency of the entire staff and team.

On October 20, the team rallied together to win the 2021 Peach Belt Conference title. Scoring twice in the last

5 minutes, the Mountain Lions were able to secure a 2-1 win over Georgia Southwestern State University for the title. This victory marks the sixth Peach Belt Conference title in program history.

Beyond the soccer field, these student athletes are to be commended for their academic success and commitment to the Young Harris College Community.

I, along with the entire Mountain Lion community, will be cheering the team on as they continue their season. Congratulations to the players, coaches, and parents on an incredible season and a well-deserved win.

Go Mountain Lions.

AMERICAN STEEL AND ALUMINUM INDUSTRIES SERVE OUR NATION

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I rise in support of the Section 232 steel and aluminum agreement that President Biden's administration has reached with the European Union.

This agreement is critical as a safeguard for national security, to restore and improve our transatlantic alliances, and bolster the American steel and aluminum industries that serve as the backbone of this country.

Establishing a level playing field through robust enforcement mechanisms will ensure that American companies are able to compete in the marketplace, not forced to contend with the cheaper and shoddier metals dumped around the globe by China and others.

President Biden is delivering for domestic manufacturers and our union brothers and sisters who build up America. Together, we will continue our work to create the good-paying middle class jobs our families deserve. Let us rebuild our communities with the innovation and ingenuity that only American industries can produce.

RECOGNIZING DAVE WILLIAMS AS THE VOICE OF AGRICULTURE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize the voice of agriculture in Pennsylvania and beyond, Mr. Dave Williams.

Dave has been a key voice in agriculture for more than 20 years. A farmer himself, Mr. Williams never expected to air on nearly 30 radio stations, three networks, and weekly PCN-TV.

His first show aired on WDNH-AM 1590 in 1998. He believed it was important to involve the consumers who buy and eat the foods so that they could have a better understanding. He was right. From there he went on to interview State and Federal legislators,

Governors, State agriculture officials, and of course, a lot of farm family stories.

In January of this year, David was the recipient of the Gerald W. Reichard Impact Award, given annually to someone who has had a significant overall impact on the Pennsylvania Farm Show.

Dave continues to use his platform for agriculture advocacy, highlighting the important work of farmers and ranchers in Pennsylvania and across the country.

Thank you, Dave, for your important work, and thank you for being a voice of agriculture.

HONORING THE FREEDOM RIDERS

(Mr. JOHNSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in recognition of the anniversary of this important day in American history, November 1, 1965. On that day, the Interstate Commerce Commission ruled that segregation on interstate buses and facilities was illegal. This ruling came after months of protests and arrests of the Freedom Riders on public transit.

The Freedom Riders, made up of Black and White, male and female, young and old, united to show the Nation that we are all equal. I had the honor of serving in Congress alongside one of the original Freedom Riders, my good friend and our colleague, the late Congressman John Lewis.

To honor his legacy and commitment to ending racial segregation, I reintroduced H.R. 1348, to award a Congressional Gold Medal to the Freedom Riders in recognition of their unique contribution to civil rights.

I strongly encourage my congressional colleagues to cosponsor H.R. 1348. This year marks the 65th anniversary of the Freedom Riders, and it is past time that we recognize their courage and contributions.

80,000 NEW IRS AGENTS

(Mr. GROTHMAN asked and was given permission to address the House for 1 minute.)

Mr. GROTHMAN. Mr. Speaker, over the weekend I attended a University of Wisconsin football game, and for awhile I sat high in the second deck overlooking the campus and the beautiful Lake Mendota.

As I stood there looking at over 80,000 people, I wondered what was going on in different people's minds. Some people were looking at beautiful Lake Mendota. Some people were looking at the beautiful college buildings: Vilas Hall and Van Vleck Hall. Other people were looking down on the football game.

As I looked at the 80,000 people, I realized that some people looking at 80,000 people said: Wouldn't it be great

if we hired all 80,000 people to be new IRS agents?

Please, don't let this country become East Germany. Vote "no."

Mr. Speaker, I hope we all vote "no" on the reconciliation bill.

\$450,000 PER PERSON TO ILLEGAL IMMIGRANTS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, today I rise in actually complete outrage at the unbelievable consideration that the Biden administration is putting forward—get this—awarding \$450,000 per person to illegal immigrants that have broken our laws in this country.

\$450,000. How is it even rational that someone who took an illegal action in order to get to our soil, how can that lead to an outcome where the perpetrator would receive a \$450,000 payday?

There are American citizens whose families don't even make half a million dollars in 10 years. The President doesn't even make \$450,000 a year.

We have already seen that illegal immigrants use children basically as shields—not even their own children—to avoid deportation in order to come across the border.

Democrats in Congress are trying their best to give illegal immigrants citizenship, and the White House wants to give them a very large check.

When I see proposals like this, I have to ask: Whose side are they on? It certainly doesn't look like this administration is on the side of the hard-working American citizens who are trying to make ends meet, put their kids through school, pay their bills, when they hand out \$450,000 checks to people who came here illegally.

□ 1945

CONGRESSIONAL BLACK CAUCUS

The SPEAKER pro tempore (Mr. KAHELE). Under the Speaker's announced policy of January 4, 2021, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 60 minutes as the designee of the majority leader.

Ms. JACKSON LEE. Mr. Speaker, I wish a good evening to all of my colleagues and certainly members of the Congressional Black Caucus. It is my privilege to be part of the Special Order series of the Congressional Black Caucus as a coanchor with Congressman TORRES from New York, and we thank him for his leadership. We thank, in particular, the chair of the Congressional Black Caucus, JOYCE BEATTY, who has been an enormous leader on any number of issues that are crucial to the American people and to African Americans.

The one thing I say about the Congressional Black Caucus representing millions and millions of Americans is that we represent a diverse population

of Americans. I am very proud to, as well, represent those African-American descendants of freed slaves.

In fact, we rise today to emphasize the cruciality of the Build Back Better Act for moving the Nation forward and particularly moving forward those whom the Congressional Black Caucus represents. So I am very pleased this evening to be joined by my outstanding colleagues, who will include Congresswoman ADAMS from North Carolina, Congresswoman BONNIE WATSON COLEMAN from New Jersey, Congressman DWIGHT EVANS from Pennsylvania, and Congressman STEVE HORSFORD from Nevada. There are others, such as Congresswoman GWEN MOORE from the great State of Wisconsin. Other Members may come.

GENERAL LEAVE

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include any extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON LEE. Mr. Speaker, let me be very clear and refute a statement that I just recently heard on the floor. Nothing is ignorant in the Build Back Better bill and/or the bipartisan infrastructure bill. In fact, ignorance is stamped out by these bills. One, they are fully paid for as we are working the final edges of that, and, number two, they are doing things that are long overdue for America.

Who are we as President Biden stands at the G20 and now at the climate change conference? Who are we? We are leaders of the free world. In fact, we are the leader.

Although there are debates on the status of Russia and the competitive nature of China, all that has a basis in facts. But at the same time, as these facts are present, the United States continues to grow and to move and to ensure opportunity for its citizens. It is not our creed to randomly snatch people off the street and lock them up. It is not our focus to ensure that voices are not heard or that people of different religions are treated differently, arrested, isolated, and brutalized even. It is not our basic creed to enact laws that would help us take very important proprietary information from others.

We are a democracy, and we are aided by the laws of that principle. So I take no back seat to whether or not Russia and China are competitive or are proposed world powers. What I say is that the United States has all the elements of continuing her posture of leadership, and one of those elements will be the successful passage of the Build Back Better Act and BIF, the bipartisanship infrastructure bill. This is the kind of legislation that is not seen even amongst our European friends of late nor of China or Russia.

We are standing on the precipice of history, and I am very grateful for the

leadership of the Congressional Black Caucus that has been at the forefront of these matters. Again, working with so many of our colleagues, we lead as full committee chairs having input into this bill.

Let me very quickly indicate that we are strongly supporting the \$1.75 billion Build Back Better Act conceived and advanced by the President and House Democrats. We are grateful that we have had moments of negotiations with our other caucuses. Those caucuses are likewise ensuring that the t's are crossed and the i's are dotted.

Mr. Speaker, what is wrong with that? When we finally bring a bill, we want to make sure that it is vetted, and that is what so many of our members of the CBC were able to do, to be part of the vetting.

It is also important in 2021, this 21st century, that we go big. It is often said that the Federal budget is an expression of the Nation's values and that the investments made to build back better are, in fact, a clear declaration of congressional Democrats, of the Congressional Black Caucus, to ensuring that our government, our economy, and our systems work for the people.

We have always been the voice of the vulnerable. We have always been the conscience of the Congress. So these are long-overdue investments.

The Build Back Better Act makes transformative investments, as our chairwoman has often said. We need to continue growing our economy and lower costs for working families. This \$1.75 trillion—which, by the way, I refute the statement of ignorance because the statement was ignorant because they were speaking of \$3.5 trillion, which was paid for, but we have come to a conclusion and a compromise of \$1.75 trillion.

Are the American people worth this? Are vulnerable communities worth this? Are children who suffer from lead pipes and water from those pipes worth it?

The Congressional Black Caucus feels it is the case. That is why we have supported the improvement in education, healthcare, and childcare. Childcare, in particular, will particularly help those of our community who have for too long either gone without childcare and suffered or paid more than half of their income.

Childcare is an important element of our work, and so I have the Gingerbread Childcare Center husband and wife who made the sacrifice to help vulnerable parents have childcare, parents who had to leave in the middle of the night, people who worked at night, essential workers, parents who worked for a period of time and, of course, did not have the kind of childcare that the Gingerbread—a wonderful daycare—allowed us to have.

We hope that these resources will help these kinds of entities in our community: \$40 billion in education to specifically improve Pell grants and, as well, to work with historically Black

colleges. I know we will hear that from my colleague, but it is extremely important that we have never left our HBCUs. They have been at the forefront of funding since President Biden has come into office. Through the years of the Congressional Black Caucus, and the voices of our members joined with our chairwoman of the HBCU Caucus, Congresswoman ADAMS, we have them included again in this legislation.

I will be discussing as we go forward healthcare, which is extremely important. We are excited about getting aid to those in the 12 States, including Texas, South Carolina, and North Carolina, among others, that did not opt in to the Affordable Care Act-expanded Medicaid. We left so many families along the highway of despair. Thank goodness we found a way to bring them now under the Affordable Care Act, to give them subsidies.

Help is on the way, Houston. Help is on the way, Texas, with the highest number of uninsured, 766,000. Now, with Build Back Better, we will have a pathway for them to get healthcare. I can hear the noise of shouting now down in Houston, Texas, and I can hear the noise of helping families with children have healthcare, which they did not.

We will talk about that more extensively and, as well, childcare, as I have mentioned, to be able to ensure not only childcare with only 7 percent of your income but, again, universal and free preschool for all 3- and 4-year-olds.

That is something to say to China, Russia, and others, that America recognizes what its priority is, and it is our children.

You will hear, Mr. Speaker, just a long litany of how lives will be helped, how we will rebuild families, home care, giving dignity to those essential workers, taking care of people in the latter part of their lives, ensuring dignity and income but also ensuring the opportunity for these individuals to be able to be cared for at home.

I will be discussing further the affordable housing that is very important. Then, of course, is a major element of all of this, as the President stands in front of the tens upon tens of countries, leading on climate change, for which we gave him a standing ovation when he left for his European meetings.

Mr. Speaker, you will hear more about this as we go forward this evening. I am delighted that the Congressional Black Caucus played such an instrumental role in dealing with the Federal Medicaid problem and solving childcare, HBCUs, climate change, and dealing with maternal issues for African-American women and many others.

Mr. Speaker, I am delighted to yield to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I want to thank the gentlewoman from Texas for her stellar leadership, for coanchoring tonight, and for all the support that she has continued to give, and the leadership of the CBC.

Mr. Speaker, I rise this evening to speak about the importance of passing the Build Back Better Act, legislation nothing short of transformational for Black America.

It extends the child care tax credit for a year, cutting child poverty in half. In North Carolina, that is a lifeline for hundreds of thousands of children who go to bed hungry every night.

It puts \$150 billion toward affordable housing, which has been described as the single largest and most comprehensive investment in affordable housing in history. In Charlotte and so many other communities across the country, that is real progress on our affordable housing crisis and real relief for over half a million Americans who don't have a roof over their heads.

As the chair of the CBC HBCU Caucus and cofounder of the Congressional Bipartisan HBCU Caucus, I am proud to say that this package provides approximately \$10 billion specifically for historically Black colleges and universities and other minority-serving institutions, including \$3 billion for research and development grants at these institutions and \$6 billion for increased Pell grants and institutional support to lower the cost of college.

Universal childcare and pre-K will prepare children to receive the education that they need to succeed in school and be admitted to college.

As the cofounder and co-chair of the Black Maternal Health Caucus with Representative UNDERWOOD, I am also proud to say that the Build Back Better Act includes all eligible provisions of our Omnibus legislation and permanently expands yearlong postpartum Medicaid and CHIP coverage in every State.

The maternal health and morbidity crisis in this country is unacceptable, but the Build Back Better Act gets us closer to the day when every parent who enters the maternity ward and every child born in America makes it home safe.

Finally, I would like to take a point of personal privilege to recognize the hard work of our Congressional Black Caucus chair, JOYCE BEATTY, and all the members and committee chairs on this legislation.

I believe that promises made must be promised kept, and this package keeps our promise to all Americans. I implore my colleagues to pass the Build Back Better Act and the bipartisan infrastructure framework together. This is Our Power, Our Message.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman from North Carolina for her words. Again, I emphasize her commitment, dedication, and work on historically Black colleges, and she is absolutely right: \$10 billion. But more importantly, that is layered upon the dollars out of the American Rescue Act, out of the CARES Act, and the debt under President Joe Biden that has been effectively worked on in this congressional session. We know

that we are doing better by our students because we have done better by them as it relates to education.

Mr. Speaker, I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), who chairs the Subcommittee on Transportation and Maritime Security of the Committee on Homeland Security and has been committed to improving the lives of young African-American women and, of course, those dealing with mental health issues as well.

□ 2000

Mrs. WATSON COLEMAN. Mr. Speaker, I thank the gentlewoman from Texas for spearheading this Special Order hour and for giving me an opportunity to share a few of my remarks.

Mr. Speaker, I rise today optimistic, optimistic that our country is on the verge of taking a historic step forward for all of our communities. The Build Back Better Act is a once-in-a-generation investment in our country as a whole and in Black Americans, specifically. For too long, our country's institutions have been apathetic and even adversarial toward Black people. Four hundred years of slavery, Jim Crow, mass incarceration, and other forms of systemic violence have trapped Black Americans in a vicious cycle from which it can be nearly impossible to break.

The Build Back Better Act will not instantly remedy four centuries of that pain and hardship, but it is a crucial starting point. Through revitalizing infrastructure and funding essential social services, the President's agenda will set the next generation of Black Americans up for success.

Building back better means directly confronting the Black mental health crisis. This bill would fund universal childcare and pre-K, allowing Black mothers to return to the workforce while giving Black children the early childhood care that they need.

Building back better means giving those same Black children safe places to grow up, to learn, and to thrive. We will do that by making the single-largest housing investment in our Nation's history.

Building back better means ensuring those very same children have long, successful lives. That is why the bill invests billions of dollars into historically Black colleges and universities. This is new money on top of our annual funding of HBCUs.

Many of us in this Chamber today, myself included, wanted more out of the Build Back Better Act. No, this bill is not perfect, and much more work will remain to be done after its passage. This does not change the fact, however, that the Build Back Better Act represents monumental progress for our country; progress for everyday Americans; progress for elder Americans; progress for children in America; progress for working Americans; and, yes, progress for African Americans and other minorities.

Mr. Speaker, I urge all of my wonderful colleagues to support the Build Back Better Act.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman very much for recognizing that this will be transformative, but as well, that it will do and improve in areas that we have not done in the history of the United States of America.

Mr. Speaker, I am now delighted to yield to the gentleman from Pennsylvania (Mr. EVANS), from Philadelphia, who has been instrumental in dealing with issues of taxation and the empowerment of small businesses.

Mr. EVANS. Mr. Speaker, I would like to first thank my colleague from the great State of Texas for yielding. Since I have been here, I have watched her relentless passion for Black people, and she has not let anybody stand in the way, and I am proud to stand with her and also the chair of the Congressional Black Caucus, Chairwoman BEATTY. She, too, has led this Caucus, and I am honored to be here just to add my voice to this discussion this evening.

President Biden's Build Back Better framework would bring down costs that have held back families in Pennsylvania for decades. It would do this by cutting taxes and making childcare, home care, education, healthcare, and housing more affordable.

Let me repeat that, Mr. Speaker. President Biden's Build Back Better framework would bring down the costs that have held back families in Pennsylvania for decades. It would do this by cutting taxes and making childcare, home care, education, healthcare, and housing more affordable. These investments will provide new learning opportunities for children, help parents—and especially working parents—make ends meet, and it positions the economy for a stronger growth for years to come.

As the Congresswoman said from the great State of Texas: This is transformational. And that is why I am happy to be a part of this discussion. The framework will create good-paying jobs for Pennsylvanians, combat climate change, give our kids cleaner air and water, and make America the leader in global innovation and 21st century manufacturing, which means jobs and opportunities, which means a sense of hope and optimism.

Mr. Speaker, this is a moment for all of us and we must not sit back. And the Congressional Black Caucus, by what is taking place here, is demonstrating that it is there. As the late John Lewis used to say: If you see something, do something. And the Congressional Black Caucus is following that lead.

We all recognize, as the late John Lewis used to say: If you think things haven't changed, just walk in my shoes.

I want to focus tonight on childcare, which is so vital to our families and putting our economy back on track. It is a major reason why many Americans have not been able to go back to work.

In Pennsylvania, the average yearly cost of childcare centers for a toddler is over \$11,000. That means a Pennsylvania family with two young children, on average, spends 22 percent of their income on childcare for 1 year.

The lack of affordable options also contributes to the 15 percent gender gap in workforce participation between mothers and fathers; 15 percent. That is outrageous. That should not be accepted.

The Build Back Better framework is the way to go. President Biden has shown the kind of leadership and vision that is necessary. That is why the Congressional Black Caucus stands so proudly to join this effort with the rest of our colleagues who are ready to lead.

This is just that kind of moment. We want to be at the right place at the right time. The building back framework would enable Pennsylvanians to provide access to childcare for more than 737,000 young children ages 0 to 5 per year from families earning under 2.5 times the State median income. I want to repeat that. The building back framework would enable Pennsylvania to provide access to childcare for more than 700,000 young children ages 0 to 5 per year from families earning under 2.5 times the median income, and it would ensure these families would pay no more than 7 percent of their income on high-quality childcare.

This is something that is extremely important. This is something, when the President talks about building back better, it puts us all in the right position. It is something that needs to happen. It is something that is long overdue. We in the Congressional Black Caucus are prepared to join with the President and to send a message that building back better is in the interest of America.

The President realizes that. He understood a long time ago about the needs that we have. So I compliment him in joining with our chairperson and joining with our colleague from the great State of Texas and their leadership, and all of us joining with him tonight to show that we are prepared to help lead this battle; that no one can do it by themselves, but we need to be prepared.

We made a promise to build back better after the pandemic and this framework would do just that. Mr. Speaker, this is an opportunity for all of us. This is an opportunity for us to stand tall, to raise the issue about building back better. We all recognize this. This entire package, Build Back Better and the infrastructure package together, will make a huge difference in our economy.

It is something that we all have worked on and we all understand the importance of it. So I share with you as one member of this Caucus, proudly of the Congressional Black Caucus, proudly of Pennsylvania, proudly a citizen of the United States, that I am ready for this. And I thank my colleague SHEILA JACKSON LEE for her leadership and all that she has done.

As I have watched her, even though she hasn't noticed it, she has been in the forefront. She hasn't missed a fight, and I am glad to be a part of every effort.

So with the Congressional Black Caucus I stand proudly on the President's Building Back Better framework, and I am ready to vote for it.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Pennsylvania for recognizing that a vital part of the lives of families is childcare.

As a member of the Ways and Means Committee, I know that he was extremely engaged in this very vital aspect of the President's Build Back Better, and, again, we thank the wisdom of the President of the United States, President Biden and Vice President HARRIS, for their wisdom about helping American families.

Mr. Speaker, I yield to the gentleman from Nevada (Mr. HORSFORD), the first vice-chair of the Congressional Black Caucus and someone who worked extensively on work training issues, extensively on healthcare, and of course, on issues like childcare, as well.

Mr. HORSFORD. Mr. Speaker, I want to thank my coanchor, my distinguished colleague Congresswoman SHEILA JACKSON LEE for her tremendous leadership and for anchoring this Special Order hour, and, of course, our chairwoman, JOYCE BEATTY, for her tremendous leadership in leading the Congressional Black Caucus, which represents more than 17 million Black constituents across this great country. We represent not only Black Americans, but all Americans, diverse Americans. And what those Americans have been telling me in my district back home in Nevada's Fourth District, it is time for us to build back better and to do it in a more equitable and inclusive way.

Tonight, we are here to bring attention to the fact that we are standing at a crossroads of history. With the bipartisan infrastructure deal and the Build Back Better Act, Congress has the opportunity to finally rebuild our economy to deliver huge tax cuts to the middle class and to lower the cost of living for families on everything from childcare to healthcare.

The question is: Will our colleagues on the other side of the aisle work with us to deliver these important investments on behalf of the American people? Now, we have seen transformative legislation like this before when Congress worked to rebuild the American society in the wake of the Great Depression, but never, and I mean never, have people of color benefited like they could under the Build Back Better Act.

I think it is our majority whip, JIM CLYBURN, who has talked about the history of these other measures and how they actually left entire communities out. They left women out. They left communities of color out, and we are still dealing with the systemic issues of being left out of those policies for far too long.

So I want to again thank our leadership because it wasn't just this bill and the drafting of this bill and, yes, President Biden wrote this bill, he wrote it with the support of his team at the White House, but with a whole lot of good input from colleagues over here in the Capitol, including here in the Congressional Black Caucus.

□ 2015

I know that there are colleagues of mine who have been working on key elements of this bill for a very long time. I know that they, like myself, are ready to act on behalf of the American people.

So I look forward to having a little bit of a colloquy with my colleague from Wisconsin. I believe that it is so important, Mr. Speaker, that we talk about what is in this bill. For far too long, people have been focused about a top-line number, about the process, about the personalities here on Capitol Hill and whether certain factions are with the bill or working on the bill. With all due respect, I want to talk about policy and the policy that affects people, the people in my district, in Nevada's Fourth District, and the people all across this country.

Why? Because the Build Back Better Act will cut childcare costs. For families that are eligible under this bill, they won't pay more than 7 percent of their household income to cover childcare, something that women and communities of color desperately need as we talk about the workforce shortage and the inequities that are in our workforce.

What sense does it make when someone who has to work—I will give you an example—Ms. Rosetta, who is a constituent of mine, is a home care worker. I had a roundtable with her and some other home care workers. She shared with me that when she started her job several years ago, she got paid \$9.50 an hour. Today, she makes just over \$10 an hour. Think about that.

For several years, this woman, who is a home care worker, who goes into elderly citizens' homes to take care of them, to make sure that they are fed, that they are bathed, that literally she changes their diapers, she is their companion, she hasn't been given a raise of more than 50 cents over the course of several years. That is unconscionable.

Under the Build Back Better Act, we are actually investing in home care workers, not only to help make that profession what it should be, an honorable one that pays them what they are worth, but also equips them with the support that they need for their own families. Why is it okay for them to take care of other people's families and then not even have the resources and the means to take care of their own?

It also gives every child a head start with universal pre-K for 3- and 4-year-olds. Mr. Speaker, we have talked a lot about how we help young people get the start they need in life, and we know that by investing in their early

success, it improves academic skill attainment, allowing them to read at an early age. Reading is essential to every other subject that they have to learn. It will ensure that they improve their graduation rates, which improves their life chances of success.

To my colleagues on the other side, when you say that we are spending too much in this package, are we spending too much for that home care worker, for Rosetta, and so many other people like her? Are we spending too much to give working families the support they need to be able to afford childcare? Are we spending too much so that every child in our country has a good start through universal prekindergarten? These are but just a few of the benefits.

Now, before I go on and I yield to my colleague here, I want to talk about one other important element. We have spent a lot of time on the Build Back Better Act, but I am also for the bipartisan infrastructure deal. Why? Yes, it is going to create millions of good-paying, union jobs. Yeah, I have no problem saying "union" here in this body, because it is the unions that helped build the middle class. If we are going to build this country back better, we need to do it with unions at the center of it.

Not only does it do that, it expands broadband access, providing broadband connectivity in our households in rural communities and in urban areas.

My district covers 52,000 square miles. I have parts of Las Vegas and North Las Vegas that need broadband, but I have six rural communities throughout Nevada, many of them that do not have adequate broadband. In fact, it is a broadband desert throughout certain parts of my rural communities. They need the investment.

It also makes the largest Federal investment in public transit in history. Mr. Speaker, maybe more Members of Congress should have to ride the bus, and they would understand the investments that are in this bipartisan infrastructure bill.

Yet, the minority leader on the other side is literally trying to whip votes against this bipartisan infrastructure bill, a bill that 19 Senate Republicans voted for, along with every Democrat. Now, it is our turn to vote for it, and they won't work with us to deliver the largest investment in public transit in history?

You have constituents that rely on public transit. That is the only way some veterans can get to their doctors' appointments. Seniors, college students, working people. This has direct implications on the climate crisis as well. When people have to stand outside for hours in order to catch a bus, that affects their exposure to everything from heat to snow in Wisconsin. We don't have that in Vegas.

Finally, it will remove lead from the water our children and other vulnerable populations drink. These are just three of the very important provisions that are in the bipartisan infrastructure deal.

I am ready to vote for these bills, Mr. Speaker. I wish we could schedule the vote tomorrow, because these are investments that people in Nevada's Fourth District are depending on. They sent me to Congress to solve problems and to make their lives better. These two bills do that, and they do it in very significant and meaningful ways. In fact, it is probably the largest investment in people in a generation, and we have a chance to do it. It is the Congressional Black Caucus, among others, that are leading.

I want to yield to my colleague, Congresswoman MOORE. Let me ask you, because I know as a member of the Ways and Means Committee, you have been a champion on the racial equity. You have been a champion for the poor, particularly women, women of color, who have been disproportionately affected by this pandemic and its recession on our economy. So what is it in this bill that makes you so excited to vote for it, and how will other communities benefit, beyond just some of the things that I have touched on?

Mr. Speaker, I yield to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Mr. Speaker, I thank the gentleman so very, very much for that question. It really has been a joy working with him on the Ways and Means Committee. It has been an education, and it has also been an opportunity to do those things that he has indicated that are close to my heart, and that is to create some equities for women and children.

I want to just thank Representative SHEILA JACKSON LEE for anchoring this extremely important conversation with the American people today.

One of the things that has been disturbing me about this entire debate is that people seem to really want to make some sort of bright-line demarcation or differentiation between the bipartisan infrastructure bill—which will create economic opportunities, get rid of those darned lead pipes, expand broadband, create good union jobs, help create some great jobs for guys—and the Build Back Better initiative, as if that is some sort of welfare, a giveaway. Social spending is what it is referred to, a safety net.

So what I wanted to seek from you, a clarification from you, Mr. HORSFORD, particularly since you were appointed by the Committee on Ways and Means, along with our colleagues, Representatives SEWELL and GOMEZ, to look at our racial equity issue. Of course, we know that African Americans and Latinos are more likely to be poor, have a greater wealth gap, and lack of educational opportunities, so that when we think that we are investing in their improvement, that somehow it is welfare.

But I would sort of want you to take up the argument where you left it with regard to some of the economic problems that we are experiencing. There are major complaints in our country about a slowdown in economic growth.

What good is it to just grow the economy when only the people at the top get it and it doesn't, excuse me, trickle down to Rosetta, who is making \$10.25 an hour doing the hardest work on earth there is?

How does the earned income tax credit—I mean, we were taxing, before we changed this policy, to allow single, hardworking, essential workers that brought us food during the pandemic, stocked the shelves, we were taxing them into poverty. They had tax liability before the earned income tax credit expansion.

Going to work with no healthcare, no health insurance, being unable to afford it, not having childcare, as you mentioned. Expanded Pell grants.

Please explain how the Build Back Better plan really improves and buoys the economic platform upon which the country can improve. The workforce development initiatives that are in here, I was wondering if you could elucidate the connection between that and our economy and sort of diffuse this notion that it is simply a safety net and welfare.

Mr. HORSFORD. Mr. Speaker, my colleague from Wisconsin makes a very valid point.

I heard you over the weekend on one of the news outlets making the same point. Both of these bills are economic packages. I really resent, in fact, some of the inferences that have been made during this debate that somehow providing economic support for people to benefit and to fully participate in our economy is somehow an entitlement program.

The child tax credit, for example. You talked about the earned income tax credit. I will talk about the child tax credit. This is a tax program. It is not an entitlement program. Just like we give tax cuts to the very wealthy and the big corporations—that is what the Republicans did when they were in the majority. They spent the majority of their time trying to figure out how to provide 83 percent of the benefits to the top 1 percent and a tax cut that some of the businesses did not even ask for, as much as they got.

Now, Democrats are in charge, and what have we done? We started with the American Rescue Plan. In that, we provided a tax cut for middle-class families, the child tax credit, which actually has already lifted about 50 percent of children out of poverty, higher rates for Black, Latino, and Native American children out of poverty.

Now, there was a debate a couple of weeks ago that we now need to put a work requirement, means test, and we need to change the threshold to make people with lower incomes eligible and those with higher incomes—like \$90,000 is enough to not receive a tax credit. I am glad that President Biden rejected those ideas. But it was the Congressional Black Caucus that stood up and said no, because this is an economic package, and we need provide economic supports to families.

The other part that you so ably noted is what are some of the barriers that women face in the workforce. You talked about this in our committee: childcare, healthcare, transportation. These are the basics that people need, particularly women. Who was the hardest hit during this pandemic and recession? Women, particularly women of color, Black women, Latinas, and Native American women. So if we are going to build back better, we need to do it in a way that is intentional in a way of helping them and making sure that they're supported.

□ 2030

I just want to share one story. Keeonn, who is a constituent of mine, is a young father in my district. He wrote to me about how he is using that child tax credit, which is a tax cut, and the advance payment that we provided, that \$300 a month. You know what he is using that money for? To buy healthy food for his daughter.

Ms. MOORE of Wisconsin. Excellent.

Mr. HORSFORD. And he said it may be only \$300, but in the end, it is help that we are most grateful for. That is what this is about.

When the Republicans gave the tax cut to the very wealthy, some of those corporations just went back and bought more stocks for themselves, made themselves wealthier, gave their CEOs bigger bonuses, didn't pay their workers more in wages, didn't expand healthcare, didn't provide childcare, didn't make their workers feel valued. And now because of that, many workers today are having a hard time.

But yet Democrats, through the Congressional Black Caucus, are standing up, and we are pushing back, and that is what the Build Back Better Act and the bipartisan infrastructure bill is all about. I yield.

Ms. MOORE of Wisconsin. It is going to be great. Madam anchor, I don't know how much time we have, but I just want to say, I want to join Mr. HORSFORD in saying that I am really enthusiastic about voting for both of these bills, because I do think that it is going to create a brand-new environment for all of us where we will have workforce development training for these new technologies on climate and battery storage.

I am so proud of the African Americans who have been chairs of these committees, like BOBBY SCOTT and EDDIE BERNICE JOHNSON, MAXINE WATERS who put \$150 billion in for housing. As was indicated, these things are going to enable workers to truly participate in the economy. It is going to help companies, and we are going to build back better.

I yield back to the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Speaker, first of all, let me thank both Mr. HORSFORD and Ms. MOORE for one of the important colloquies that I have heard on the floor of this body, and that is to be able to speak to people who are

working hard every day, who are single parents, who work with their minds and their hands.

I am glad to hear that we did not limit who would be able to receive these benefits, and we also crafted the vitality and the vigorous efforts of the Congressional Black Caucus.

As I close, Mr. Speaker, I would like to just reiterate what Members, including the leadership of our chair, Chairwoman JOYCE BEATTY, Congresswoman ADAMS, Congresswoman WATSON COLEMAN, Congressman EVANS, obviously Mr. HORSFORD and Ms. MOORE, what they all have said, if I might. And that is, let me reiterate that each piece of Build Back Better is a piece that is vital for the lives of Americans and African Americans.

For example, \$550 more in Pell grants for more than 5 million students. Then HBCUs, again, \$10 billion. Seniors who have never had hearing aids, only 30 percent of seniors over the age of 70 who could benefit from hearing aids have ever had them. Medicare in this Build Back Better will include that extra benefit. Many of us have seen the caricatures of our seniors on television and elsewhere trying to hear. That is not anything that is funny, but it has been made light of. I want to give every senior an opportunity to hear.

At the same time, I want to emphasize the importance of childcare. We are telling the story. Only 26.8 percent of Black 3- to 4-year-old children are enrolled in publicly funded preschool, with the average cost of preschool for those without access \$8,600. We are going to stop it with this.

We are not going to be the Trump trillion-dollar tax cut to the top 1 percent and putting a deep dive into our deficit. We are going to put a deep investment into the American people, particularly those people of color.

I think it is extremely important that we talk about children and healthcare.

Mr. Speaker, how much time do we have remaining?

The SPEAKER pro tempore. The gentlewoman has about 8 minutes.

Ms. JACKSON LEE. This is about children getting access to healthcare but, Mr. Speaker, there are many children that don't have access to healthcare. In those States where families were not able to access the Affordable Care Act—and there is something called Children's Health Insurance Program, and that does provide for some aspect of care—we had the Federal Medicaid concept, and so Build Back Better now is going to put all of those people under the Affordable Care Act, and that is going to give the family access to healthcare, which makes a sizeable difference. I think it is extremely important that we do that, to be able to provide family healthcare.

Now, I heard our Members be very truthful. We still want to get Medicare reduction on prescription drugs, a system that would allow that. We still want family paid leave, and somebody

said that that was continuing to be negotiated. No, Mr. Speaker, it is working under the umbrella and framework of President Biden's agenda, and we want to just make sure that all of his agenda, within the context of being paid for, gets recognized. We want these families to receive the kind of resources that are necessary.

My colleagues talked about the child tax cut. I would like to call it that. I would just like to be sure that we realize that if this plan is implemented, it may impact 17 million low-wage employees, such as hospitality workers and childcare providers, a framework of a tax cut that would help children. They are people who work important jobs but receive low pay, and this would get nearly 6 million people out of poverty with this kind of cut. This is a crucial contribution.

Let me finish by letting you know what we have certainly gone through in Texas. Infrastructure is extremely important. Part of that is housing. During the pandemic, these are the kinds of signs we saw: "My landlord is calling, and I must pay or I will be evicted."

Now, we have the American Rescue Plan and the CARES Act, but \$150 billion will be in for housing, improving the infrastructure of public housing. That hasn't been done in decades; 50 years I am told. And we will get that done. That is what is important about the BIF bill, the infrastructure bill that will have broadband. The very places where those people live, take the lead out of the pipes.

And then, of course, for those of us who live in hurricane alley, our friends in Louisiana with Hurricane Ida, my constituents with Hurricane Harvey, and the number of hurricanes that have crossed the United States during 2017, one after another. We will have in that infrastructure bill a worthy response to the failing infrastructure of this Nation.

We won't have to worry about what people say about Russia and China or any other country. We will be enormously competitive, even to the point of NASA. No one has even expressed their interest in that. They will have a space here to be able to keep us competitive in space exploration.

It will be extremely important that we have the opportunity to stop violence with our community violence investment, \$2.5 billion.

I am delighted to say this is the work of the Congressional Black Caucus. They put their hands around all of it, for our constituents and the American people. What Mr. HORSFORD has been speaking of is that he is proud to give a listing. That is what I did, I did a roll call of just what is going to be helped with Build Back Better and with BIF.

I am delighted to stand here with the vice chair, and I yield to the gentleman.

Mr. HORSFORD. Mr. Speaker, I thank the gentlewoman for yielding.

I want to laud her and the members of the Congressional Black Caucus for

all of the tremendous work on behalf of our families, on behalf of children, on behalf of communities.

I want to just point out one additional thing that Ms. JACKSON LEE has worked on as the chair of the Subcommittee on Crime, Terrorism, and Homeland Security in the Judiciary Committee and for her tremendous leadership on this. In her capacity on the Judiciary Committee, last year the United States saw the highest increase in gun homicides since national record-keeping began. That was in 2020. And, sadly, we are still on track to see that number continue to increase this year.

This violence, Mr. Speaker, falls disproportionately on young Black men. Even though we make up only 6 percent of the U.S. population, we account for about 50 percent of gun homicide victims. Now, those statistics aren't just numbers. They are lives. And they are lives that every one of us should be held to account for.

For me, as a Black man, raising three children with my wife—two sons and a daughter—it hits me very directly because this is what we worry about every single day when our children leave our homes, because these are our friends, they are our children.

I am proud, Mr. Speaker, that the Congressional Black Caucus made this issue a priority, and we went to President Biden and to Vice President HARRIS, and we talked to them about the need to stop the onslaught of deaths. And he listened. He listened, and he included \$5 billion of funding and a bill that I am proud to have sponsored, along with my colleagues, the Break the Cycle of Violence Act, which funds community-based violence intervention programs to save lives.

Now, this is proven to work. These are community-based programs and partnerships with faith-based, community-based organizations to provide mental health and wellness, job training and placement, and intervention programs so that when we pass the Build Back Better Act, it will include \$5 billion of funding over 8 years and an additional amount of funding specifically for workforce development and placement.

For months now we have negotiated in good faith. We have worked with our colleagues. We have listened. Now it is time for us to move forward. No more delays. No more excuses about process, no more focusing on personalities here in Washington. Let's focus on the people and the policy that will benefit them and their lives.

Four years ago, when the Republicans were in control of the White House, the House, and the Senate, they used their majority to pass tax cuts for the wealthiest 1 percent and the biggest corporations in our country. Today, Democrats are in the majority, and our priority is to deliver for the people.

I am proud to work with my colleagues in the Congressional Black Caucus and the House Democrats to deliver this historic package. We are

going to get it done. I yield back to the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Speaker, we are excited about this violence emphasis. As I conclude my remarks, let me pay tribute to deputies in my district who were shot by an AR-15. We pray for them, their families, and we should understand that violence has to end.

At the same time, let's take the words of John Robert Lewis, who sat with us on this floor for more than 27 years, and in his last life he said to all of us, the Congressional Black Caucus, that is what we are going to do, carry on. We are going to carry on to make sure that we bring transformative—transformative—legislation, not only to the American people but to African Americans and people of color to change their lives forever. That is what Build Back is, and that is what the bipartisan bill is. We will work to make sure we cross the T's and dot the I's. Carry on.

Mr. Speaker, as a senior member of the Committees on the Judiciary, on Homeland Security, and on the Budget, and the Congressional Black Caucus, I am pleased to co-anchor this Congressional Black Caucus Special Order with my colleague, the distinguished gentleman from New York, Congressman RITCHIE TORRES.

I thank the Chair of the CBC, Congresswoman BEATTY of Ohio, for organizing this Special Order to discuss the reasons why the CBC strongly supports the \$1.75 billion Build Back Better Act conceived and advanced by President Biden and House Democrats to support visionary and transformative investments in the health, well-being, and financial security of America's workers and families.

Over the next hour, several of our colleagues will share their perspectives on why it is essential that we "go big" in building back better to our nation and all of its people have the opportunities and resources to compete and win in the changing global economy of the 21st century.

Mr. Speaker, it is often said that the federal budget is an expression of the nation's values and the investments made to Build America Back Better are a clear declaration of congressional Democrats' commitment to ensuring that our government, our economy, and our systems work For The People.

Mr. Speaker, these long-overdue investments in America's future will be felt in every corner of the country and across every sector of American life, building on the success of the American Rescue Plan, accommodating historic infrastructure investments in the legislative pipeline, and addressing longstanding deficits in our communities by ending an era of chronic underinvestment so we can emerge from our current crises a stronger, more equitable nation.

Mr. Speaker, the bipartisan action we took in February 2021 when we passed the American Rescue Plan was a giant step in the right direction, but it was a targeted response to the immediate and urgent public health and economic crises; it was not a long-term solution to many of the pressing challenges facing our nation that have built up over decades of disinvestment in our nation and its people in every region and sector of the country.

We simply can no longer afford the costs of neglect and inaction; the time to act is now.

The Build Back Better Act makes the transformative investments that we need to continue growing our economy, lower costs for working families, and position the United States as a global leader in innovation and the jobs of the future.

This \$1.75 trillion gross investment will build on the successes of the American Rescue Plan and set our nation on a path of fiscal responsibility and broadly shared prosperity for generations to come.

The Build Back Better Act will provide resources to improve our education, health, and child care systems, invest in clean energy and sustainability, address the housing crisis, and more; all while setting America up to compete and win in the decades ahead.

The Build Back Better Act is paid for by ensuring that the wealthy and big corporations are paying their fair share and Americans making less than \$400,000 a year will not see their taxes increase by a penny.

Let me repeat that: No American making less than \$400,000 a year will not see their taxes increase by a penny.

In sum, Mr. Speaker, the investments made by the Build Back Better Act will expand opportunity for all and build an economy powered by shared prosperity and inclusive growth.

No one is better prepared or more experienced to lead the American renaissance that will be produced by the investments made by the Build Back Better Act than President Biden, the architect of the American Rescue Plan and who as vice president during the Obama Administration oversaw the implementation of the Recovery Act, which saved millions of jobs and rescued our economy from the Great Recession the nation inherited from a previous Republican administration.

And let us not forget that President Obama also placed his confidence in his vice-president to oversee the rescue of the automotive industry, which he did so well that the American car industry fully recovered its status as the world leader.

Mr. Speaker, let me briefly highlight some of the key investments made by the Build Back Better Act.

The Build Back Better Act will provide two years of free pre-K and two years of free community college to ensure every student has the tools, resources, and opportunity to succeed in life.

It will also invest in our teachers and institutions that serve minority students and provide funding to give school buildings long-overdue infrastructure updates.

People lead happier, healthier, and more productive lives when they have had access to high-quality education and that is why the Build Back Better Act makes necessary investments to increase quality education by four years for all students at no cost to hard-working families.

The Build Back Better Act expands access to affordable, high-quality education beyond high school, which is increasingly important for economic growth and competitiveness in the 21st century.

Specifically, the Build Back Better Act will increase the maximum Pell Grant by \$550 for more the more than 5 million students enrolled in public and private, non-profit colleges and expand access to DREAMers.

It will also make historic investments in Historically Black Colleges and Universities

(HBCUs), Tribal Colleges and Universities (TCUs), and minority-serving institutions (MSIs) to build capacity, modernize research infrastructure, and provide financial aid to low income students.

The Build Back Better Act will help more people access quality training that leads to good, union, and middle-class jobs and will enable community colleges to train hundreds of thousands of students, create sector-based training opportunity with in-demand training for at least hundreds of thousands of workers, and invest in proven approaches like Registered Apprenticeships and programs to support underserved communities.

The Build Back Better Act will increase the Labor Department's annual spending on workforce development by 50 percent for each of the next 5 years.

The Build Back Better Act expands access to quality, affordable health care by strengthening the Medicare, Medicaid, and Affordable Care Act (ACA) Marketplace programs that millions of Americans already rely on.

It includes a major new expansion of Medicare benefits, adding a hearing benefit to the program for the very first time.

Only 30 percent of seniors over the age of 70 who could benefit from hearing aids have ever had them.

The Build Back Better Act strengthens the Affordable Care Act and reduces premiums for 9 million Americans who buy insurance through the Affordable Care Act Marketplace by an average of \$600 per person per year.

Just for example, a family of four earning \$80,000 per year would save nearly \$3,000 per year (or \$246 per month) on health insurance premiums and experts predict that more than 3 million people who would otherwise be uninsured will gain health insurance.

The Build Back Better Act closes the Medicaid coverage gap, leading 4 million uninsured people to gain coverage.

The Build Back Better Act will deliver health care coverage through Affordable Care Act premium tax credits to up to 4 million uninsured people in states that have locked them out of Medicaid.

A 40-year old in the coverage gap would have to pay \$450 per month for benchmark coverage—more than half of their income in many cases but thanks to the Build Back Better Act individuals would pay \$0 premiums, finally making health care affordable and accessible.

The Build Back Better Act strengthens the ACA by extending the enhanced Marketplace subsidies that were included in the American Rescue Plan.

It also provides an affordable coverage option for the more than two million Americans living in states that have not expanded Medicaid under the ACA and do not earn enough to qualify for Marketplace subsidies.

When the Build Back Better Act is fully implemented soon gone will be the terrible old days when too many Americans are forced to choose between medical care and putting food on the table or affording other necessities.

Mr. Speaker, approximately 3.9 million Black people were uninsured in 2019 before President Biden took office and even with the Affordable Care Act's premium subsidies, coverage under the ACA was too expensive for many families, and over 570,000 Black people fell into the Medicaid "coverage gap" and were locked out of coverage because their state refused to expand Medicaid.

The Build Back Better Act closes the Medicaid coverage gap while also lowering health care costs for those buying coverage through the ACA by extending the American Rescue Plan's lower premiums, which could save 360,000 Black people an average of \$50 per person per month.

With these changes, more than one in three uninsured Black people could gain coverage and with the addition of hearing coverage, more than 5.8 million Black people on Medicaid will benefit.

The Build Back Better Act will make an historic investment in maternal health, including for Black women, who die from complications related to pregnancy at three times the rate of white women.

Mr. Speaker, the cost of preschool in the United States exceeds \$8,600 per year on average, and for as long as we can remember, child care prices in the United States have risen faster than family incomes, yet the United States still invests 28 times less than its competitors on helping families afford high-quality care for toddlers.

The Build Back Better Act supports families in need of child care by providing access to safe, reliable, and high-quality care delivered by a well-trained child care workforce.

The Build Back Better Act will provide universal and free preschool for all 3- and 4-year-olds.

This is the largest expansion of universal and free education since states and communities across the country established public high school 100 years ago.

This is important because our nation is strongest when everyone can join the workforce and contribute to the economy.

That is why this investment is vital to so many millions—especially women—who are often forced to choose between working to support their family or caring for their family.

The Build Back Better Act will ensure that the vast majority of working American families of four earning less than \$300,000 per year will pay no more than 7 percent of their income on child care for children under 6.

Under the Build Back Better Act, parents who are working, looking for work, participating in an education or training program, and who are making under 2.5 times their states median income will receive support to cover the cost of quality care based on a sliding scale, capped at 7 percent of their income.

The Build Back Better Act will help states expand access to high-quality, affordable child care to about 20 million children per year—covering 9 out of 10 families across the country with young children.

For two parents with one toddler earning \$100,000 per year, the Build Back Better Act will produce more than \$5,000 in child care savings per year.

In addition, the Build Back Better Act promotes nutrition security to support children's health and help children reach their full potential by investing in nutrition security year-round.

The legislation will expand free school meals to 8.7 million children during the school year and provide a \$65 per child per month benefit to the families of 29 million children to purchase food during the summer.

The Build Back Better Act will deliver affordable, high-quality care for older Americans and people with disabilities in their homes, while supporting the workers who provide this care.

Right now, there are hundreds of thousands of older Americans and Americans with disabilities on waiting lists for home care services or struggling to afford the care they need, including more than 800,000 who are on state Medicaid waiting lists.

A family paying for home care costs out of pocket currently pays around \$5,800 per year for just four hours of home care per week.

The Build Back Better Act will permanently improve Medicaid coverage for home care services for seniors and people with disabilities, making the most transformative investment in access to home care in 40 years, when these services were first authorized for Medicaid.

The Build Back Better Act will improve the quality of caregiving jobs, which will, in turn, help to improve the quality of care provided to beneficiaries.

Mr. Speaker, I cannot emphasize enough how important it is that the Build Back Better Act will also reduce the cost of homebased care for the hundreds of thousands of older Black adults and Black people with disabilities who need it and are unable to access it.

Not to mention that investment in home care will raise wages for home care workers, 28 percent of whom are Black.

In the area of housing, the Build Back Better Act makes investments to ensure that Americans have access to safe and affordable housing by providing resources to increase housing vouchers and funding for tribal housing.

It also supports investments in programs that will help address our nation's housing crisis by increasing the supply of affordable homes for those in need and investing in historically underserved communities and those that have been previously left behind.

Specifically, the Build Back Better Act makes the single largest and most comprehensive investment in affordable housing in history and will enable the construction, rehabilitation, and improvement of more than 1 million affordable homes, boosting housing supply and reducing price pressures for renters and homeowners.

It will address the capital needs of the public housing stock in big cities and rural communities all across America and ensure it is not only safe and habitable but healthier and more energy efficient as well.

It will make a historic investment in rental assistance, expanding vouchers to hundreds of thousands of additional families.

And, perhaps even more importantly, the Build Back Better Act includes one of the largest investments in down payment assistance in history, enabling hundreds of thousands of first-generation homebuyers to purchase their first home and build wealth.

In short, Mr. Speaker, this legislation will create more equitable communities, through investing in community-led redevelopments projects in historically under-resourced neighborhoods and removing lead paint from hundreds of thousands of homes, as well as by incentivizing state and local zoning reforms that enable more families to reside in higher opportunity neighborhoods.

The Build Back Better Act will spur and empower comprehensive action to build an equitable clean energy economy with historic investments to transform and modernize the electricity sector, lower energy costs for Americans, improve air quality and public health,

create good-paying jobs, and strengthen U.S. competitiveness—all while putting our country on the pathway to 100 percent carbon-free electricity by 2035.

The Build Back Better Act extends and expands clean energy tax credits and supports clean electricity performance payments so utilities can accelerate progress toward a clean electric grid at no added cost to consumers.

The Build Back Better Act invests in clean energy, efficiency, electrification, and climate justice through grants, consumer rebates, and federal procurement of clean power and sustainable materials, and by incentivizing private sector development and investment.

Another exciting aspect of the Build Back Better Act, Mr. Speaker, is that it will drive economic opportunities, environmental conservation, and climate resilience—especially in underserved and disadvantaged communities—including through a new Civilian Climate Corps.

Mr. Speaker, the Build Back Better Act includes a \$100 billion investment to reform our broken immigration system—and does it consistent with the Senate's reconciliation rules—as well as to reduce backlogs, expand legal representation, and make the asylum system and border processing more efficient and humane.

Mr. Speaker, immigrants eligible for such protection are an integral part of Texas's social fabric.

Texas is home to 386,300 immigrants who are eligible for protection, 112,000 of whom reside in Harris County.

These individuals live with 845,300 family members and among those family members, 178,700 are U.S.-born citizen children.

These persons in Texas who are eligible for protection under the bill arrived in the United States at the average age of 8 and on average have lived in the United States since 1996.

They own 43,500 homes in Texas and pay \$340,500,000 in annual mortgage payments and contribute \$2,234,800,000 in federal taxes and \$1,265,200,000 in state and local taxes each year.

Annually, these households generate \$10,519,000,000 in spending power in Texas and help power the national economy.

The expansion of the Child Tax Credit (CTC) enacted in the American Rescue Plan has already benefitted nearly 66 million children, put money in the pockets of millions of hard-working parents and guardians, and is expected to help cut child poverty by more than half.

The Build Back Better Act not only extends this meaningful tax cut, but it also extends the expanded Earned Income Tax Credit (EITC) and the expanded Child and Dependent Care Tax Credit, which help families make ends meet and put food on the table, reduce child poverty, and lessen the burden on hard-working Americans so they can provide a better future for America's children.

Mr. Speaker, 22.1 percent of Black people fall below the poverty line, struggling to pay expenses like food, rent, health care, and transportation for their families.

By extending the Child Tax Credit, the Build Back Better Act provides a major tax cut to nearly 3 million Black people and cuts the Black poverty rate by 34.3 percent, which will help the 85 percent of Black women who are either sole or co-breadwinners for their families.

By permanently extending the American Rescue Plan's increase to the Earned-Income Tax Credit from \$543 to \$1,502, the Build Back Better Act will benefit roughly 2.8 million Black low-wage workers, including cashiers, cooks, delivery drivers, food preparation workers, and child care providers.

To put it all in perspective, Mr. Speaker, we have before us a once in a century opportunity to make gigantic progress in making ours a more perfect union, and to do it in a single bound with enactment of the Build Back Better Act, the most transformative legislation passed by this Congress since the Great Society and the New Deal.

I would urge my Republican colleagues to heed the words of Republican Governor Jim Justice of West Virginia who said colorfully earlier this year:

At this point in time in this nation, we need to go big. We need to quit counting the egg-sucking legs on the cows and count the cows and just move. And move forward and move right now.

The same sentiment was expressed more eloquently by Abraham Lincoln in 1862 when he memorably wrote:

The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew. We must disenthrall ourselves, and then we shall save our country.

Mr. Speaker, I yield back the balance of my time.

Ms. JOHNSON of Texas. Mr. Speaker, let me begin by thanking my good friend and Chair of the Congressional Black Caucus, Congresswoman BEATTY, for hosting this Special Order Hour and to Congresswoman JACKSON LEE and Congressman TORRES for anchoring it.

Mr. Speaker, this is a consequential moment in our nation's history.

On the tail end of a once-in-a-century pandemic—one that has resulted in hundreds of thousands of deaths, record unemployment rates, and that has left our economy counting the costs—we are in desperate need of substantive relief in all aspects of our society. We need bold action, from bold leadership, in order to deliver bold results—and that's what we have in President Biden's Build Back Better agenda. This agenda is a real opportunity to make historic, transformative investments in projects and programs that are supported by an overwhelming majority of the American people.

As a Senior Member of the House Transportation and Infrastructure Committee, I fought to include several provisions in this agenda through the Infrastructure Investment & Jobs Act that would greatly benefit communities not only in my district, but across the country. These include funding for a program that provides federal dollars to reconnect and revitalize communities historically harmed and marginalized by the construction of the Interstate Highway System; language to ensure prompt payment and sufficient payments to minority and disadvantaged subcontractors; and legislation to establish an electric grid resilience program for states like Texas to weatherize their power grids. Each of these measures—though different in nature and purpose—will collectively contribute to the rebuilding of our economy by creating more good-paying, equitable job opportunities.

And as Chairwoman of the House Science, Space, and Technology Committee, I am steadfastly committed to strengthening our nation's research and innovation capabilities through the Build Back Better Act—both to ensure our continued international competitiveness and the wellbeing of our citizens here at home. I believe that investments in research and development now will pay untold dividends for the future health and prosperity of our nation, which is why we put resources in this bill that will help us address the climate crisis, rebuild after this pandemic, promote innovation, and renew and repair our research infrastructure. It also makes an unprecedented investment in the National Science Foundation, tapping into the diverse talent and institutions from across our nation. We need a STEM workforce that represents the rich diversity of America—because we cannot continue to lead in science and technology if we do not tap into all the brainpower our nation has to offer. To make sure of this, we included a provision that provides resources to support research capacity building at our nation's minority-serving institutions and invests in research, scholarships, and fellowships across all STEM disciplines.

Mr. Speaker, the Congressional Black Caucus has been and will continue to be at the forefront of these negotiations. Fifty-seven members—and six committee chairs—strong, our presence at the table, on behalf of our diverse constituencies, remains steadfast and will ultimately serve as the driving force behind our work For the People.

□ 2045

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, in recent days, I have been doing some research. In fact, one of the things I was looking at is the average income over the last couple of decades going back to 1991, and this was average annual wage according to the Social Security Administration, so maybe somebody would take issue with their accuracy. But according to their numbers, during the Clinton administration, the average American's income went up each year about \$1,000 a year. So over President Clinton's 8 years in office, the average income went up about \$8,000 over those 8 years.

Under President Bush, it was a little more than \$1,000 a year during his 8 years.

But during the Obama administration it was between a \$7,000 and \$8,000 increase during the Obama administration.

Then during the 4 years of the Trump administration, the average income went up about \$2,000 a year. It was between \$7,000 and \$8,000 for the 4 years, a dramatic increase.

But I was shocked, as I was looking at different numbers, to find that the net worth for Black households in

America during the 8 years of the Obama administration went down by 30 percent, on average. During the Trump administration, it didn't go down. It went up significantly.

As I look at what is being proposed in the Build Back Better program, and I see this administration having canceled the Keystone XL pipeline, which certainly was going to, and has, caused an escalation in fuel prices and energy prices, and of course, President Biden released the penalties that had been put on the Russian natural gas pipeline, so it is doing great now, and took off some of the penalties on Iran—anyway, we have seen the price of energy going up significantly.

It brought back to mind yet again the Honorable John Dingell's comment. He was looking forward to pushing through, in essence, a socialized medicine program through the committee he was chair of in 2009 and 2010, but he was famously asked about the cap-and-trade bill. He responded that the cap-and-trade bill is not only a tax, but it is a great big tax.

He explained before that when you raise the price of energy, you are not hurting the billionaires, the megawealthy. It is an inconvenience to them when you raise the price of energy, be it electricity, propane, natural gas, coal, whatever it is. It is an inconvenience to the very wealthy, but to those who are on fixed incomes, those who are scraping by working so hard every week and just getting by, if you increase the price of gasoline, electricity, energy, you just devastate those households. It is not just a little tax to them. It is devastating.

The inflation that comes with an upward explosion of the price of fuel and energy, but especially fuel, as this administration has done, it inflates the price of everything. There is just not much of anything, unless you are buying from some pickup truck or some roadside kiosk—otherwise, you are having to pay a lot of extra energy costs, whether it is for the ingredients of something you are buying or whether it is the product getting to market. But usually, it is all of the above. The energy prices inflate costs of everything, basically.

That is what has happened to the working poor in America. That is what has happened to seniors on fixed incomes. They are being devastated as prices continue to skyrocket, with no end in sight.

On a trip some years back during the Obama administration, some of us went to Germany, and we met with some of their energy leaders. In one meeting, the driver of our little van was from Berlin, and he sat in and listened. I was talking to him privately after the meeting, and he said I hear all these rich people talking about how great our green energy is in Germany, but I have had to go from having one job to having three jobs, hardly ever getting to see my family, so they could brag about our green energy. But it is

destroying my family. It has completely destroyed my family time. I am having to work these two other jobs just to cover our energy costs. So it is kind of hard listening to them brag about it when it is coming out of my hide. I am the one, and people just like me all over Germany are the ones, who are paying for them to be able to brag about our green energy because it is costing us a tremendous amount in the way of personal time, family time, and additional time working to pay for their bragging.

As we look at these issues and the costs skyrocketing in America, who has benefited? Well, China has benefited dramatically. We know they are still on course to have 100 new coal-powered energy plants go online over the next couple of years. They don't care.

Of course, when we had coal-powered plants here in the U.S.—there are not many left—but when we had them, they have scrubbers in there that are taking pollutants out of the air before it ever gets out of the stacks to the air.

If we are doing the coal burning here in the U.S., it is not so hard on our environment as it is in China or India, but especially China, because when people are just struggling to survive and to have enough money to put food on the table for their families, they are not that worried about how their yard looks or how things look, how the environment is. The same is true not only for an individual but for a country.

If the economy is struggling, the people in that country are not as interested in cleaning up the environment. We will have to wait, they think, until we are making decent money, and then we can worry about the environment.

Here in the United States, though, if you go back to 2007, every year since then, including through the Trump years, we have been producing 1.3 percent less carbon dioxide. We can debate about what that does to the environment, whether it makes the temperature warmer.

I have read where experts have said if you have a choice between the temperature getting slightly warmer or slightly colder, you want warmer because if it is getting slightly colder, that means there is less time for crops to grow. If it is slightly warmer, not too much warmer, then you have more time for crops to grow. You have more food, and you have fewer people starving.

There are a lot of areas for debate, but for those who are concerned about carbon dioxide emissions, we have been on the right track. We continue to reduce the amount of carbon dioxide we are putting out in this country.

So there is nothing about building back better. This has been going on for a long time. Largely, we are told by the experts, that is because we have been converting coal plants to natural gas, and natural gas is such a clean-burning fuel.

For those who want to get rid of all fossil fuels, if they would just take a

serious look at all the things in the room in which they are located or the car in which they are located, they will find that so much of what we have that has made our lives easier, helping people rest better, is as a result of the use of fossil fuel. There are so many products that cannot be manufactured without natural gas as part of the manufacturing process. You have to have natural gas to make so many products.

I was looking at getting some plastic composite boards for part of the area in our backyard so they wouldn't deteriorate so often, and they are expensive. But when they last for decades instead of a matter of short years, it looks like a good thing. That is using recycled plastic, finding more and more uses for that plastic, fiberglass.

There are so many things we can't produce. Synthetic fibers, so much of the carpets and rugs we have are synthetic. The toothbrush, you wouldn't have a modern-day toothbrush—and I realize that, yes, there are people who have used bark off of certain trees to brush their teeth. I get that, but I kind of like having a modern-day toothbrush myself. You wouldn't have that without fossil fuel, particularly natural gas.

□ 2100

People say we need more electric cars. We need to get rid of fossil fuel. You cannot currently manufacture an electric car without the use of fossil fuel. Even if you don't use fossil fuel to power the vehicle, you are going to have to use it in the production of things within the car or there will be no car. So, I don't know, maybe someday somebody will build a wooden car, but wooden batteries are not going to work.

For those of us that recognize how the length of life has gotten even longer during our modern history, medicine advances have just been extraordinary. There is a great book, "The Five Thousand Year Leap", that points out that when settlers came to America, they used basically the same type of farming methodology and tools that have been used for thousands of years. There hasn't been a whole lot of change.

But if you look at the last 150 years in the United States and in Western civilization, you see dramatic increases and advances in the way that we have progressed, whether it is farming, medicine. Heck, if you go back 100 years or so when medical historians say in the early 1900s, up to that point, for the whole of human history, you had a better chance of getting sicker after seeing a doctor than you did at getting better.

And then you look at the—since 1910, 1920—some say it might be the 1918 protocols during that pandemic—but around that time, you started having a better chance of getting better after seeing a doctor. And look at where we are now. People go to the doctor and expect to be made well because we have

been able, by the grace of God, to develop some different cures. Life has gotten longer. Life has gotten better quality.

So much of what we have is made by the use of fossil fuels. We need to do it cleanly, as cleanly as possible. But, again, when you take an economy in the direction that the build back better Biden administration has been doing as we head to the toilet with this economy—and there is no end in sight for this race to the bottom—then you realize we have come so far and now we are going in the wrong direction.

There have been times, like World War II when we were struggling mightily, but we are not going through a world war right now. We should be doing well. And we saw, during the Trump administration for the first time in decades, something had happened.

In 1990, when I brought a friend to speak to our Rotary Club, he had said, We are going the wrong direction. We are becoming more and more reliant on foreign countries for our energy. It has been years, he said, since we have been energy independent, and we are going the wrong way and it is going to destroy this country, if we can't produce the energy we need.

Mr. Speaker, 30 years later—not even 30 years later—we were energy independent, the biggest producer of fossil fuels in the world. And we used it cleaner than anybody else. Virtually almost every other country, maybe some small ones, do a little better.

But China knows that they are not going to be breathing their own air, it turns with the planet, and we end up breathing as much as they do right here in America. Not the clean air we produce more of every year for many years, but the polluted air that China is letting off as they continue to move toward putting us in their wake as they move toward becoming the greatest economy in the world. And spending money, massive amounts of money we don't have, creates not only inflation but it weakens this country.

Mr. Speaker, I have heard some in recent days say if we are not careful, we are going to end up like Greece. And actually, if you look at the debt that we had at the end of the Obama administration, we were already Greece. The difference is, we got to produce our own currency. Greece was using the euro, so they didn't get to decide to create a lot more money in their system. And the dollar was the world standard. It was the world currency.

I know there are companies, including China, they are advocating against the dollar being the world currency and that it is used to buy oil in the world market, but that hasn't happened. I am very thankful for that. But if we were not the world currency, and we didn't produce our own money, then we would already be in as big a trouble as Greece is because of the recklessness. And we are seeing it like never before in this administration.

Yes, it is true the Obama administration, with the Democrats helping them, they hit between \$1.5 and \$1.6 trillion deficit in one year. Well, this administration, this Democrat majority are working very hard to eclipse that by a lot.

We were warned back when we had over a trillion-dollar deficit more than one year, the agencies that rate country's economies and their currency and their debt, they may have to rate, downgrade, our debt. Standard & Poor's did that because we wouldn't get our spending under control—not enough.

If any other rating agency had downgraded our debt, then the cost of borrowing money would have gone up dramatically and we would have ended up spending more paying interest than we were taking care of seniors who were counting on their fixed income. So there are some dark days ahead if we continue on this course of spending money we don't have. It is like everything this administration can see to throw money at that might help create more Democrat Party voters and they are throwing money at it.

So people were shocked, including Democrat friends, they were shocked to hear that this administration is proposing paying \$450,000 to legal immigrants that were separated from a child. Well, we know that did happen some during the Trump years. We know that it has continued to happen during the Biden years; that it happened under the Obama administration. And it can be a good idea until we are sure that an adult with a child that is already breaking our laws by coming in illegally is actually related to and, hopefully, the parent of that child instead of part of the drug cartels that continue to use them in sex trafficking. And we have had people that turned out not to be related to the child they were claiming, and we have been able to interrupt that. And so it is important that we don't just take this at face value, especially when we have reports of children being recycled to come across with people over our border illegally.

So under the Biden administration, if you think, Okay, these people come in, they break U.S. law, we are going to give each one \$450,000. And that might not mean much to somebody who has a son that sold paintings for \$500,000, and I wouldn't object if the Biden administration wanted to give each illegal immigrant a painting that Hunter Biden had done. If they said, Here is your half a million; here is another painting that Hunter Biden has done. Enjoy it. Maybe you can sell it for half a million and you will be set for life. Let's try that.

Mr. Speaker, \$450,000, if you look at the Social Security administration, the wages, well, for 2020, the most recent numbers we have, the average income for an American last year was \$53,000—like \$53,300 or something like that—but \$53,000 a year.

□ 2110

Now, the rate is normally around 22 percent. There is data that indicates the effective rate paid for income tax may be around 13 to 14 percent. Let's just round it and say that the average American making \$53,000 a year pays 20 percent income tax. That would be \$10,600 a year that a person making \$53,000 would pay in Federal income tax.

If you took all \$10,600 of Federal income tax coming from the average wage-earner of \$53,000 a year, and if you took that \$10,600 and applied that toward the \$450,000 President Biden wants to give to each of these illegal immigrants, it would take 42½ years of the average American wage Federal income tax to pay one person who broke the U.S. laws and came into the country illegally. That is what appears to be justice to the Biden administration.

And how is our President looking to the rest of the world? The story today, as he came into the G20 Summit, he came in—according to the article I saw—20 minutes late. He said, in essence, sorry to be late. He had been trying to get past the elevators—they had a problem with the elevators and that is why he was 20 minutes late. Somebody needs to help him.

I think it would be helpful not to leave people from the biggest countries, except for China and Russia, they didn't come—their leaders didn't come—but the rest, let's show them a little more respect by not making them wait 20 minutes for our President to show up. I think that would be a good thing. Kind of lend a better atmosphere to those type of meetings.

Perhaps then you wouldn't have foreign reporters saying things like: President Biden looks like he needs a nursing home and a hot bowl of soup. We need to help our President give a better image of America. I know there is no intention for our President causing problems like that, none whatsoever, so I am avoiding in engaging in personalities. But I think it would be good—there are so many people helping the President—to help him represent our country well.

So in an article here, a \$450,000 payment to illegal aliens would exceed various programs for American citizens. And, of course, we, in Congress, did a good thing in recent years. We felt like the families of those people who have lost a loved one in combat, they should have been getting more than the measly thousands of dollars they were, so we increased the amount that the family of an American hero who was killed in combat would get. It was increased to \$400,000.

Well, we find out that the Biden administration wants to provide more than we provide to the family who has lost a loved one in combat representing and defending our country and our national interests. Someone who crossed the border illegally, according to this administration, should get an extra \$50,000 more than those who died for this country.

We also know—and I am pleased that Secretary Buttigieg is back from paternity leave because we do have a real crisis in our supply chain. We didn't have this problem during the Trump administration. It sure seemed to be a good idea the way we were manufacturing more of the things we need in America. I am not a big fan of tariffs, but as I told President Trump, since you are simply using them as a tool to get better trade deals then I will vote for those tariffs for such use, so that we can get more fairness in our agreements with foreign countries. That worked out. President Trump did make some good deals.

We are seeing all that fall aside as this administration seems to be more dedicated to helping China, Russia, Iran, and OPEC nations do better with their economy than we are here at home.

I realize there are some people here in Washington that feel like America has more than it deserves. I believe God has blessed us more than we deserve in America. We are seeing those things change as we have continued to forget more and more just who the source is for the blessings in this country.

In fact, what occurred to me is, instead of build back better, as we see the economy in shambles, prices going through the roof, more and more people now being fired, the economy appears headed in even deeper trouble the further we go. Maybe instead of build back better, we could call it Biden's bulldozings of our blessings.

Here is an article from Fortune. No sign of relief. The global supply chain crisis could last well into February. And as I thought back, Vice President HARRIS—it seems like it was back in August when she was speaking to some folks—somebody made fun of her for saying: You may want to order your Christmas presents early this year so you make sure you have them. I didn't know why anybody would make fun of her because, as it turns out, she was actually exactly right. Apparently she knew back in August we were going to have trouble getting the things we need in America.

I have been amazed to see car lots more empty than they have cars. Shocking. I have never seen some of these car lots with so few cars ever in my life.

There is an article from The Hill: More people in Manchin's, Sinema's home States want to hold off on new spending. That is from polls—an article by Mychael Schnell from The Hill.

□ 2120

People have been trying to convince Senator MANCHIN and Senator SINEMA that they just need to sign off on spending trillions more dollars. But recent polls apparently are showing that people in their home States appreciate them not agreeing to more and more of the runaway spending that would just increase inflation.

One other thing people are noticing—a Washington Times story from Stephen Dinan titled “Biden administration expands no-go zones where ICE can’t arrest illegal immigrants”—so millions more are coming in, and fewer and fewer are being deported.

Mr. Speaker, I think it is important for people to understand that this feeling that we need to secure our borders doesn’t come from any kind of xenophobia. I look at the Hispanic culture, and though generalizing can be dangerous, generally speaking, I see faith in God; I see a hard work ethic; and I see a devotion to family. Well, those are things I believe made America the great country it has been. We need more of that help.

Mr. Speaker, if you look at the contributions that immigrants have made from countries all over the world to this country, to make it as powerful and as great as it is, we want immigration. No country in the world, even those bigger than the United States, is as generous with providing visas as the United States is—over 1 million a year.

But as Milton Friedman pointed out, if we are going to provide welfare in this country, which started back in the 1960s, then we can’t have open borders or this country will be over very soon. It will be overwhelmed with people coming in. It will destroy the golden goose that some look at the U.S. as being, and there won’t be any country to flee to looking for a better life.

Some in allied countries tell me: If you lose your freedom in America, there won’t be any freedom in the world. We will all lose our freedom pretty quickly if you lose yours.

This is critical stuff. But I think the biggest danger of people swarming across our border, as they have been doing this year unimpeded, is the danger that Benjamin Franklin pointed out. He didn’t go into detail, but as most people here remember, he was asked by a lady as he left the Constitutional Convention at the conclusion: What have you given us?

And as most everybody here knows, he replied: A republic, madam, if you can keep it.

A republic, a republican form of government, that is with a little R, not the Republican Party. A republic is what the Romans came up with after they looked at democracy from the Greeks. They actually had a real democracy where most everybody participated in the big decisions. Fortunately, they realized you can’t let everybody vote as a juror in law cases, so they restricted those law case juries to only having 501 people. As I understand it, it was 501 people on the jury that voted to make Socrates drink poison as his penalty.

That is what you see, Mr. Speaker, when you have too many participating in a process. It gets out of hand. You get a handful, they start running, and they get people fired up. Before you know it, Mr. Speaker, one of the finest men in the country is ordered to drink poison.

Mr. Speaker, you have to be careful. That is what the Romans realized, so they created a republic. We like the democratic idea that people get to vote and participate in government, but let’s have them elect representatives, then the representatives study the issues, and they vote on behalf of the rest of the country. If we don’t like how they are voting, then we throw them out in the next election and select another representative. That is the republican form of government.

Republics generally have not lasted more than 200 years. We are 30 years or so past the 1789 ratification of our Constitution. Some would say: Well, when we pass 200 years, we are living on borrowed time.

We know history, but not enough. Too many of our schools quit teaching history because the Federal Government got involved in education.

Is education an enumerated power under the Constitution for the Federal Government to be involved in? No, it is not. But in 1979, President Carter created the Department of Education. As a result, the percentage of teachers in education has dropped dramatically.

Nearly three-fourths of the employees in K-12 education in Texas were teachers. But then after the Department of Education comes along, you got more bureaucrats here making more requirements for the folks in Austin and every State capital. So those folks have to hire more people to answer the mandates of the Department of Education in Washington. And to get their information, they have to mandate more people in every school board in elementary school.

I had a fantastic public school education in elementary school, middle school, and high school. In elementary school, we had a principal, the principal had an assistant, then there was the janitor, then there were the people who worked in the cafeteria, and that was it. Now, every school has to have so many people working in the administration gathering information to send to the State capital so they can send it to Washington.

As I recall, it was either late eighties or early nineties, I think it was early nineties, but I was on the board of Former Students of Texas A&M. I was asking the president, we had some other people there who worked on analyzing SAT scores. I said: I understand the SAT test has now been recalibrated so that students will do better than they have in the past for answering the same number of questions right. Yes, it has been recalibrated. People were embarrassed that SAT scores were a lot lower now than they used to be.

If you took the SAT in the early seventies, your score now would probably be around 200 points higher than it was back then. I was intrigued by that.

Why did we have to recalibrate the SAT? Well, it was so people wouldn’t think schools were failing during the nineties. So SAT scores came back up not because they were doing better but because the scoring was recalibrated.

That was a rather interesting illumination on education, but we continue to see problems.

As both Republican and Democrat Presidents have been pushing more control, I think President Trump tried to give more control back locally. But what has happened is the Federal Government has taken more and more control right here in Congress. We continue to pass stuff that says: You don’t get your money back. Of course, we know the money comes from the States up here. But we are not going to give you your money back unless you do this, that, or the other like we tell you.

Well, one of the mandates has been you had to pass this federally mandated test, and the federally mandated test was extremely light on history. I am told that there are times when there isn’t any history, maybe one history question, and it is not always good history, if a question is asked.

□ 2130

So I hear from schools back home: We have to teach to the mandated test because if any student doesn’t pass the federally mandated test, we don’t get all of that Federal money that came from us back to us. They keep it for that student.

So to avoid not getting back even as much of our own money as we should, we have got to get people prepared to pass the test. So some schools, they got rid of music, they got rid of art. And some of us are big advocates and we go: Wait a minute. Do you not understand that when it comes to music, it comes to art, you are getting synapses to fire in the brain that might not fire otherwise, and if you can get more synapses firing, then the student’s brain can accumulate more, work better, and then overall do better scoring?

Look, we have got to get them to pass the test, I am told, and those things, music, art, are not on the test, so we have got to concentrate on making sure the students are ready for that federally-mandated test. Well, that is a shame.

Music and art add dramatically to life. And there are some awesome art teachers. They didn’t do too well with me. Apparently, there is an art gene in my background. My dad was artistic; had a daughter that was very artistic. But it was a latent gene in me. I see what it adds in the art contests that all of the Representatives, I think most of us have in our districts, but you see the incredible products that these kids are able to create, and it is really inspiring.

Yet so many are having to cut back or get rid of art altogether. Why? Because of the Federal mandates from here on high, on Mount Olympus, on Capitol Hill.

It is important, also, on how we treat people. When I go to the border, I don’t mistreat anybody that comes in illegally. I try to help all I can, but they have come into the country illegally.

And we need to get back to the Trump policies before we get overwhelmed. And going back to the point that Benjamin Franklin made: It takes work to keep a republic. It doesn't just happen. That is why it has happened so rarely. That is why the United States of America is such an anomaly in history.

There has never been a country like this. Even Solomon's Israel didn't have all of the individual opportunities, all of the individual assets and comforts that we have here in America. It is an amazing place, but it takes work. It takes education of our children, training them up so they understand what it takes to preserve a republic, a representative form of government, and getting stronger and stronger as we have done until more recent years.

When you have people flooding in, I mean, 2 million people this year, this administration has 3 more years, so are we going to have 8 million, at least 8 million more people enter this country illegally? They are not coming from countries that understand how to preserve a republic. And I will tell you some of the very best citizens we have in this whole country are people who went through the process of becoming legal citizens, and I hear from them a lot in my district.

They love America because they know how it can be outside of America, and they don't want our country becoming like those countries they came from. People from Venezuela, people from Central America, from Eastern Bloc countries are some of the best citizens we have got, some from Russia. My cousin married a Russian, and she knows. We were talking about it last week, and she is feeling a sense of urgency. We are losing what we have had. We are becoming more like the place I was so anxious to leave.

It takes work to keep a republic and to enjoy the blessings we have received. People who are flooding in, they have never been trained on what it takes to preserve a republic. And one of the big issues to so many people during the COVID pandemic has been the unprecedented grab of power that the Federal Government has never had before. Never. We have had pandemics that were a lot more deadly than COVID, but no one has ever had the nerve to tell people who were not infected, who had thriving businesses, that they had to close down their business. We are going to let these people open. We are not letting you open.

Thirty years ago, they would have opened anyway, probably 20 years ago, and they would have won in court without question. You can't shut down business. It is unprecedented. And for heaven's sake, to tell churches they couldn't open. For the huge majority of our history, when there was a time of emergency, including a pandemic, people felt like they needed to be in church praying; that they needed to be asking God for help. And for the first time in our history, we didn't have a President that issued a National Day of

Prayer & Fasting, asking God to help us. For the first time in our history, we had a national proclamation: You have got to close businesses. You have got to close churches. You can't meet. In some places States said you can't even sing in church because you open your mouth. We can't allow that.

And I know there are still a lot of mixed signals on masks. It is interesting. There are cloth masks. I had a mask getting on a plane with, one of the SHEMA97 masks designed in Israel. It has four layers of cloth that are ionized to kill germs. They don't just catch them. They will kill germs.

The flight attendant said: I can see your nose, so that mask can't be any good. It can't be any good, she says. And she was wearing one of the little blue-and-white masks. Talk about not doing any good. Although, in fairness, I have read that there were some studies that said those little blue-and-white masks can decrease your percentage of getting COVID by 0.2 percent. So 0.2 percent, that is what it is, great. Wear one of those little, cloth masks.

But then we see down in Florida that has been the most open, that they have fewer cases percentage-wise. They are doing better than any other State in the country and they have been the most open State we have had. So it is interesting. And I have an article here from The Gateway Pundit. "It Wasn't Just Beagles and Monkeys—Fauci's NIH Also Funded Medical Experiments on AIDS Orphans in New York City."

I read somewhere else that these were Black orphans that had AIDS, and the Fauci NIH was doing experiments on them, according to this article of Jim Hoft. They reported that 25 children, those Black orphanage babies, died during the drug studies they were doing on those poor little babies. An additional 55 children died following the studies while they were in foster care. Tim Ross, director of the child welfare program at Vera—I am looking for what that stands for—the Vera Institute, that as of 2009, 29 percent of the remaining 417 children who were used in drug studies had died; 532 children that are admitted to have been used now.

□ 2140

That was in the last 20 years. I don't know if Dr. Fauci has been asked if he knew about that. We found out he lied about funding gain of function in China.

Another article from Fox Business, Elizabeth Faddis, that Dr. Fauci is facing a demand from lawmakers on both sides of the aisle to divulge information regarding the alleged use of an experimental drug on puppies.

I guarantee you, as more people find out that NIH was using orphan Black AIDS babies for drug experiments, that killed many of them, there will be even more cries from both sides of the aisle on answers. I thought we were so far past anything like that. I mean, after the outrageous Tuskegee experiments,

I can't believe we have been doing that same stuff in the last 20 years. Somebody needs to be held accountable for these things.

We are in deeply troubling times, and there is a good chance that if we don't get back to making sure children in America know how to sustain a republic, we are headed for losing it.

It is because of a fear of that, a fear of the loss of freedom, that caused me to leave the bench and run and try to get elected to Congress so I could make a difference in legislation, so we could try to salvage this little experiment in self-government. But it seems pretty clear it is not going to last much longer.

You can't absorb 8 million people, who not only most of them don't speak the language, but they are adults who have no clue, have never been educated. They have certainly got the capacity to learn, but they have never been educated on what it takes to preserve self-government and the blessings that we have in this country.

If they are not educated on that, if they are simply handed \$450,000 each, then that is all they know. Wow, this is a country where you come in, demand money, they give it to you. You can't sustain a country like that, and we won't. No one ever has.

In Rome, there was one Caesar that figured that bread and circuses were being given to keep people peaceable, and it was keeping them from working. He tried to do away with it. But by then, it was too late.

Let's act now before it is too late.

Mr. Speaker, I yield back the balance of my time.

ENROLLED BILLS SIGNED

Gloria J. Lett, Deputy Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker on Thursday, October 28, 2021:

H.R. 5763. An act to provide an extension of Federal-aid highway, highway safety, and transit programs, and for other purposes.

Cheryl L. Johnson, Clerk of the House, further reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker on Monday, November 1, 2021:

H.R. 1899. An act to amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes.

H.R. 2911. An act to direct the Secretary of Veterans Affairs to submit to Congress a plan for obligating and expending Coronavirus pandemic funding made available to the Department of Veterans Affairs, and for other purposes.

H.R. 3475. An act to name the Department of Veterans Affairs community-based outpatient clinic in Columbus, Georgia, as the "Robert S. Poydasheff VA Clinic".

H.R. 3919. An act to ensure that the Federal Communications Commission prohibits authorization of radio frequency devices that pose a national security risk.

H.R. 4172. An act to name the Department of Veterans Affairs community-based outpatient clinic in Aurora, Colorado, as the "Lieutenant Colonel John W. Mosley VA Clinic".

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 921.—An act to amend title 18, United States Code to further protect officers and employees of the United States, and for other purposes.

S. 1502.—An act to make Federal law enforcement officer peer support communications confidential, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 10 a.m. tomorrow for morning-hour debate and noon for legislative business.

Thereupon (at 9 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, November 2, 2021, at 10 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 2088, the Eastern Band of Cherokee Historic Lands Reacquisition Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DEFAZIO: Committee on Transportation and Infrastructure. H.R. 390. A bill to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee as the "Odell Horton Federal Building" (Rept. 117-157). Referred to the House Calendar.

Mr. DEFAZIO: Committee on Transportation and Infrastructure. H.R. 1339. A bill to require the Secretary of Transportation to establish an advanced air mobility interagency working group, and for other purposes; with an amendment (Rept. 117-158). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEFAZIO: Committee on Transportation and Infrastructure. H.R. 2220. A bill to amend title 40, United States Code, to modify the treatment of certain bargain-price options to purchase at less than fair market value, and for other purposes (Rept. 117-159). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEFAZIO: Committee on Transportation and Infrastructure. H.R. 3709. A bill to direct the Administrator of the Federal Emergency Management Agency to submit

to Congress a report on preliminary damage assessments and make necessary improvements to processes in the Federal Emergency Management Agency, and for other purposes (Rept. 117-160). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEFAZIO: Committee on Transportation and Infrastructure. H.R. 4660. A bill to designate the Federal Building and United States Courthouse located at 1125 Chapline Street in Wheeling, West Virginia, as the "Frederick P. Stamp, Jr. Federal Building and United States Courthouse" (Rept. 117-161). Referred to the House Calendar.

Mr. DEFAZIO: Committee on Transportation and Infrastructure. H.R. 4679. A bill to designate the Federal building located at 1200 New Jersey Avenue Southeast in Washington, DC, as the "Norman Yoshio Mineta Federal Building" (Rept. 117-162). Referred to the House Calendar.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 1975. A bill to take certain land located in San Diego County, California, into trust for the benefit of the Pala Band of Mission Indians, and for other purposes (Rept. 117-163). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 2088. A bill to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians, and for other purposes (Rept. 117-164). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 3616. A bill to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Bear River National Heritage Area, and for other purposes (Rept. 117-165). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 4881. A bill to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona, and for other purposes (Rept. 117-166). Referred to the Committee of the Whole House on the state of the Union.

Mr. DAVID SCOTT of Georgia: Committee on Agriculture. H.R. 5589. A bill to direct the Secretary of Agriculture to carry out a program to award grants to eligible entities to carry out projects with the potential to reduce or sequester greenhouse emissions that convert and valorize tree nut harvest by-products into multiple higher value bio-carbon products, and for other purposes; with an amendment (Rept. 117-167). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRIJALVA: Committee on Natural Resources. H.R. 5221. A bill to amend the Indian Health Care Improvement Act to establish an urban Indian organization confer policy for the Department of Health and Human Services (Rept. 117-168, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mrs. CAROLYN B. MALONEY of New York: Committee on Oversight and Reform. H.R. 2043. A bill to amend title 5, United States Code, to require the Director of the Office of Personnel Management to establish and maintain a public directory of the individuals occupying Government policy and supporting positions, and for other purposes; with an amendment (Rept. 117-169, Pt. 1). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 5221 referred to the Committee of

the Whole House on the state of the Union.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2043. Referral to the Committee on House Administration extended for a period ending not later than November 30, 2021.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BROWN (for himself, Mr. RUPERSBERGER, Mr. SARBANES, Mr. TRONE, Mr. MFUME, and Mr. RASKIN):

H.R. 5791. A bill to amend titles 10 and title 46, United States Code, to allocate authority for nominations to the service academies in the event of the death, resignation, or expulsion from office of a member of Congress, and for other purposes; to the Committee on Armed Services.

By Mr. CONNOLLY (for himself and Ms. ESHOO):

H.R. 5792. A bill to require the Administrator of General Services to establish the Digital Service Agreement Program, and for other purposes; to the Committee on Oversight and Reform.

By Mr. DIAZ-BALART (for himself, Mr. GIMENEZ, Mr. DONALDS, and Mr. BUCHANAN):

H.R. 5793. A bill to temporarily limit the authority of the Administrator of the Federal Emergency Management Agency to prescribe chargeable premium rates for flood insurance under the National Flood Insurance Program; to the Committee on Financial Services.

By Mr. MICHAEL F. DOYLE of Pennsylvania (for himself, Mr. FITZPATRICK, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. EVANS, Ms. DEAN, Ms. SCANLON, Ms. HOULAHAN, Ms. WILD, Mr. CARTWRIGHT, Mr. MEUSER, Mr. PERRY, Mr. SMUCKER, Mr. KELLER, Mr. JOYCE of Pennsylvania, Mr. RESCHENTHALER, Mr. THOMPSON of Pennsylvania, Mr. KELLY of Pennsylvania, and Mr. LAMB):

H.R. 5794. A bill to designate the facility of the United States Postal Service located at 850 Walnut Street in McKeesport, Pennsylvania, as the "First Sergeant Leonard A. Funk, Jr. Post Office Building"; to the Committee on Oversight and Reform.

By Mr. EMMER (for himself and Mr. PANETTA):

H.R. 5795. A bill to amend the Securities Exchange Act of 1934 to allow for the registration of venture exchanges, and for other purposes; to the Committee on Financial Services.

By Mr. JEFFRIES (for himself and Mrs. SPARTZ):

H.R. 5796. A bill to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes; to the Committee on the Judiciary.

By Mr. KATKO (for himself, Ms. STEFANK, Mr. GARBARINO, Mr. JACOBS of New York, Ms. MALLIOTAKIS, Mr. ZELDIN, Mr. REED, Ms. TENNEY, and Mrs. MILLER-MEEKS):

H.R. 5797. A bill to authorize grants for States, and units of local government that

take efforts to stop enabling repeat violence, and for other purposes; to the Committee on the Judiciary.

By Mr. LIEU (for himself, Ms. OMAR, and Ms. JACOBS of California):

H.R. 5798. A bill to modify the expedited procedures in the House of Representatives under section 36 of the Arms Export Control Act with respect to consideration of joint resolutions prohibiting proposed sales of defense articles or services, prohibiting proposed licenses for exports of defense articles or services, and prohibiting approval of United States commercial technical assistance or manufacturing licensing agreements; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. SALAZAR, Ms. TTTUS, and Mr. BEYER):

H.R. 5799. A bill to amend the Internal Revenue Code of 1986 to provide an exception from certain reporting requirements with respect to the foreign accounts of individuals who live abroad; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Ms. SALAZAR, Ms. TTTUS, and Mr. BEYER):

H.R. 5800. A bill to establish a commission to study how Federal laws and policies affect United States citizens living in foreign countries; to the Committee on Oversight and Reform, and in addition to the Committees on Financial Services, Ways and Means, the Judiciary, House Administration, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCEACHIN (for himself, Mr. RODNEY DAVIS of Illinois, Mr. RUSH, Mr. FITZPATRICK, Ms. CLARKE of New York, Mrs. WATSON COLEMAN, Mr. VEASEY, Mr. CARTER of Georgia, and Ms. LEE of California):

H.R. 5801. A bill to amend title XXVII of the Public Health Service Act to apply additional payments, discounts, and other financial assistance towards the cost-sharing requirements of health insurance plans, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PALLONE (for himself, Mr. HIGGINS of Louisiana, Mr. PASCRELL, Mr. PAYNE, Mrs. WATSON COLEMAN, Mr. NORCROSS, Ms. SHERRILL, Mr. MALINOWSKI, Mr. SIRES, Mr. CRIST, Mr. VAN DREW, Mr. KIM of New Jersey, Mr. SMITH of New Jersey, Mrs. DEMINGS, and Mr. GOTTHEIMER):

H.R. 5802. A bill to reauthorize the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICE of South Carolina (for himself, Mr. JOYCE of Ohio, and Mr. NORMAN):

H.R. 5803. A bill to require covered entities to implement and disclose information moderation policies, and for other purposes; to the Committee on Energy and Commerce.

By Ms. SCHRIER (for herself, Mr. REED, Ms. DEGETTE, Mr. UPTON, Ms. DELBENE, Mr. KELLY of Pennsylvania, Mr. RUIZ, and Mr. SCHWEIKERT):

H.R. 5804. A bill to amend title XVIII of the Social Security Act to improve access to diabetes outpatient self-management training services, to require the Center for Medicare and Medicaid Innovation to test the provision of virtual diabetes outpatient self-management training services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STANSBURY (for herself, Ms. LEGER FERNANDEZ, Mr. MCNERNEY, and Mr. HUFFMAN):

H.R. 5805. A bill to withdraw certain Bureau of Land Management land from mineral development; to the Committee on Natural Resources.

By Mr. STEWART (for himself, Ms. MACE, Mr. BABIN, Mr. GUEST, Mr. OWENS, Mr. KATKO, Mr. BISHOP of North Carolina, Mrs. WAGNER, Mr. WEBER of Texas, and Mr. CRAWFORD):

H.R. 5806. A bill to require the review by the Committee on Foreign Investment in the United States of greenfield investments by the People's Republic of China; to the Committee on Financial Services, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VELA:

H.R. 5807. A bill to establish national data privacy standards in the United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WAGNER (for herself, Mr. CRENSHAW, Mr. RODNEY DAVIS of Illinois, Mr. DIAZ-BALART, Mr. LUETKEMEYER, and Mr. MOORE of Utah):

H.R. 5808. A bill to amend title II of the Social Security Act to make available parental leave benefits to parents following the birth or adoption of a child, and for other purposes; to the Committee on Ways and Means.

By Mr. BANKS (for himself, Mr.

MCKINLEY, Mr. DUNCAN, Mrs. MILLER of Illinois, Ms. HERRELL, Mr. GOHMERT, Mr. MOONEY, Mr. LATURNER, Mr. MOOLENAAR, Mr. GROTHMAN, Mr. BABIN, Mr. WESTERMAN, Mr. WENSTRUP, Mr. TIMMONS, Mr. JACKSON, Mr. WALTZ, Mr. RUTHERFORD, Mrs. MILLER-MEEKS, Mr. BUDD, Mr. NORMAN, Mr. CLYDE, Mr. MULLIN, Mr. KUSTOFF, Mr. ADERHOLT, Mrs. WALORSKI, Mr. MANN, Mr. CARTER of Georgia, Mr. SMUCKER, Mr. FEENSTRA, Mrs. HARSHBARGER, Mr. LUETKEMEYER, Mr. GOSAR, Mr. JOHNSON of Louisiana, Mr. PALAZZO, and Mrs. WAGNER):

H. Con. Res. 57. Concurrent resolution celebrating the first anniversary of the coalition of signatory countries to the Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family; to the Committee on Foreign Affairs.

By Mr. LANGEVIN (for himself and Mr. THOMPSON of Pennsylvania):

H. Res. 758. A resolution expressing support for designating November 2021 as "National Career Development Month"; to the Committee on Education and Labor.

By Ms. SCANLON (for herself and Mr. YOUNG):

H. Res. 759. A resolution Expressing the support of the House of Representatives for

the designation of "Public Radio Music Day" and its deep appreciation for the role of public radio music stations in serving listeners, musicians, and hundreds of communities in the United States; to the Committee on Oversight and Reform.

By Ms. WASSERMAN SCHULTZ (for herself, Mr. DIAZ-BALART, and Mr. SIRES):

H. Res. 760. A resolution expressing solidarity with Cuban citizens demonstrating peacefully for fundamental freedoms, condemning the Cuban regime's acts of repression, and calling for the immediate release of arbitrarily detained Cuban citizens; to the Committee on Foreign Affairs.

By Mr. YARMUTH (for himself and Mr. TAYLOR):

H. Res. 761. A resolution expressing support for the designation of the week of November 1 through November 5, 2021, as "National Family Service Learning Week"; to the Committee on Education and Labor.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

ML-122. The SPEAKER presented a memorial of the Senate of the State of Texas, relative to Resolution No. 41, urging the Congress to propose and submit to the states for ratification the "Keep Nine" amendment to the United States Constitution; to the Committee on the Judiciary.

ML-123. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 172, urging the Congress and the United States Department of Transportation to take action on the nationwide school bus driver shortage; to the Committee on Transportation and Infrastructure.

ML-124. Also, a memorial of the House of Representatives of the State of Texas, relative to Resolution No. 1993, urging the Congress to pass the "CHIPS for America Act" or any legislation that substantially increases the United States' investments in semiconductor manufacturing and research; jointly to the Committees on Science, Space, and Technology, Ways and Means, Armed Services, Financial Services, Energy and Commerce, and Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BROWN:

H.R. 5791.

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

Necessary and Proper Clause (Art. 1, Sec. 8, Cl. 18)

By Mr. CONNOLLY:

H.R. 5792.

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

Article 1, Section 8 of the United States Constitution.

By Mr. DIAZ-BALART:

H.R. 5793.

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

Article 1, Section 8 of the United States Constitution.

By Mr. MICHAEL F. DOYLE of Pennsylvania:

H.R. 5794.

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

Article 1, Section 8, Clause 7 to the U.S. Constitution

By Mr. EMMER:

H.R. 5795.

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

Article 1, Section 8, Clauses 1, 3 and 18

By Mr. JEFFRIES:

H.R. 5796.

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

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

By Mr. KATKO:

H.R. 5797.

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

Article I, Section 8 of the U.S. Constitution.

By Mr. LIEU:

H.R. 5798.

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

Article I, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 5799.

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

Article I, Section 8

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 5800.

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

Article I, Section 8

By Mr. MCEACHIN:

H.R. 5801.

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

Article 1, Section 8

By Mr. PALLONE:

H.R. 5802.

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

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article 1, section 8 of the Constitution.

By Mr. RICE of South Carolina:

H.R. 5803.

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

Section 8 of Article 1 of the Constitution

By Ms. SCHRIER:

H.R. 5804.

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

Article I

By Ms. STANSBURY:

H.R. 5805.

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

Article I, section 8

By Mr. STEWART:

H.R. 5806.

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

Article 1 section 8 clause 3

By Mr. VELA:

H.R. 5807.

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

Article 1, Section 8, Clause 18

By Mrs. WAGNER:

H.R. 5808.

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

Article I, Sec. 8

ADDITIONAL SPONSORS

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

H.R. 24: Mr. GOOD of Virginia.
 H.R. 69: Mrs. BICE of Oklahoma.
 H.R. 151: Mr. MORELLE, Ms. LEGER FERNANDEZ, and Ms. SANCHEZ.
 H.R. 217: Mr. GOOD of Virginia.
 H.R. 228: Ms. PORTER.
 H.R. 263: Mr. MORELLE.
 H.R. 274: Mr. LEVIN of Michigan.
 H.R. 310: Mrs. FLETCHER.
 H.R. 461: Mr. SWALLOW.
 H.R. 477: Mr. RASKIN.
 H.R. 516: Ms. SANCHEZ.
 H.R. 542: Mr. LIEU and Mr. LARSON of Connecticut.
 H.R. 543: Mr. VAN DREW.
 H.R. 572: Mr. HUFFMAN.
 H.R. 669: Mr. GARAMENDI.
 H.R. 746: Mr. CLOUD.
 H.R. 797: Mr. VALADAO and Mr. MCNERNEY.
 H.R. 955: Mrs. TRAHAN and Mr. MOULTON.
 H.R. 1015: Mr. AGUILAR.
 H.R. 1057: Mr. Issa.
 H.R. 1145: Mr. BUCK and Mr. BALDERSON.
 H.R. 1179: Mr. DUNCAN.
 H.R. 1193: Mrs. LEE of Nevada and Ms. MALLIOTAKIS.
 H.R. 1235: Ms. DEGETTE.
 H.R. 1259: Mr. VAN DREW, Mr. NEHLS, and Mr. THOMPSON of Pennsylvania.
 H.R. 1297: Mr. LARSON of Connecticut, Mr. AMODEI, and Mrs. DINGELL.
 H.R. 1316: Mr. THOMPSON of Pennsylvania, Mr. KIND, Mr. NEGUSE, Mrs. MILLER of West Virginia, Mr. YARMUTH, Ms. BARRAGAN, Mr. THOMPSON of Mississippi, Mr. PETERS, Mr. NEAL, Mr. DELGADO, Ms. BROWNLEY, Mr. GARAMENDI, Mr. PALLONE, Ms. BONAMICI, Ms. TLAIB, Ms. SCHAKOWSKY, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Ms. KUSTER, Mr. KELLY of Pennsylvania, Mr. NADLER, Mr. RUIZ, Ms. JAYAPAL, Mrs. MURPHY of Florida, Ms. SCHRIER, and Mrs. HAYES.
 H.R. 1348: Mr. TAKANO and Mrs. FLETCHER.
 H.R. 1368: Ms. SANCHEZ.
 H.R. 1381: Mr. JOHNSON of Louisiana.
 H.R. 1384: Ms. LOFGREN, Mr. TAKANO, Mr. BISHOP of Georgia, Mr. LYNCH, Mrs. LAWRENCE, Ms. WILSON of Florida, Mr. WOMACK, and Mr. CONNOLLY.
 H.R. 1474: Ms. SHERRILL.
 H.R. 1518: Mrs. MILLER-MEEKS and Mr. PRICE of North Carolina.
 H.R. 1577: Mrs. CAROLYN B. MALONEY of New York.
 H.R. 1648: Mr. AUCHINCLOSS.
 H.R. 1744: Mr. KATKO.
 H.R. 1771: Mr. GRIFFITH.
 H.R. 1829: Mr. COHEN.
 H.R. 1906: Mr. PAYNE.
 H.R. 1956: Mr. MALINOWSKI.
 H.R. 1959: Ms. TLAIB.
 H.R. 2102: Mr. TORRES of New York, Ms. WASSERMAN SCHULTZ, Mr. LIEU, and Mr. GOMEZ.
 H.R. 2161: Mr. DEFAZIO, Ms. STANSBURY, and Mr. YARMUTH.
 H.R. 2192: Mr. LOWENTHAL and Mr. COHEN.
 H.R. 2228: Ms. STEFANIK.
 H.R. 2230: Mr. RASKIN and Mr. CICILLINE.
 H.R. 2238: Mr. BEYER.
 H.R. 2249: Mr. CARTER of Georgia, Mr. VELA, and Mr. BURGESS.
 H.R. 2328: Mr. KRISHNAMOORTHY.
 H.R. 2351: Mrs. HINSON.
 H.R. 2358: Mr. GARCIA of Illinois.
 H.R. 2372: Mrs. MURPHY of Florida and Ms. SCANLON.
 H.R. 2414: Mr. FALLON.
 H.R. 2415: Ms. STANSBURY.
 H.R. 2517: Ms. WASSERMAN SCHULTZ and Mr. DOGGETT.
 H.R. 2549: Mr. LEVIN of Michigan.
 H.R. 2565: Mr. MOORE of Alabama and Mr. CARTER of Georgia.
 H.R. 2586: Mr. VEASEY, Mrs. TORRES of California, Mr. KILMER, Mr. KATKO, Ms. SCANLON, Mr. AGUILAR, Ms. GARCIA of Texas, Mr. JONES, Mrs. CAROLYN B. MALONEY of New York, and Mr. CUELLAR.

H.R. 2629: Ms. SHERRILL.
 H.R. 2650: Mrs. RODGERS of Washington.
 H.R. 2654: Mr. STEUBE, Mr. MAST, and Mr. FERGUSON.
 H.R. 2728: Mrs. BICE of Oklahoma.
 H.R. 2731: Mr. MRVAN.
 H.R. 2734: Ms. PRESSLEY.
 H.R. 2758: Mr. MURPHY of North Carolina.
 H.R. 2759: Mr. MALINOWSKI and Mrs. CAROLYN B. MALONEY of New York.
 H.R. 2767: Mr. NEGUSE.
 H.R. 2811: Ms. LEGER FERNANDEZ and Mr. SCHNEIDER.
 H.R. 2840: Mr. BEYER and Ms. LEGER FERNANDEZ.
 H.R. 2864: Mr. TRONE.
 H.R. 2901: Mrs. KIM of California.
 H.R. 2930: Mr. NEGUSE.
 H.R. 2946: Mr. CRIST.
 H.R. 3076: Ms. LOFGREN, Mr. GRAVES of Missouri, Mr. LOWENTHAL, and Mr. UPTON.
 H.R. 3085: Mr. DOGGETT.
 H.R. 3108: Ms. ADAMS.
 H.R. 3109: Mr. BALDERSON.
 H.R. 3115: Ms. STANSBURY, Ms. KUSTER, Mr. SCHIFF, Ms. ESHOO, Mr. LARSON of Connecticut, and Mr. QUIGLEY.
 H.R. 3172: Mr. EVANS.
 H.R. 3187: Mr. LANGEVIN.
 H.R. 3225: Mr. CUELLAR.
 H.R. 3352: Ms. MENG, Ms. CHU, Ms. DELBENE, Mr. MFUME, and Mr. GOTTHEIMER.
 H.R. 3382: Mrs. STEEL.
 H.R. 3402: Ms. TITUS and Mr. POSEY.
 H.R. 3408: Mr. MCNERNEY.
 H.R. 3451: Miss RICE of New York.
 H.R. 3465: Mrs. MILLER of Illinois.
 H.R. 3574: Mr. NEGUSE and Ms. ROSS.
 H.R. 3626: Ms. OMAR.
 H.R. 3630: Mr. PERLMUTTER, Mr. HARDER of California, Mr. GONZALEZ of Ohio, Ms. JOHNSON of Texas, Mr. WOMACK, Mr. CUELLAR, Mr. SCHNEIDER, Ms. KUSTER, Mr. DANNY K. DAVIS of Illinois, Mr. KHANNA, Mr. VARGAS, Mr. JACKSON, and Mr. KELLER.
 H.R. 3730: Mr. BACON.
 H.R. 3780: Ms. PORTER.
 H.R. 3826: Mr. MFUME.
 H.R. 3896: Mr. CRAWFORD.
 H.R. 3967: Mr. BLUMENAUER.
 H.R. 4141: Mr. WENSTRUP and Mr. ARRINGTON.
 H.R. 4157: Mr. NEGUSE and Mr. MFUME.
 H.R. 4194: Mr. MFUME, Mr. LOWENTHAL, Ms. BONAMICI, and Mrs. NAPOLITANO.
 H.R. 4272: Mr. HUFFMAN and Mr. GARCIA of Illinois.
 H.R. 4319: Mr. LAMB.
 H.R. 4334: Ms. CHENEY and Mr. FULCHER.
 H.R. 4379: Mr. Cárdenas.
 H.R. 4387: Mr. MCKINLEY.
 H.R. 4407: Mrs. MILLER of West Virginia and Mr. BACON.
 H.R. 4480: Ms. WILD.
 H.R. 4533: Mr. PERLMUTTER.
 H.R. 4571: Mr. O'HALLERAN and Mrs. CAROLYN B. MALONEY of New York.
 H.R. 4603: Mr. SLOTKIN.
 H.R. 4627: Mrs. NAPOLITANO.
 H.R. 4634: Mr. BAIRD, Mr. BOST, and Mr. MOULTON.
 H.R. 4677: Mr. MALINOWSKI, Mr. MEEKS, Mr. JEFFRIES, Mrs. CAROLYN B. MALONEY of New York, and Mr. GOTTHEIMER.
 H.R. 4701: Mr. MULLIN and Mr. WESTERMAN.
 H.R. 4720: Mrs. MILLER of West Virginia.
 H.R. 4759: Mr. MFUME.
 H.R. 4785: Mr. BALDERSON.
 H.R. 4794: Mr. O'HALLERAN.
 H.R. 4878: Mr. COHEN.
 H.R. 4946: Mr. KILMER and Mr. COHEN.
 H.R. 4951: Mr. NEGUSE.
 H.R. 4967: Mr. GONZALEZ of Ohio.
 H.R. 4995: Ms. STANSBURY.
 H.R. 4996: Mr. MOOLENAAR and Mrs. MILLER-MEEKS.
 H.R. 5001: Ms. STANSBURY.
 H.R. 5058: Ms. JACKSON LEE.

H.R. 5129: Mr. HUFFMAN, Mr. SUOZZI, Mr. SEAN PATRICK MALONEY of New York, Mrs. LURIA, Mr. LEVIN of California, Ms. PINGREE, Mr. TRONE, Mr. COURTNEY, Mr. LOWENTHAL, Mr. STANTON, Mr. WELCH, Ms. BROWNLEY, Ms. TENNEY, Mr. CARBAJAL, Mr. VICENTE GONZALEZ of Texas, Mrs. BEATTY, Mrs. TRAHAN, Mr. O'HALLERAN, Mr. GUTHRIE, and Mr. VAN DREW.

H.R. 5131: Ms. SÁNCHEZ.

H.R. 5141: Mr. LOWENTHAL, Ms. CRAIG, and Mr. PAPPAS.

H.R. 5162: Mr. PERRY and Mr. GRIFFITH.

H.R. 5170: Mr. CORREA.

H.R. 5232: Mr. GONZALEZ of Ohio.

H.R. 5235: Mr. GRIJALVA and Mr. KILMER.

H.R. 5330: Mr. DONALDS.

H.R. 5342: Mr. SEAN PATRICK MALONEY of New York.

H.R. 5363: Mr. HUDSON.

H.R. 5424: Mr. BISHOP of Georgia.

H.R. 5444: Mr. NEGUSE and Mr. TAKANO.

H.R. 5445: Mrs. HAYES and Mr. BAIRD.

H.R. 5450: Mr. FALLON.

H.R. 5451: Mr. DONALDS.

H.R. 5483: Ms. STEFANK.

H.R. 5487: Ms. KELLY of Illinois.

H.R. 5504: Ms. STANSBURY.

H.R. 5531: Ms. TLAIB.

H.R. 5533: Mrs. HAYES.

H.R. 5543: Mr. QUIGLEY and Mr. PALLONE.

H.R. 5577: Ms. JAYAPAL, Mr. SCHNEIDER, Mr. O'HALLERAN, Mr. PAPPAS, Mr. GOMEZ, Mr. CUELLAR, Ms. OMAR, Mr. MOULTON, Mr. SHERMAN, Ms. SCHAKOWSKY, Ms. SHERRILL, Mr. MALINOWSKI, Ms. PORTER, and Ms. KUSTER.

H.R. 5585: Mr. CÁRDENAS, Ms. CRAIG, Mrs. TRAHAN, Mr. PASCRELL, Mr. COURTNEY, Mr. PERLMUTTER, and Ms. ROSS.

H.R. 5586: Mr. DESJARLAIS, Mr. FORTENBERRY, Mr. LAMALFA, Mr. DONALDS, and Mrs. RODGERS of Washington.

H.R. 5590: Mr. DONALDS.

H.R. 5599: Mr. FITZPATRICK.

H.R. 5608: Mr. STAUBER, Mr. STEWART, Mr. BAIRD, and Mr. GIBBS.

H.R. 5609: Mr. FERGUSON and Mr. STEUBE.

H.R. 5611: Ms. BASS.

H.R. 5621: Mrs. MILLER-MEEKS.

H.R. 5629: Mr. CASTRO of Texas and Ms. TITUS.

H.R. 5648: Mrs. NAPOLITANO.

H.R. 5649: Mr. BABIN.

H.R. 5660: Mr. LUCAS and Mr. BOST.

H.R. 5665: Ms. SÁNCHEZ and Mr. QUIGLEY.

H.R. 5681: Mr. COLE and Mr. JOYCE of Ohio.

H.R. 5689: Ms. NORTON.

H.R. 5714: Mr. SESSIONS.

H.R. 5718: Ms. STANSBURY, Mr. CÁRDENAS, and Mr. BLUMENAUER.

H.R. 5721: Mr. MRVAN.

H.R. 5722: Mrs. BICE of Oklahoma.

H.R. 5724: Mr. FITZPATRICK, Mr. PERLMUTTER, Ms. BONAMICI, Ms. SCANLON, Ms. LEE of California, Mr. KIM of New Jersey, Mr. CASE, Ms. ROSS, Ms. PRESSLEY, and Mrs. HAYES.

H.R. 5727: Ms. OCASIO-CORTEZ, Mr. VAN DREW, Mr. SCHNEIDER, and Mr. BISHOP of Georgia.

H.R. 5730: Ms. STRICKLAND.

H.R. 5731: Mr. BUDD.

H.R. 5735: Mr. PHILLIPS, Mrs. MILLER-MEEKS, Ms. SHERRILL, Mr. BALDERSON, Mr. PANETTA, Mrs. WAGNER, Mr. NEWHOUSE, and Mr. DIAZ-BALART.

H.R. 5742: Mr. GARCÍA of Illinois and Mrs. MCBATH.

H.R. 5743: Mr. GUTHRIE.

H.R. 5750: Mr. DESAULNIER, Mr. KILMER, Ms. WILD, Mr. MOULTON, Ms. NORTON, Mr. RUSH, and Ms. DAVIDS of Kansas.

H.R. 5754: Mr. MCCAUL.

H.R. 5759: Mr. BROOKS, Mrs. MILLER of West Virginia, Mrs. LESKO, and Mrs. STEEL.

H.R. 5761: Mr. BUCSHON and Mr. RODNEY DAVIS of Illinois.

H.R. 5765: Mr. GAETZ.

H.R. 5778: Mr. GOTTHEIMER.

H.R. 5787: Mr. RUTHERFORD.

H.R. 5788: Mr. BUCHANAN, Mr. MOOLENAAR, Mr. GARBARINO, and Mr. LAWSON of Florida.

H.J. Res. 58: Mr. LUETKEMEYER.

H. Con. Res. 34: Mr. CLYDE.

H. Con. Res. 44: Mr. CRENSHAW, Mrs. MILLER-MEEKS, Mr. NEGUSE, Mr. SCHRADER, Mr. WOMACK, and Ms. ROSS.

H. Con. Res. 54: Mr. TRONE.

H. Con. Res. 56: Mrs. STEEL.

H. Res. 114: Mrs. DINGELL.

H. Res. 119: Ms. JAYAPAL.

H. Res. 389: Mr. FORTENBERRY, Mr. ELLZEY, Mr. POSEY, Mr. BACON, and Mr. HUIZENGA.

H. Res. 404: Mr. BAIRD.

H. Res. 415: Mr. ISSA.

H. Res. 498: Ms. SHERRILL.

H. Res. 664: Mr. COURTNEY.

H. Res. 670: Ms. PRESSLEY and Mr. LEVIN of Michigan.

H. Res. 738: Mr. GUTHRIE and Mr. DIAZ-BALART.

H. Res. 749: Mr. GRIJALVA.

H. Res. 751: Ms. NORTON.

H. Res. 752: Mr. NADLER, Ms. NEWMAN, Ms. BUSH, and Mr. CICILLINE.

H. Res. 754: Mr. BANKS and Mr. WENSTRUP.

PETITIONS, ETC.

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

PT-76. The SPEAKER presented a petition of the City of Miami, Florida, relative to Resolution R-21-0351, urging President Joseph R. Biden, Jr. to allocate five billion dollars of funding for Everglades Restoration; to the Committee on Transportation and Infrastructure.

PT-77. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 435 of 2021, urging the U.S. Congress to refrain from entering into any trade deals with the United Kingdom until its government investigates and prosecutes legacy killings as outlined in the Stormont House Agreement; to the Committee on Ways and Means.



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No. 191

Senate

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.

Almighty God, make us instruments of Your love. Lord, use our Senators today as ambassadors of reconciliation. Direct them in their work, surrounding them with Your gracious love. Let all their plans and purposes be in accordance with Your holy will. May they desire to serve You and country with faithfulness.

Lord, enlighten them with Your wisdom so they will find solutions to the problems that challenge our Nation and world. Make them good stewards of their calling, guiding them to use their influence for Your glory.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

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

The 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 majority leader is recognized.

BUILD BACK BETTER PLAN

Mr. SCHUMER. Madam President, last week, President Biden unveiled a framework for his Build Back Better plan that will make historic investments to help millions of working- and middle-class families achieve the American dream in the 21st century while taking new and bold steps to tackle the climate crisis.

Over the weekend, I continued diligent, assiduous negotiations with my Senate colleagues, the Speaker, and the White House as Congress prepares to take action on the President's proposals. We are still talking and working through important details and making good progress, and I want to thank all my colleagues for their diligence, their expertise, and their commitment to getting something done.

As I have always said, nobody is going to get everything they want in the deal, but we will have some things that everyone wants. Even as legislative text continues to get finalized, the framework itself already contains very, very good and important things that will make a tremendous difference in the lives of the American people. It will help the middle class stay in the middle class. It will help those struggling to get to the middle class get there a little more easily. It will really help Americans in ways that Washington has not helped Americans in quite a few years.

One way it will help is childcare. Tens of millions of American families struggle with the unaffordable cost of taking care of their children. For some families, childcare can cost over \$10,000 a year, forcing parents to make the painful choice between going to work and looking after their kids. The consequences for our economy, with its

shortage of workers, for parents, and for our kids are severe and long-lasting.

The framework, with its historic investments in childcare and universal pre-K, would finally—finally—provide working- and middle-class families with the urgently needed help they need so parents, particularly women, can enter the workplace, earn a living, and not worry about whether their kids are being well taken care of.

The President's framework also makes long-overdue progress in the fight against climate change. It contains the largest investment to address the climate crisis in American history.

American families from one coast to the other are in desperate need of relief from the consequences of climate change. Wildfires in the West make it harder for people to breathe, especially those with conditions like asthma. Flooding in the Midwest destroys crops and homes and local economies and poisons fragile ecosystems and even the safety of drinking water. Extreme storms in the winter make it harder for those without proper heating to stay safe, as we saw tragically in Texas. Of course, the hurricanes and tropical storms on the east coast have caused regular flooding, the likes of which we haven't seen in a long time occurring as recently in the Mid-Atlantic as this weekend.

We have an opportunity—a real opportunity—to take unprecedented action to protect Americans against these threats. While there will be so much more to do, this is a bold step in the right direction. As the President spoke before the world today in Glasgow, his framework is proof the United States is ready to once again lead by example against the greatest existential crisis of our time.

There is so much more to like in this framework. As I have said repeatedly, when this bill is passed, it will be fully paid for and reduce—reduce—inflationary pressures—something that has

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



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been affirmed by many, many economists. It will be fully paid for and, at the same time, will reduce some of the bottlenecks and high costs that people have. It will lower people's costs in many ways. Particularly, we are making regular progress to lower prescription drug prices as we work to refine the agreement.

The framework will also make healthcare more affordable, cut taxes for working and middle-class Americans, and most importantly, provide long-sought ladders for families to climb up to the middle class and give them the stability needed to stay in the middle class once they get there.

It will lower costs for people in many different ways—one of our main goals. This will be just what the American people need, and it will not be—inflationary.

So the announcement last week from the President brought us one step closer toward our goal of delivering help to the American people at every stage of their lives. We are going to keep working this week to get this legislation over the finish line. Democrats are committed to rewarding the trust that the American people have placed in us.

NOMINATIONS

Mr. SCHUMER. Now, Madam President, on judges and nominations, last week, the Senate confirmed seven—seven—more judges to serve lifetime appointments on the Federal bench.

Just about all of them were people of color; all but two were women. Among them were more Federal defenders, civil rights lawyers, election experts. They will bring sorely needed diversity to the judiciary—not just personal diversity or demographic diversity, as important as that is, but professional diversity as well, adding to the breadth and width and depth of knowledge possessed by the courts.

It is no longer a bench that we are appointing that is simply prosecutors or partners in large law firms, but many, many others from walks of life with different and needed perspectives on the Federal bench.

Today, we are going to pick up right where we left off. Later this afternoon, we will vote to confirm Beth Robinson, of Vermont, to serve on the U.S. Court of Appeals for the Second Circuit, and Toby Heytens to serve on the U.S. Court of Appeals for the Fourth Circuit.

A former clerk to the late Justice Ginsburg, Mr. Heytens is a veteran of the Justice Department and is the current Solicitor General of the Commonwealth of Virginia. He is regarded by both sides of the aisle as a superbly skilled lawyer and an impartial thinker.

In Justice Robinson, who has spent 10 distinguished years on the Vermont State Supreme Court, the Senate is presented with another experienced, dedicated, and historic nominee. She would be the very first openly gay

woman to serve not just in the Second Circuit, but in any Federal circuit court in the country—another barrier torn down in the halls of justice. We are proud of tearing down those barriers and making the bench more inclusive and more like America. I look forward to her confirmation today.

In the weeks and months to come, Senate Democrats will continue pressing ahead to bring balance back to our Federal courts with diverse, mainstream, qualified, and impartial jurists.

JOHN R. LEWIS VOTING RIGHTS ADVANCEMENT ACT

Mr. SCHUMER. Now, Madam President, on the John R. Lewis Voting Rights Advancement Act and cloture, the fight to protect our democracy from voter suppression and election subversion continues in the U.S. Senate. Later this evening, I will file cloture on the motion to proceed to the John R. Lewis Voting Rights Advancement Act, setting up a vote to take place on Wednesday.

This bill, which my friends, Senators LEAHY and DURBIN, worked assiduously to put together, will restore the key protections of the Voting Rights Act—the crowning achievement of the civil rights era—that were wrongly gutted in one of the worst decisions the Supreme Court has made in a long time—in 2013, the Shelby decision—done by a conservative majority on the Court.

Specifically, the John R. Lewis Voting Rights Advancement Act would update the preclearance protections that prohibited States with records of voter suppression from making changes to election law without Federal approval.

Recent history makes absolutely clear that we need these protections on the books. Thanks to the Shelby decision, we now live in an era of increased voter suppression in the United States. After that decision, States like Texas and North Carolina, sadly, sprang into action to make it harder for minority, younger, and lower income people to vote. Many more States followed years later, and we are suffering the consequences of that decision to this day.

Few of the Justices had thought, I believe, that we didn't need these preclearances because there is no more voter discrimination. Lord, were they wrong. We must reverse their awful Shelby decision.

If there is anything that merits debate here in the Senate, it is protecting the precious right of Americans to participate in our elections. Since its original passage, the Voting Rights Act has been updated five times—five times—with support from both Democrats and Republicans. We should, likewise, proceed this time around on this time-honored measure.

I want to make clear: If the Senate votes to proceed on to the John R. Lewis Voting Rights Advancement Act, I am prepared to offer a full-fledged debate befitting this great Chamber. Re-

publicans will be given the chance to raise their objections, to offer amendments, and to make changes to the bill. I know that both parties have serious disagreements on this important issue, so we want to hear from the other side what they propose. But for that to happen, we need to start debate first; we need to vote to allow the Senate to work through its process; we need 60 votes simply to say we will debate this issue. We will get a chance to see what happens this week.

Time is really getting short for the Senate to take action on voting rights before Americans go to the polls in the 2022 elections. It is essential that we restore preclearance protections before the start of next year, when States are set to consider another round of restrictive voting rights laws when their legislative sessions start in the spring.

Indeed, the dangerous and draconian Republican laws we have seen in 2021 are only the beginning if this body doesn't take action, and they are a very serious threat to our democracy—one of the greatest threats to democracy that has come around in a long time.

So I hope both parties will proceed on legislation that has long enjoyed bipartisan support in this Chamber. Our democracy demands we act.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

BORDER SECURITY

Mr. MCCONNELL. Madam President, well, the American people are hurting. Inflation just hit another 30-year record high. Families are paying skyrocketing prices for everyday needs. The murder rate across the country just recorded its biggest jump ever.

But here is what the Biden administration has focused on: handing out six-figure and seven-figure payments to illegal immigrants.

A few years back, liberal interest groups started trying to sue the U.S. Government on behalf of illegal immigrants. They wanted American taxpayers to pay out legal damages because of the conditions some people faced as they tried to break into our country illegally.

As a legal matter, these lawsuits were borderline frivolous. Our government was all but certain to win the suits, but this administration wants to stand down and voluntarily pay out massive damages: "The U.S. Departments of Justice, Homeland Security, and Health and Human Services are considering payments that could amount to close to \$1 million a family"—\$1 million a family, about a half a million dollars per adult, and about a half a million dollars more per child.

American families are having to anxiously budget for gas and groceries, but

President Biden wants to literally make millionaires out of people who have violated Federal law.

What could be more unfair and unjust to law-abiding, tax-paying American citizens?

And talk about yet another massive incentive for more and more people to come here illegally: On President Biden's watch, we have already seen an alltime high in illegal border crossings, combined with a decade low in arrests in the interior.

So Democrats have already created a major border crisis, and now they want to cut seven-figure checks to illegal border crossers?

Democrats are already trying to send monthly welfare payments to people who are here illegally. That is in the reckless taxing-and-spending spree they are putting together behind closed doors.

But who needs \$300 a month when President Biden wants to send these folks \$450,000 per person?

That is four and a half times the payment that the Department of Defense sends to the survivors of servicemembers who were killed in action. Fallen troops' families get \$100,000 from the Pentagon. But the Biden administration wants to give illegal immigrants \$450,000?

This is an especially extreme example of a big error that Democrats continue to make over and over again.

The left mistakenly thinks that a compassionate border means a weak border. They think compassion requires weakness—weak security, weak enforcement, weak on upholding the rule of law. And now, apparently, we are a cruel country unless we hand out a million dollars per family to illegal immigrants who sue America.

But the entire concept is dead wrong. It is not compassion to lure people from all over the world through dangerous journeys with the promise of open-borders socialism. In fact, the government paying out six-figure sums that multiply with every additional child in tow will only incentivize the riskiest and most dangerous kinds of illegal immigration. We will be guaranteeing that even more children are dragged along the dangerous journey.

Honestly, this absurd idea feels like a satirical policy proposal that Republicans would have invented to make a parody out of the radical left. Oh, and the next thing you know, they will be sending out million-dollar checks to illegal immigrants. But this is literally what the Biden administration wants to do, according to reports that they have not denied.

Out in the real world, American families already have enough reasons to worry about the administration's spending habits. The inflation kicked off by Democrats' springtime binge has wiped out wage gains and made family budgets even harder to square.

One recent report on soaring food prices included this quote from a shopper out in Indiana: "You have to pick

and choose. Before, you didn't have to do that. You could just go in and buy a week or two's worth of food. Now, I can barely buy one week's worth."

That is a sobering reality that too many Americans are dealing with, and it isn't limited to the grocery store. Folks in my hometown of Louisville have seen gas prices jump a full dollar in the past year. Feeding a family is getting harder. Filling up the tank is getting harder. Even heating a home this winter is shaping up to be 30 percent more expensive than last year.

Even during a time of calm and prosperity, writing million-dollar checks to illegal immigrants would be an insult to American families, but it is 10 times more insulting at a time like this, when Democrats' policies are forcing so many households to tighten their belts.

These are the same Democrats who are putting finishing touches on yet another multimillion dollar—multitrillion dollar reckless taxing-and-spending spree. So in the days and weeks ahead, when the far left tries to sell America on historic inflationary spending, historic tax hikes, and more micromanaging of American life by politicians, just remember, these are the same politicians who have proposed giving millions of dollars of taxpayers' money to people who broke Federal law to enter our country.

The same people who think that is a great idea want license to transform our entire economy.

Look around. I am not sure how much more of this transformation American families can stomach.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury.

The PRESIDING OFFICER. The majority whip.

NOMINATION OF TOBY J. HEYTENS

Mr. DURBIN. Madam President, today, the Senate will vote to confirm Toby Heytens to serve on the U.S. Court of Appeals for the Fourth Circuit.

He is an accomplished appellate advocate, with a depth of experience and a fair-mindedness that would make him an asset to the Fourth Circuit. He started as a clerk on the Third Circuit, completed a prestigious fellowship at the Justice Department's Office of the

Solicitor General, and then he clerked for Ruth Bader Ginsburg. Not a bad resume.

After a few years in private practice, Mr. Heytens rejoined the Justice Department as an assistant to the Solicitor General. Most recently, he was Solicitor General for the Commonwealth of Virginia.

He is a distinguished academic—taught at Cornell Law School, joined the faculty at UVA Law School, codirected the Supreme Court Litigation Clinic.

Mr. Heytens has personally argued 10 cases before the U.S. Supreme Court—there aren't many people who can say that—and handled the briefing in more than 50 other cases before the Court, and the breadth of these cases is impressive.

With such credentials, it is not surprising he enjoys the strong support of Senators KAINE and WARNER.

He has been unanimously rated "well qualified" by the American Bar Association, and his nomination is supported by leaders in the legal community, including three former Republican Solicitors General under President George W. Bush.

He is a dedicated public servant. I will be voting for him, and I hope my colleagues will join me.

COVID-19

Madam President, on another matter, this weekend saw the happy return of a tradition in many neighborhoods.

Last night, my senatorial assignment was to be at the front door of my home in Springfield, IL, and pass out candy to the trick-or-treaters.

After a year off because of COVID, Halloween was back. We had at least 80, maybe 100, kids show up, and they were all having a great time, as we all remember our own youth.

What a difference vaccines can make. Slowly but surely, we are putting this pandemic behind us. And after a difficult year-plus of remote learning, kids are going back to school across America.

Three days ago, we received some long-awaited news that will enable parents to breathe another sigh of relief and allow children to be safely vaccinated. The FDA authorized Pfizer vaccinations for kids between ages 5 and 11.

While it is true that healthy children generally are at lower risk from this virus, they are not immune, and testing had to take place, and it has taken place. The new lower-dose COVID vaccine can protect our kids—and grandkids, I might add. And I want to do everything I can to make sure that happens.

I usually tell the story, which dates me, but I know the reality of my impression on those who are watching. I have been around a few years, and I remember in the 1950s, when we were scared to death of polio, and along came Jonas Salk—God bless his memory—with a new vaccine, and we all lined up, rolled up our sleeves, and got

a shot, and there wasn't a question asked.

We saw the ravages of polio—the iron lungs, the crippled children, and some who lost their lives—and we did what we should do: we followed our parents' guidance, got the vaccinations. We virtually eliminated polio in America as a result of it.

We have got to do the same thing, when it comes to COVID, for children.

The new COVID vaccine for young children is just the latest proof that President Biden's leadership and efforts are working.

Not one Republican, I might add, not one, could see their way to vote for President Biden's American Rescue Plan. It was that same rescue plan which set up the program across America to administer vaccines.

Where would we be today if we were still struggling to do that?

I want to thank the Biden administration for that leadership. We are starting to see good results, despite the Delta variant. And I think that we can see at least the possibility of putting this pandemic behind us. But I hope more people will get vaccinated so that that will happen sooner rather than later.

Every week—and I have noticed—some of our Republican colleagues, including their leader, come to this floor to propose undercutting commonsense vaccine policies that exist to protect our Nation. These Senators, to my knowledge, have all been vaccinated; yet, when it comes to the mistruths and distortions about vaccinations, they are strangely silent. I think we know why.

Apparently, they think pitting Americans against each other is good politics, but it may be good politics one day and bad public health for a long time. It is corrosive to our public spirit. America is strongest when we are united.

We will no doubt hear our Republican colleagues cheer on the small minority of police and firefighters in cities like New York and Chicago, who continue to refuse to get vaccinated, despite mandates.

Here is a number that we should keep in mind, those of us who say, and I count myself as one, that we respect law enforcement and want them to be strong and safe—last year, five times more law enforcement officers died of COVID than died of gun violence.

Let me repeat that. Last year, five times more policemen died of COVID than died from gun violence.

COVID is the No. 1 killer of law enforcement officers in America today. And so when we talk about being on the side of the police, and you want to save their lives—I sure do. I want them to be safe on the job, but I also want them to be vaccinated so that they don't succumb to the illnesses that follow when they are not.

If you care about police safety—if you really care about police safety, put this pandemic behind us once and for

all and get vaccinated, and speak up when people decide, on FOX TV and others, to peddle this anti-vax quackery that we see too often.

THE ECONOMY

Madam President, on a related matter, when I listen to our Republican colleagues' rail on the economy, I am reminded of the old saying, attributed to H.L. Mencken, that: "For every complex problem, there is an answer that is simply easy—and wrong."

Four years ago, Republicans used the Senate's reconciliation rules to pass the Trump tax cuts. They didn't get a single Democratic vote.

Why? Because those tax cuts benefited the wealthiest people in America and the most profitable corporations.

So did it cost us anything? Did we make money on that as a nation?

It cost us \$1.9 trillion over 10 years. That was Republican reconciliation 4 years ago. That is more than President Biden is now proposing for his entire slate of programs to ease the financial squeeze on working families and create millions of good jobs and protect our Nation from the dangers of climate change.

All the wailing and gnashing of teeth we are hearing from Republicans about deficits and debt? Where in the heck were they during the Trump years, when the debt went up 36 percent?

They were all voting for it.

Of course, now that President Biden is onboard, they are really deficit hawks. They have changed overnight. Well, you should have heard them during the Trump years, if they are sincere and honest.

Our Republican colleagues moan on and on about inflation. All Americans are concerned about that. The Senator from Kentucky pointed out the reality.

I filled my truck up with gas over the weekend. It is more expensive.

What is causing all that?

Well, part of it is we have no control over the price. The OPEC nations and others are determining what the price levels will be. And other things are part of it as well, yes.

Heating bills are going to go up this winter. When I talk to the people in the natural gas industry, they talk about the problems that they had. When the economy slumped during the pandemic, the production of natural gas went down, the storage of it went down, the price went up, and that is what we are paying for today.

So the pandemic itself has had an impact on our economy, which we cannot and should not ignore.

The pandemic closed down the global economy and sent demand for many products soaring. Getting back to normal is just going to take some time, and it will take thoughtful action, not political potshots.

To our Republican friends: If you are really concerned about the economic strain on middle-class and working families, you have got an opportunity to prove it this week.

President Biden's Build Back Better agenda is moving forward. A vote to

give 35 million families enhanced child tax credits will help them meet the cost of living and save them hundreds, maybe thousands, of dollars a year.

A vote for good, free, early childhood education for every kid in America will put hundreds, even thousands of dollars more back in the hands of parents.

And unlike the Trump tax cuts, the Build Back Better agenda is paid for. That is right. We pay for it. We are not adding to the deficit, and no one earning less than \$400,000 a year will face higher taxes to pay for the Build Back Better agenda.

And then there is the issue of climate change. I am joining a group that hopes we can go to Glasgow, Scotland, for this climate conference the President is attending today, and we hope that a bipartisan group delegation from the Senate can go at the end of this week, and I am looking forward to that possibility.

We are paying so much money out, almost on a weekly basis, for weather-related disasters. Hurricane Ida, this year, cost us \$100 billion in damage. One storm cost roughly twice as much as we proposed to spend the whole year in reducing the harm of climate change for all America.

We need to work together to create a win for the American people and for our planet, and wouldn't it be nice if it were bipartisan for a change?

IMMIGRATION

Madam President, let me say a word about Senator MCCONNELL's comments. I sit here and wonder: What can he say next?

Well, today, he took the cake. Apparently, he was suggesting that we have a plan to give every undocumented person in America—was it a million dollars or a half a million dollars?

It is laughable to hear that kind of suggestion.

Remember when the caravans were bringing thousands and thousands and it didn't happen?

Now, there is some notion by the Senator from Kentucky that Joe Biden has a plan to give every undocumented person a million dollars. I mean, you would say to yourself: Did you keep a straight face when you said that? Apparently, he did. And I will just tell you that the plans I have been supporting would put these people to work in America, paying taxes—paying their fair share of taxes, and that is important if we want to get this economy straight and get the workers we need back on the job.

So I would suggest to the Senator from Kentucky, a million dollars for an undocumented person in America? I think you have gone a little bit beyond the pale with that comment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

CYBER SECURITY

Mr. GRASSLEY. Madam President, earlier this month, Senator ERNST and I sent a letter to Secretary Mayorkas asking the Secretary to address the

devastating cyber attacks conducted on our national agricultural sector.

Agriculture is designated as one of the country's 16 critical infrastructure industries but historically has not received robust cyber security support from our government. Attacks from foreign cyber criminals are threatening both the livelihood of our farmers and the security of the food that we eat.

Last month, NEW Cooperative, an Iowa grain co-op, was the target of BlackMatter, a Russian cyber criminal cell. The cyber attack shut down systems that control crop irrigation, livestock feed schedules, and inventory distribution. NEW Cooperative comprises about 40 percent of the grain distribution in our country. The co-op narrowly managed to avert a crash in grain prices without paying a \$5.9 million ransom.

These attacks are not limited to just large distributors. The Russian group BlackByte claimed it attacked Farmers Cooperative Elevator Company, an Iowa grain co-op with just four locations. BlackByte is threatening to release 100 gigabytes of sensitive data, including financial, sales, and accounting information, if a ransom is not paid.

The extent of the damage from the NEW Cooperative and the Farmers Cooperative Elevator Company attacks is not isolated to the grain market. Feed from these co-ops sustain more than 11 million head of livestock.

These attacks affect the supply chain that puts food on the shelves of grocery stores all across our country. As Iowa farmers adopt new technologies to get their crops to market, their exposure grows to similar attacks.

These two ransomware attacks are only the latest in a very long line of cyber attacks on our critical infrastructure this year. In July, a Miami-based software provider was attacked, which resulted in trickle-down effects to thousands of organizations. In June, JBS Foods—that happens to be the world's largest meat processing company—that company was attacked, shutting down nine meat packing plants in the United States. In May, Colonial Pipeline was shut down for 11 days, resulting in buying panics and shortages.

While many cyber attacks originate from Russia, attacks have also come from other countries. Earlier this year, the Biden administration formally blamed China for a massive hack of the Microsoft Exchange email server. The hackers responsible appeared to work directly for China's Ministry of State Security. Estimates range as high as 250,000 victims in that attack.

In July, the Senate Judiciary Committee, where I serve as ranking member, held a hearing at my request looking at how to prevent and respond to ransomware attacks. During this hearing, witnesses testified that the Department of Homeland Security would be identifying and hardening critical points of failure. However, it is clear

that their actions up to now have not deterred criminals from targeting the U.S. agricultural industry.

Now, farmers might be only 2 percent of the U.S. population, but they provide food for the other 98 percent. Their job—the 2 percent of the people in this country—is no small task. Keeping Americans fed is very important.

There is an old quote that goes something like this: "There are only nine meals between mankind and anarchy." The quote is key to understanding the importance of keeping our agricultural supply chain safe and secure.

I want to thank my colleague Senator ERNST for joining me today in calling attention to this ongoing national security concern because agricultural security is national security. It is time that we do more to protect this critical sector of agriculture.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Iowa.

Ms. ERNST. Thank you, Mr. President. I also want to thank my senior Senator from our great State of Iowa for his wonderful contributions to our agriculture sector. This is an extremely important topic that we are bringing to the floor today, the threat of agriculture ransomware.

From grocery stores in Iowa to New York and every State in between, it is no secret that the price of groceries has drastically increased over the course of the past year. Combining that with the ongoing supply chain disaster, it is even more apparent that the last thing we need is a cyber security attack that would shut down any of our agriculture production.

Like many Iowans, I am increasingly concerned about the growing ransomware attacks on our Nation's ag economy. In a 2019 report, researchers from the University of Minnesota outlined the seriousness of the risk of cyber attacks to the American food and agriculture system. The report indicated that American agriculture is extremely vulnerable due to outdated security, poor coordination among businesses, and lack of emphasis on cyber security within the industry.

In June, the world's largest meat processing company, JBS, was attacked by a Russian-based operation. Nine U.S.-based meat packing plants temporarily shut down as a result of that attack, including the JBS pork processing plants in Marshalltown and Ottumwa, IA.

Similarly, NEW Cooperative, an Iowa grain cooperative that controls 40 percent of the grain distribution in our country, was recently targeted with a cyber attack by another Russian cyber crime. They attacked controlled crop irrigation, livestock feed schedules, and inventory distribution, and then they demanded \$5.9 million in ransom.

Another attack hit Farmers Cooperative Elevator Company, based in Arcadia, IA. This was coordinated by an-

other Russian attacker, who threatened to release sensitive data, including financial, sales, and accounting information.

This is a very serious warning sign for our ag industry. It is a problem primed to increase as farmers incorporate more technology into their daily lives. Precision agriculture, for example, has promising potential to fulfill increasing global food supply and demand while also improving our soil and water quality, but it demands heavy reliance on interconnected devices and the internet, creating vulnerability. Attackers can exploit these vulnerabilities to remotely control and disrupt data flow, potentially causing devastating consequences, especially as farmers move their crops and their livestock to market.

These attacks risk the livelihood of farmers and affect the supply chain that puts food on the shelves and on our families' tables all across our country. That is why I believe 21st-century farming needs 21st-century solutions. The security, safety, and resiliency of our food supply chain is integral to the overall security of our Nation.

The ag sector is designated as critical infrastructure, but historically, it has not received robust cyber security support from the government.

Just recently, I joined Senator GRASSLEY in urging Secretary Mayorkas to address these ransomware attacks on agriculture and to leverage the Department's resources to prepare for any future attacks. The Biden administration outlined a new national security memorandum that would include cyber security as it relates to agriculture, but the plan is voluntary and would severely limit its effectiveness. It is why I joined Senators GRASSLEY, STABENOW, and TESTER in an effort to get both the Secretary of Agriculture and the Secretary of Health and Human Services, who oversees the Food and Drug Administration, permanent representation on the Committee on Foreign Investment in the United States.

The legislation also adds new criteria to ensure that proposed transactions are reviewed specifically for their potential impact on American food and agricultural systems. The increasing trend of foreign investment in our food and ag system should be met with careful scrutiny in order to safeguard the security and safety of our food supply and, by extension, our Nation because, after all, food security is national security.

Again, I thank my senior Senator CHUCK GRASSLEY for leading these efforts to protect our agriculture industry, the livelihoods of Iowans, and everyone else who puts food on their table.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

LOCAL SCHOOL BOARDS

Mr. GRASSLEY. Last week, Attorney General Garland said something

very extraordinary. He said he would not withdraw his memo in which he instructed the FBI to get involved with local school boards.

Why would the FBI be interested in parents' meetings with their school board? If there is a reason for law enforcement to be involved, it is probably something local law enforcement can handle.

So the direction will have the effect of intimidating parents who speak out about their children's education. And make no mistake about it, we have heard those reports from the parents themselves. The Attorney General should then withdraw the memo.

Here are the facts:

No. 1, on September 29, the National School Boards Association sent a letter to President Biden asking for help from Federal law enforcement against concerned parents who are getting involved at local school board meetings. That letter compared parents to domestic terrorists. It even suggested the PATRIOT Act should be used against them. Now, remember, the PATRIOT Act was passed 20 years ago, written to protect Americans against terrorists.

Point No. 2: On October 4, Attorney General Garland put out a memo telling the FBI and other parts of the Department of Justice to work with local governments on the supposed spike in harassment, intimidation, and threat of violence against local school boards. The National Security Division is included as well, apparently because they deal with domestic terrorists and the PATRIOT Act.

Attorney General Garland has since testified that he gave the Department of Justice this instruction because of what he read in the National School Boards Association letter to President Biden just 5 days earlier of when the memo was issued. This is an extraordinary deployment of Federal law enforcement in local issues when we have problems—very big problems—like a historic murder surge and especially an open southern border. That latter, the southern border, you see the chaos and the crisis every day on television.

From these two points, what have we learned since the memo was put out? First, we learned the White House helped write the original letter from the National School Boards Association sent to the White House, not to the Department of Justice. Next, we learned that the State school board associations, affiliated with the national association, had nothing to do with putting together the letter. Over 20 of these State organizations have publicly disavowed the National School Boards Association's letter that brought about this directive.

Now, think about that. The White House helped write a letter to itself comparing parents who love their kids to domestic terrorists, but the actual members of the National School Boards Association had nothing to do with it.

On October 22, the National School Boards Association actually apologized

for its original letter that started this whole mess in the first place and was never even authorized by its own board.

Meanwhile, 17 State attorneys general have written to Attorney General Garland saying there has been no spike in violence against local school boards. So the idea that parents pose any sort of Federal threat to local school boards is all just simply made up by what looks to be the White House for political purposes.

Despite all that, the Attorney General says he will not change one thing about his memo telling the Department of Justice to continue focusing on local school boards. That memo stands, as far as the Attorney General is concerned.

Attorney General Garland says that he doesn't see how it could be interpreted to mean the FBI will go after impassioned parents. He says there are lines in constitutional law that law enforcement can't cross. Well, that is true, but he has been working with the Constitution his entire life. However, most parents and most school board members aren't experts on the First Amendment.

These parents are reading the Attorney General's own words to mean that when they speak passionately at local school board meetings, they could get in trouble with Federal officials. So parents are going to stop speaking up at local school board meetings, and that is what is known as a chilling effect.

That might be what some at the White House or the National School Boards Association wanted all along, but it is a horrible thing for our democracy, and it should never happen in the United States of America.

Attorney General Garland has said he wants to depoliticize the Department of Justice. Now, he wants Federal prosecutors parsing what parents say to their local school board members. This is because he thinks there is a disturbing spike in violence by parents, but he is not actually sure if that is right. And this instruction is going to scare parents out of speaking their minds at local school board meetings. But the Attorney General won't change his instructions to the FBI.

Mr. Attorney General, parents are not domestic terrorists, and you have only one reasonable choice: Withdraw this memo and focus on the real threats and dangers that American citizens face. Stop being a pawn for the White House by politicizing the Department of Justice.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

NOMINATION OF BETH ROBINSON

Mr. LEAHY. Mr. President, the Senate today is going to vote on the confirmation of Vermont's own Justice Beth Robinson, a vote to confirm her to serve as a judge on the Second Circuit Court of Appeals.

As an advocate, Beth Robinson has been rightfully hailed as a tireless

champion for equal rights and equal justice, but more importantly, her record as a Vermont Supreme Court justice clearly demonstrates her fairness, her impartiality, and loyalty to the rule of law above all else.

We Vermonters overwhelmingly support her nomination, including elected officials—both Republicans and Democrats—the entire Vermont Supreme Court, and the Vermont Bar Association; they overwhelmingly support her.

Justice Robinson will fill Vermont's seat on the Second Circuit, and I believe she is the best, strongest candidate for this position. She deserves bipartisan support in this Senate, as she got last week on a vote.

Beth Robinson was appointed to the Vermont Supreme Court by Governor Peter Shumlin in November 2011. To give you some idea of the bipartisan support she has had over the years, the Vermont Senate, Republicans and Democrats, have to vote on her nomination, and they voted unanimously to have her on the Vermont Supreme Court.

All current Vermont Supreme Court justices, appointed by both Democratic and Republican Governors, have signed a letter supporting her nomination to the Second Circuit. For the past decade, she has served on the court honorably. She has also participated in nearly 1,800 decisions.

Now, I am a member of the Vermont bar, and I pay attention to what happens, and I see her tenure as being a display of a commitment to the rule of law. Her unwavering, decade-long dedication as a jurist and her loyalty to the law above all else has made Beth Robinson an outstanding Vermont Supreme Court justice. No Vermonter doubts she will carry that approach to justice with her in the Second Circuit.

Let me talk a little bit about before she was on the bench. Prior to the time on the bench, Justice Robinson dedicated her legal career to pursuing liberty and justice for all. She spent the beginning of her legal career defending workers' rights and advancing discrimination cases. It was during this time that she worked pro bono as co-counsel to the plaintiffs in the case *Baker v. State* that challenged Vermont's then-protection on same-sex marriage.

She successfully litigated this landmark decision in which the Vermont Supreme Court upheld equal protections for same-sex couples and actually led Vermont to become the first State in the Union to enact civil unions in the country.

As a litigator, her work served as a blueprint for LGBTQ advocacy across the country. She successfully represented an employee at the University of Vermont, who sought recognition of his Canadian marriage to a same-sex partner for health insurance purposes; another, a couple seeking recognition of their out-of-State marriage in the context of second-parent adoption; and

a same-sex partner seeking Social Security survivor benefits for her child after her civil union partner died.

In every case, she fought to secure legal protections and equality under the law. In fact, Beth changed the trajectory of LGBTQ rights in this country. Her tireless work has led our Nation toward justice.

Unfortunately, in what is becoming more and more of a toxic atmosphere, Justice Robinson's path to confirmation has faced baseless attacks. At her confirmation hearing, Justice Robinson's commitment to religious liberty was called into question. Now, these attacks are simply not grounded in reality. Any honest reading of her record proves that Justice Robinson is committed to protecting religious liberty. Some members argued that Robinson's work representing a Catholic woman who believed she had been discriminated against due to her own religious beliefs was, astonishingly, evidence of Robinson's hostility toward religious liberty.

At Justice Robinson's hearing, other members of the Judiciary Committee quoted her out of context in what I saw as an attempt to support a false narrative. One member of the committee read part of a sentence from a marriage law symposium that Justice Robinson participated in and suggested that it was proof of her hostility toward religious liberty.

I said "read part of" it, but the attack line falls apart the moment you bother to read the full sentence. In the full quote, Justice Robinson states:

I've always said that if somebody tried to force the Catholic Church to do a gay wedding, I would represent the Church pro bono.

You can't construe that as hostility to religious freedom.

Justice Robinson has a long record of supporting the fundamental right to religious liberty, both as a judge and as an advocate.

The Vermonters I have heard from—regardless of party or ideology, regardless of their religion—are delighted that President Biden nominated Beth Robinson to fill the Vermont seat on the Second Circuit. Our leading Republicans, our leading Democrats agree with that.

If confirmed, she knows she will become the first openly gay woman to serve on a Federal circuit court of appeals.

I would urge all Senators to evaluate Justice Robinson's record. And I hope that Senators of both parties will see, as I have, that she possesses exactly the right qualities, skills, and experience to excel as a judge on the Second Circuit.

Before I was in the Senate, I had the privilege to argue cases before the Second Circuit. I saw it as a court where you never thought of whether they were Republicans or Democrats; you thought about their abilities, and I always felt comfortable arguing there. Justice Robinson, when she becomes Judge Robinson, will give that same

view to anybody who is a litigant before that court.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

VETERANS DAY

Mr. TUBERVILLE. Mr. President, in 1919, President Woodrow Wilson declared November 11 as Armistice Day, marking an agreement the year prior between the Allied Nations and Germany to temporarily cease fighting during World War I.

President Wilson said:

The reflections of Armistice Day will be filled with solemn pride in the heroism of those who died in the country's service and with gratitude for the victory, both because of the thing from which it has freed us and because of the opportunity it has given America to show her sympathy with peace and justice in the councils of the nations.

In battles before World War I and in battles since, our servicemembers and veterans have served to protect the American way of life. Every year, our country pauses on November 11 to recognize our veterans with the solemn pride and gratitude that President Wilson referenced.

We all wake up each morning and enjoy the freedoms this great country affords us because of our veterans—because it was our veterans, our men and women in uniform, who were there when their country needed them most. While their roles span multiple theaters and decades, our veterans were and continue to be united by a common mission: to protect and to defend the United States of America. This is a great responsibility they shouldered, and they deserve gratitude equal to their great sacrifice. Our veterans may say that they are just ordinary Americans doing their job. They may be ordinary, but they performed an extraordinary service to our country.

Alabama is home to nearly 400,000 veterans, and today it is my honor to recognize a few of them for their service. I have had the pleasure of meeting many veterans from my great State, and I am always inspired by their service and their sacrifice.

Their patriotism is unmatched, and their courage is unwavering, like that of CPL Edsel Bonds of Samson, AL, who experienced a shell blast to his right femur on January 28, 1966, while on a mission to intercept guerillas during the Vietnam war. The blast blew out 4 inches of his femur bone and several muscle groups. He spent most of a year recovering in the hospital from this horrific injury and never lost the love for his country.

Now, nearly 56 years later from the time of his injury, he is just as patriotic as ever. He views his service as something that was necessary for our country to remain the greatest country in the world. Corporal Bonds risked life and limb because he believed that America is worth sacrificing for.

We enjoy the blessings of living in a free nation but often discount the fact that our liberties come with a tremen-

dous cost. Many brave men and women have paid a price that even our deepest gratitude could never, ever repay.

I think Elmer Davis, the Director of the U.S. Office of War Information during World War II, said it best:

This nation will remain the land of the free only so long as it is home of the brave.

One-hundred-year-old SGT George Mills of Decatur, AL, showed great bravery during his time serving in World War II. The Germans surrounded his company 500 yards from the German border and launched attacks into the building where they were staying, setting it on fire. With no ammunition left to defend the enemy, Sergeant Mills and his fellow comrades were forced to surrender.

For the next 5 months, George Mills and his company were marched across Europe toward the former Czechoslovakia without food. They were starved and no doubt weary. Yet Sergeant Mills and his company persevered. They survived by eating scraps of sugar beets and rutabagas found in barns where they were held captive before they were finally liberated on April 13, 1945.

During this initial attack, Sergeant Mills, despite being injured, sprang to action to help save the lives of those in his company. He was awarded a Purple Heart for his bravery.

Another American hero is Fred Lacy of Auburn, AL. A lieutenant colonel in the U.S. Army, Mr. Lacy provided valuable leadership and negotiation skills during his time in Europe, Korea, and Vietnam. He and his brigade helped defend the western half of the Korean demilitarized zone at the end of the Korean war, ensuring that there were no weaknesses in our defense for North Korea to attack. During the Vietnam war, he coordinated all U.S. activity in the Mekong Delta and assisted the Vietnamese in combating the Vietcong.

He volunteered in a leprosy orphanage in his free time while staying there. He was a natural at building relationships and resolving conflicts during his time. During a dispute between a Vietnamese and an American officer, Fred stepped in front of a gun to prevent the American officer from being shot.

He received two Bronze Stars and the Combat Infantryman Badge for his leadership and courageous efforts. When reflecting on his service, he says that it was "a privilege to serve." That spirit of service is something he carries with him even after his time in the military.

Lieutenant Colonel Lacy has taught Bible classes for more than 60 years and still teaches today at Auburn United Methodist Church.

We, as citizens of this country, are privileged to have veterans like Lieutenant Colonel Lacy who have not only honorably fought for our freedom but have also proudly carried the torch of liberty across the world. They love their country, and you don't have to talk with them very long before you

understand how much of a driving force it is to them.

CPL Clyde Haynes from Vestavia Hills, AL, served in the Army Air Corps' 439th Troop Carrier Group during World War II. Mr. Haynes shared the joy of walking with children in France as they rushed out of their houses and filled the streets to celebrate their new liberation from Nazi rule. He said that he "wished he had a picture of that." Even though he does not have a physical photograph, you can tell that he holds that memory near and dear to his heart.

Even though Mr. Haynes is now 100 years old, he is just as moved by that moment now as he was at that time because freedom is a powerful thing. But freedom does not come without cost. There are many servicemembers who pay the ultimate price for our freedom and never return home. There are families left behind who sit down to dinner every night with an empty seat at the table knowing that life for them will never be the same. They, too, have shouldered the cost of America's liberty and deserve our gratitude.

For our servicemembers who do return home, their struggles do not end after they reach American soil. They continue to face challenges from what they have endured while in service and from the difficult reentry into civilian life.

Most of us will never know the full weight of preserving our freedom, never have to endure sleepless nights from the harrowing memories of the battlefield, bear pain from war injuries, or miss important events with family and friends, like Ryan Charrier from Orange Beach, AL, who served as a U.S. Air Force technical sergeant in the war in Afghanistan, with the 442nd Fighter Wing. He received his first deployment when his children were just 8 and 4 years old. Sergeant Charrier said he was a bit older than his fellow fighters. He left behind young children but served with soldiers who missed births of their first children or deaths of family members.

A veteran's life is so much more than just time in service. There is also the reintegration to civilian life, which requires just as much bravery, courage, and sacrifice. Sergeant Charrier's reminder to Americans is powerful:

We as a country promised that we would never forget . . . so I hope that every patriotic American will keep the promise of never forgetting. Just because the war may have wended down, doesn't mean our men and women who served the last 20 years still don't need the support of every American.

These veterans—Edsel Bonds, George Mills, Fred Lacy, Clyde Haynes, and Ryan Charrier—are heroes, just like millions of brave men and women who have selfishly sacrificed throughout the decades. Their stories should inspire all of us to show a greater love for our country and our fellow Americans.

Thirty-three years ago on Veterans Day in 1988, Ronald Reagan said:

We remember those who were called upon to give all a person can give, and we remember those who were prepared to make that sacrifice if it were demanded of them in the line of duty. Most of all, we remember the devotion and gallantry with which all of them ennobled their nation as they became champions of a noble cause.

May we join together as a nation this Veterans Day to honor our veterans who have served this Nation and defended our freedom and values that we hold so dear. To our veterans, I say: Thank you for your sacrifice. Our Nation will be forever indebted to you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

LOCAL SCHOOL BOARDS

Mr. CORNYN. Mr. President, communities across our great Nation are dealing with a startling spike in violent crime. Last year, the murder rate soared by nearly 30 percent, the largest single-year jump on record.

The American people are paying close attention, and they are concerned. A poll this summer found that nearly 60 percent of Americans are worried about crime. The percentage of those who say they are extremely concerned is at the highest point in more than two decades, and folks largely think not enough is being done to address this spike.

A separate poll found that 65 percent of Americans are dissatisfied with policies to reduce or control crime. That is up more than 16 percent from 2020. Perhaps this is an offshoot of the "defund the police" movement that we have seen in radical circles over the last year or so.

With such a dramatic and shocking jump in homicides and violent crime and the clear belief that more should be done to address it, you would expect that the U.S. Department of Justice would be in an all-hands-on-deck posture. After all, this is the highest law enforcement agency in the country. You would think it would take a leading role in finding ways to keep our country and our communities safe.

Unfortunately, leaders at the Department of Justice in the Biden administration believe that they have bigger fish to fry. Forget stopping murderers and violent criminals. The most forceful language we have seen recently from the Attorney General hasn't been about stopping dangerous criminals; it is about going after concerned parents at school board meetings. That is right—communities across the country are worried about violent crime, and the Biden Justice Department is worried about parents who are concerned about what their kids are learning in school.

This all started with a deeply misguided letter from the National School Boards Association about heated school board meetings across the country.

Parents who are concerned about things like critical race theory and other controversial topics, who are

simply worried that their kids aren't learning about American history and civics and the foundations upon which this great country was built, they have taken their concerns to school board meetings—something they have every right; indeed, a constitutional right—to do.

I want to be clear: there is no place for violence or threats of violence in our public discourse. It doesn't matter who you are or what you are fighting for; violence is not the answer.

But rather than allow State and local law enforcement authorities to intervene in those rare circumstances when things go off track, the school board leaders at the National School Boards Association went nuclear. They encouraged the Biden administration to treat these parents like something akin to domestic terrorists. They advocated for unleashing the full arsenal and might of the Department of Justice and the Federal Bureau of Investigation on concerned parents—concerned parents. And the Attorney General was, apparently, happy to oblige their outrageous demands.

The National School Boards Association letter argued that a parent who disagrees with the curriculum in their children's school could be investigated under the PATRIOT Act.

You will remember the PATRIOT Act was passed after 9/11/2001 to address radical extremists who had just killed 3,000 Americans in attacks at the Pentagon and in New York.

Unsurprisingly, this letter from the National School Boards Association was met with fierce and immediate blowback. I don't know how they didn't see it coming. Concerned parents and terrorists don't share anything in common.

Well, after the negative press, the National School Boards Association eventually retracted their letter and apologized. They admitted that there was "no justification for some of the language included in the letter," but the damage had already been done.

A few days later, after the letter was sent, Attorney General Garland decided to get into the game, and he published a memo directing Federal law enforcement to inject itself into local school board elections.

Well, we had a chance to question Attorney General Garland last week, when he appeared before the Senate Judiciary Committee, and he conceded that his decision to send out a memo to the Federal law enforcement was based almost entirely on the letter from the National School Boards Association and "news reports."

Of course, the Attorney General could not cite any specific examples that he relied upon before unleashing the awesome power of the Federal Government on parents, nor could he provide any data or evidence that local enforcement was incapable of handling any incidents that might occur.

In his memo, the Attorney General also encouraged the Federal authorities to take action far beyond any

threats of violence and references to intimidation of school officials.

But you have to ask: What counts as intimidation to the Attorney General? Is an angry, frustrated parent raising their voice at a school board meeting intimidation?

I think not.

What if one of the parents tells a school board member they plan to run against them in the next election or donate to their opponent in the next election; is that intimidation?

Well, to his credit, the Attorney General did finally concede that parents' right to speak their minds at school board meetings are protected by the First Amendment to the United States Constitution. It is their constitutional right.

But I ask you, put yourself in the shoes of a parent who reads about this Department of Justice memo—from the Attorney General, no less—at the kitchen table.

Is it going to have an impact on their decision to attend the next school board meeting? Will it cause them to shy away from advocating for their children's education and speaking up about misguided policies that they think have no place in their child's school?

I ask you to consider the chilling effect that this had, and will continue to have, on parents who just want to have a say in their children's education.

Instead of raising their voices in opposition to things like critical race theory or other radical educational policies, parents are more likely to be intimidated and to stay at home for fear of being labeled domestic terrorists by the highest law enforcement officer in the land.

They certainly can't afford to hire a lawyer to defend themselves against these sorts of charges by the Federal Government, were the Federal Government to come after them for exercising what Attorney General Garland said were their First Amendment rights under the Constitution.

In response to the Attorney General's memo, the U.S. attorney from Montana sent out a list of Federal statutes that could serve as a basis for prosecution. He took the Attorney General at his word. Among the Federal statutes that he thought could serve as a basis for prosecution included repeated telephone calls.

Well, last week, I asked the Attorney General if he considered the chilling effect that his memo might have on parents exercising their constitutional rights. He evaded the question. So I asked him again. His answers became more evasive. So I asked him again.

Ultimately, the Attorney General—although he was sworn in under oath, testifying in front of the Senate Judiciary Committee—refused to answer the question. He wouldn't tell me, wouldn't tell the Judiciary Committee, wouldn't tell the country, whether he had put any thought at all into how his actions would impact concerned, law-abiding parents.

Even though the National School Boards Association retracted and apologized for its letter, the Justice Department—the Biden Justice Department—still refuses to do so. Attorney General Garland has doubled down on this colossal overreach and still refuses to take ownership or consider how his swift and uninformed action has harmed public discourse in our country.

But, clearly, it is not only where we are headed, because we are already there. The President and the leaders in his administration aren't making decisions on the basis of the law of the land, but based on demands of their radical left.

Amid an alarming spike in murder and violent crime rates, the Justice Department is focused on the threat of concerned parents, because that is what the radical left wants.

The Department is filing meritless lawsuits against State election laws, like those in Georgia and Texas, because that is what their radical base wants.

The Secretary of Homeland Security has told Immigration and Customs Enforcement officers not to enforce our Nation's immigration laws, because that is what the radical left and the Democratic Party want.

President Biden has signaled that he is not only OK with this kind of selective law enforcement, he actually wants more of it.

One of the most controversial nominees being considered by the Senate right now is Rachael Rollins, who the President has nominated to serve as the U.S. Attorney for Massachusetts. Ms. Rollins currently serves as a district attorney for Suffolk County, MA, where she is embroiled in her own controversy.

Shortly after taking office in 2019, Ms. Rollins released a memo outlining more than a dozen crimes that she said should be ignored by local law enforcement. According to Ms. Rollins, individuals who commit offenses like trespassing, shoplifting, larceny, wanton or malicious destruction of property, and even possession with intent to distribute drugs, she said her office would not prosecute them, so law enforcement should not arrest them.

Now, I have no issue with law enforcement using limited resources to prioritize the biggest threats, but there is a big difference between prioritizing dangerous criminals and offenses and exempting wholesale classes of crimes from enforcement.

What happens when the message is sent that government will not enforce its laws? As being played out in California now, where many businesses are simply withdrawing from places like San Francisco, where, if you steal or shoplift something under \$950 worth of merchandise, law enforcement will not arrest you; they will not prosecute; and thus the stores are left without recourse and, as you can imagine, thievery runs riot.

Well, leaders certainly shouldn't tip their hat to criminals as to what crimes may be committed free of any consequences, and that is exactly what is happening. The Justice Department's priorities are completely out of whack, and radical, partisan U.S. attorneys will only make things worse.

The Biden administration cannot continue to take their marching orders from the radical base of their political party. And the United States should never be a place where concerned parents are treated like criminals and actual criminals get a free pass.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

VACCINES

Mrs. BLACKBURN. Mr. President, I am beginning to feel a little bit like a broken record when I am here on the floor and talking about all the ways that Tennesseans feel like this administration has backed them into a corner.

It doesn't matter if I am going to fill up the car with that rising price in gas, or if I am at the grocery store and could not believe this weekend there is so little on the shelves and they are so short-staffed.

People are very anxious about this. I had a lady that just about was not going to let me go there in the dairy section of the grocery store because she was really upset with what this administration is doing. Whether it is inflation or the vaccine mandate, she is really upset with what she would like to call the "White House P.R. operation." And she knows that inflation and supply chain problems are here. It is not temporary. It wasn't transient. It is something that they are dealing with every day, and Tennesseans are seeing this at every stop along their busy days.

They have watched this administration abandon the southern border. You know, they don't use that term lightly, but I think it is instructive to focus in on that. This administration has abandoned the southern border.

These actions are intentional actions—intentional. Whether you talk to Border Patrol or the local sheriff, they look at what Democrats in Washington are doing, and they see this as being intentional.

They also look at how this administration chose to abandon a productive energy policy. In January, we were an exporter—an exporter—of energy. And, today, we have a President—a very weak President—who is groveling to OPEC, begging them—begging them—to sell us more fuel. What a difference. What a difference.

And this administration—when I was up in Clarksville where Fort Campbell is located, I was out on post, and I was visiting with Tennesseans there in Clarksville. They feel as if this administration has abandoned our troops, abandoned civilians and allies in Afghanistan as we handed over 20 years' worth of hard-fought territory to the

new “axis of evil,” which is Russia, China, Iran, and North Korea—abandoned, left, forgotten about. Over the past few weeks, they have learned that even their recreational social media use might be putting their families at risk.

Meanwhile, things here on Capitol Hill are such a mess that, from their perspective, it is neither reasonable nor rational to believe that the Democratic majority is willing to put country before party and politics and fix this mess that this administration has made this year. In fact, the Democrats are so focused on their own Big Government narrative that they have managed to outdo themselves with the mandate from on high that goes further than ever before to control deeply personal healthcare decisions.

Of course, the Democrats are no stranger to this. They championed the Affordable Care Act and all its bureaucracy, but this time, they have truly put the full force of the executive branch of the U.S. Government between a patient and a doctor. That is right. The decision is not one you will make with your doctor; it is one that the Federal Government is making and forcing—forcing—on you. This COVID-19 vaccine mandate has people really upset. They see this as a power play.

Today, I talked to a lady who works for a government contractor. All of the family’s insurance and benefits come through her. Her husband is a small business person, and she has a child with disabilities. She begged me to keep fighting against this mandate.

She said: You know, I am in the position that I had to get this—even though a family member of hers had a terrible adverse reaction, and she was concerned being the primary breadwinner for her family and the one that provides their healthcare insurance benefits. And she had a reaction, a bad reaction.

But she feels like what we are seeing is another opportunistic power play that betrays the very people who risked their safety to prevent the economy from collapsing during the pandemic—that is right, the essential workers, people who showed up and did their job.

The lady I talked to today was an essential worker. She did her job all through the pandemic. The States deemed these individuals essential workers because they showed up. They spent their days transporting food and clothing across the country, stocking shelves in grocery stores, and keeping armed rioters at bay.

They never stopped working. They never missed a beat. They put themselves in danger and adapted to circumstances made worse by forced lockdowns. These are the people who couldn’t have worked from home if they wanted to. They are the cop on the beat. They are the truck driver who is in the cab of that truck. They are the healthcare worker standing at a bedside. They are an airline worker

who is making certain that people are safe and planes are safe to fly.

And, now, they are the ones that Joe Biden, KAMALA HARRIS, and this administration have chosen to threaten with an executive ultimatum: Get the shot, or we are going to get you fired.

That is right. Imagine that. The President of the United States says: You go get the jab, or I am going to get you fired from your job—what an ultimatum, what a way to run a country.

But that is what he is doing. The White House crossed so many lines with this one: practical lines, ethical lines, constitutional lines. So last week, I introduced the Keeping Our COVID-19 Heroes Employed Act to push this administration back on the rails and protect these essential workers from having to choose between submitting to the mandate or losing the right to provide for their families.

It is a simple solution to a very big problem. It would lock in the definitions of essential worker used by the States during the pandemic and then protect those workers from being fired under COVID vaccine requirements. It would nullify the Executive orders mandating vaccines for essential Federal workers and contractors and preempt OSHA from issuing regulations that would require employees to vaccinate if those employees qualify as an essential worker.

We are getting a tremendous amount of support for this legislation. On the national level, we have heard from the Fraternal Order of Police, the National Sheriffs’ Association, the Chicago Fraternal Order of Police, the Federal Law Enforcement Officers Association, the National Border Patrol Council, and from the Tennessee Chamber of Commerce, Tennessee Ambulance Service Association, Owner-Operator Independent Drivers Association, the National Association of Small Trucking Companies, and then from several individual officials—Democrat and Republican alike—and from different organizations.

Mr. President, I ask unanimous consent this list be printed in the RECORD.

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

- KEEPING OUR COVID-19 HEROES EMPLOYED
ACT LIST OF ENDORSEMENTS
NATIONAL LAW ENFORCEMENT
- Fraternal Order of Police
 - National Sheriffs’ Association
 - Chicago Fraternal Order of Police
 - Federal Law Enforcement Officers Association
 - National Border Patrol Council
- INDUSTRY ADVOCACY
- Tennessee Chamber of Commerce
 - Tennessee Ambulance Service Association
 - Owner-Operator Independent Drivers Association (OOIDA)
 - National Association of Small Trucking Companies
- TENNESSEE OFFICIALS
- Congressman Tim Burchett (R-Tenn.)
 - Glenn Jacobs, Mayor of Knox County Tennessee

—Justin Hanson, Mayor of Covington, Tennessee

—Sheriff Russell Barker, Anderson County Tennessee

—Sheriff Tim Fuller, Franklin County Tennessee

—Sheriff Tom Spangler, Knox County Tennessee

ACTIVIST ORGANIZATIONS

—Texas Public Policy Foundation

—Heritage Foundation

—FreedomWorks

—American Principles Project

Mrs. BLACKBURN. Mr. President, see, these are individuals on the front line, and they take exception to what is going on with this administration and this Executive order that is forcing them to get a shot that maybe their doctor is saying: Hey, this is not one for you to take.

Maybe they are a young woman trying to have a baby. Maybe they are somebody who has a history of heart disease or lung disease or neuromuscular issues in their family and someone has had an adverse reaction.

You know what? People are smart. They are going to figure this out and figure out what works best for them. During the pandemic, the essential workers figured this out, and they ought to be exempt.

The Biden administration claims that this mandate is the ticket to freedom, return to normal. But here is the problem with this and why that falls on deaf ears. These essential workers returned to normal months ago—if they ever left a normal routine—and their working conditions have been made more difficult now than ever.

Businesses are desperate for workers. In August, the U.S. economy had 10.4 million jobs waiting to be filled. That is right, 10.4 million jobs. We are going to get unemployment numbers this weekend on Friday. I think it is going to be interesting to see what those numbers tell us.

Oh, the supply chain—I mentioned the grocery store and what I found there. Well, the supply chains are a mess. We need 80,000 truck drivers right now—today—if we want to make an honest attempt at filling the need there to get products to stores. We can’t afford the toll these mandates are taking on the supply chain workforce or on law enforcement or border security or the healthcare sector or the airline industry, the transportation and logistics industry.

And make no mistake, the day of reckoning is already here. As I said, these workers have figured this out. They are smart. They don’t hate the country. And it is ridiculous that some people try to equate those that don’t get the vaccine with hating the country. These individuals are not antivaxxers. They are not anti-science. What they are is this: They are unconstitutional mandate and a government overreach that is going to interfere in their relationship with their doctor. That is what they are against.

Mr. President, don’t we all remember the lie of the decade in 2010 with

ObamaCare: If you like your doctor, you can keep your doctor.

And what we are looking at right now is something that is an equal overreach: You can't keep your job if you won't get this job. It is an overreach.

People that I am talking to are really anti these mandates that would force them into submission or, in some cases, into poverty, like the young mom that I talked to who works for a government contractor—sole supporter of her family at this point, has one child, wants to have another child, and because of this mandate, she is going to lose her job, a job she loves—and her employer loves her. But she is wanting to make certain she can have that second child.

These workers are very pro-freedom, and they are taking a stand on principle. They are pro-freedom. They are pro-individual rights, and what they want is for this administration to stop it, to stop their push to this socialist agenda, stop trying to force them into taking a vaccine, which is another step to having government control of their healthcare.

You know, they look at what the Democrats in Washington, DC, are doing, and they see that they are trying to take one vote. They want to win. They want to win on putting everything together—one vote—and then flipping the country to their socialist agenda—one vote: government control of your kids, of your healthcare, of your bank account, of your life, cradle to grave, daylight to dark, sunup to sundown, 24/7, 365.

You know, I have to tell you, we thought that when the Obama campaign came out with their little caricatures and cartoon-type character—only it was really frightening—“The Life of Julia,” we thought, this is ridiculous how Julia never needed anybody or anything but the Federal Government.

Well, some of that same crowd in the White House has now come up with “The Life of Linda,” and Linda must be related to Julia because Linda has the same type life experiences as Julia. There is no mention of a family or a husband, but Linda has a child. Linda works for the government. The government is in control.

See, that is what the Democratic Party wants—socialism. They are very happy with that—cradle to grave; daylight to dark; total control; tell you what to do; tell you what your job is going to be; tell you what you are going to study in school; take control of your children; send them to study whatever they want; and then have them work in a way that the government tells them they are going to work.

But what we are seeing play out in this country is the American people standing up and saying: Enough is enough. We don't want your mandate. We are tired of all of your chaotic cycle of gaslighting and government overreach. We are pushing back on your push to a socialist agenda.

I am heartened that they are not afraid to say “no, no, no” to what the Democrats are trying to push, and they are going to continue to push back because they see what is happening for what it is—a destructive, radical agenda that will destroy freedom of choice, free people, free markets, and opportunity for their children and future generations.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING JOHN AMARA F. WALTERS

Mr. VAN HOLLEN. Mr. President, I think all Senators can agree that we would not be able to deliver results for the people in our States and for our country if it were not for our extraordinary staff, who work with us each and every day. They are there with us in the trenches, fighting for the constituents we pledge to serve, and defending the Constitution of the United States.

It is for that reason that I am confident my colleagues will agree with me when I say congressional staff is more than just a collection of individuals; it is a family. And it is that truth that makes my presence on the Senate floor this evening all the more difficult, because my office, our family, has lost a beloved member.

John Amara F. Walters, a legislative aide in my office, passed away on the morning of October 2, at MedStar Washington Hospital Center in Washington, DC. He died in the arms of his beloved mother, Kimberley, who joins us this evening in the gallery. John was 29 years old.

On behalf of myself, our office, and the people of Maryland, I want to take a little time not only to express our profound grief at the loss of a dear friend and amazing human being, but also to tell a little bit of John's story to this Senate and to the Nation, and to pay tribute to his life, to honor all that he gave us, and to celebrate all that he gave to the world.

John Amara F. Walters was born on Friday, February 9, 1992, in Adrian, MI, to John A.M. Walters and Kimberley H. Davis Walters. He came from a long line of patriots and leaders, including his grandfather, who defended the United States in World War II as a Tuskegee Airman.

And John caught the political bug early. At age 6—yes, you all heard that right, aged 6 years old—John started working on local political campaigns. In his early years, he participated in three Presidential elections and traveled across Michigan and the country to serve communities in need. In high school, he interned for the late great Michigan Senator, Carl Levin. John

was also a committed member of the Rosa and Raymond Parks Institute's Pathways to Freedom program.

He excelled inside the classroom—first graduating from Adrian High School in 2010, and then going on to study at the District of Columbia's own Howard University, where he earned his BA in psychology in 2015 magna cum laude. I should add he was a loyal Howard alum and proud Bison and a favorite son of the university's.

The last time I met face-to-face—in the pre-COVID days—with the president of Howard University, Wayne Frederick, John was with me, and I told Dr. Frederick how proud we were of John's exemplary work, and Dr. Frederick was proud too.

John did all of this at a young age and more, and he achieved these things despite having a lifelong battle with sickle cell anemia—an illness that often struck him with fatigue and pain. But that didn't stop John. He refused to be defined by his illness, and he refused to allow sickle cell to prevent him from pursuing his dreams with passion and decency and dedication. It is a disease that took him from us far too soon, but it never took away his spirit or his zest for life and his commitment to making a positive change.

I will always remember John for the twinkle in his eye, his enthusiasm for everything he did, his absolute brilliance, and his commitment to helping others. Everyone in our office—and I mean everyone—loved John.

After he passed away, we held a staff Zoom call with his mother, both to grieve together and to remember John; and in that gathering, we witnessed a torrent of love and affection for all John did and what he meant to us. There were lots of tears, but also many moments of beautiful laughter, as we recounted many fun stories about John.

He gave us many things, but perhaps one of his greatest gifts was his empathy. In the world of politics and Capitol Hill, there is plenty of ambition. And John was ambitious. But empathy is often in short supply. Not in John.

Empathy is that quality where someone seeks to see the world through the eyes of another, of understanding what somebody else is experiencing by trying to walk in that person's shoes and live the world as they live it. John did not just hear the words spoken by others; he listened; he absorbed them; he dared to be vulnerable.

And what always struck me about John was his capacity to focus on the struggles experienced by others at the same time he was carrying on his own fight against sickle cell. Perhaps his own personal struggle made him far more attuned to the hardships faced by others; but whatever its source, John's capacity to care inspired us all, as did his ability to persist and carry on in the face of adversity. John embodied the very best of us.

John first joined my office as an intern right out of college, when I was

still serving in the House of Representatives. After graduating from Howard, he could have chosen many different paths. He chose public service. From John's first moments on our team, it was clear that he was not only sharp and eager to work, but that he cared deeply about his fellow colleagues and that he was completely dedicated to our mission of serving the people of Maryland and the country.

When I was elected to the Senate, I was thrilled to have John move to this side of the Capitol with me. He leapt at every opportunity to advance our mission—growing from organizing and drafting letters to constituents, to taking constituent meetings, to eventually thinking of and writing legislation. He was a vibrant force on Capitol Hill both in our office and outside of it, and was an active member of the Senate Black Legislative Staff Caucus.

When our Senate office first divided up issues among our legislative correspondents, John chose to take responsibility for some of the hottest button issues, like criminal justice reform and public safety, that demanded an open ear and a welcoming heart. He worked on gun issues and spoke to constituents who had experienced personal tragedies from gun violence, and he always brought their feelings to his work on legislation to strengthen our gun laws. When the previous administration was trying to dismantle parts of the civil service, John met with and helped Federal employees who feared they might lose their jobs at any moment. In a million different ways, John proved that empathy has a home in public service and can even direct the course of policy changes.

When we decided to hold a hearing on the hardships that Postal Service delays were imposing on Americans, John remembered a meeting he had held months earlier with a group from the National Federation of the Blind, where they discussed the real challenges they were experiencing because of the long delays in the delivery of their essential materials. John was moved by their stories at the time, and he lifted their voices. At his suggestion, we invited a member of that group to testify, and their moving and powerful testimony is now leading the changes that will help every American. That was John—listening and then bringing people's voices into the public square to change lives for the better.

John brought empathy to his work and to the office, but he also brought great joy. His desk was a must-stop place for members of our team throughout the day. People would stop by to share his company, to hear his loud and infectious laugh, to talk about the latest news of the day, or—I have been told—to joke about the craziest couple on "90 Day Fiance," which, on the enthusiastic recommendation of John and a few others, built quite a following in our office among current and past staff. I was not sure what to think about all that when I learned about it.

John brought joy with his wry wit and keen sense of the absurd—always taking his work seriously, but never taking himself too seriously. He had a critical skill on Capitol Hill—the ability to track down House and Senate receptions with the very best food, and then alert his colleagues to the spoils. If someone couldn't get away from the office, he would bring back snacks to share, pulling treats out of his pockets like a magician.

He was a true member of our office family and always a team player, always willing to advance our causes on behalf of our constituents. And in coming to know his family, I can see where those qualities began. You could see that he was supported by his beloved mother, Kimberley Davis, in the way he supported our team—always ready to help out and pitch in for the mission. You could see that he was helped and mentored by his uncles and aunts in the way he helped and mentored the new members of our office whom he worked with.

Today, in the gallery, in addition to John's mother, Kimberley, we are joined by his uncle John and John's wife, Carol; and Christian Gibbs, who was like an uncle to John.

You could see how much John was loved by those closest to him by how much he loved and embraced others, and he, in turn, was loved and respected by our entire Capitol Hill family. He was an example to all of us of a person who put everyone else's challenges ahead of his own.

Our office wants to hold John Amara Walters up as a model to other young people who walk through our doors. As I mentioned, John began his service with us when he was an intern, and we have decided to establish a permanent paid internship position in John's name and memory, and that position will always go to a student from Maryland who is attending Howard University.

In that way, we know that the young leaders of the future will learn about John's spirit and his legacy and learn to carry forward his torch of empathy and positive change.

John wanted to help others. He wanted to leave the world better than he found it. He did that and much more. While his life was far too short in years, it was long in the joy and the love he shared and in the lives he changed for the better.

Thank you, John. We love you.
I yield the floor.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Robinson nomination, which the clerk will report.

The legislative clerk read the nomination of Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit.

VOTE ON ROBINSON NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Robinson nomination?

Mr. VAN HOLLEN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. RUBIO), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 449 Ex.]

YEAS—51

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

NAYS—45

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

NOT VOTING—4

Gillibrand	Rubio
Rounds	Tillis

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. HEINRICH). Under the previous order, the Senate will resume consideration of the Heytens nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Toby J. Heytens, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

VOTE ON HEYTENS NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Heytens nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. RUBIO), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 53, nays 43, as follows:

[Rollcall Vote No. 450 Ex.]

YEAS—53

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Graham	Murray	Warren
Grassley	Ossoff	Whitehouse
Hassan	Padilla	Wyden

NAYS—43

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

NOT VOTING—4

Gillibrand	Rubio
Rounds	Tillis

The nomination was confirmed.

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

The majority leader.

JOHN LEWIS VOTING RIGHTS ADVANCEMENT ACT

Mr. SCHUMER. Madam President, in 1 minute, I will be filing cloture on the John R. Lewis Voting Rights Act, but I am going to give a short, brief remark before I do that.

Now, tonight, I am filing cloture on a motion to proceed on the John Lewis Voting Rights Advancement Act. That means that the Senate is going to take a first vote on whether or not we even debate this voting rights bill—even debate it—on Wednesday.

Our democracy relies on the guarantee of free and fair elections. Across the country, we are witnessing a coordinated assault on the integrity of our electoral process. We must advance critical reforms to protect the freedom to vote, fulfilling the life and the legacy of our late colleague John Lewis.

If there is any issue that deserves debate in this Chamber, it is protecting voting rights. I know that both parties have differences on this important issue, but Republicans shouldn't be afraid to debate the bill.

If the Senate votes to open debate to this bill, I am prepared to offer an open and honest and full-fledged process here on the Senate floor, where Republican amendments will be made in order and allowed and debated.

If Republican Senators have different ideas on how to achieve a stronger democracy, they owe it to the American people to come forward and debate their ideas. Simply standing silent with their arms crossed, refusing to allow the Senate to function, is unacceptable.

LEGISLATIVE SESSION

JOHN R. LEWIS VOTING RIGHTS ADVANCEMENT ACT OF 2021—Motion to Proceed

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. SCHUMER. Madam President, I move to proceed to Calendar No. 143, S. 4.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 143, S. 4, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk 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 the motion to proceed to Calendar No. 143, S. 4, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

Charles E. Schumer, Patrick J. Leahy, Sheldon Whitehouse, Thomas R. Carper, Richard J. Durbin, Catherine Cortez Masto, Margaret Wood Hassan, Raphael G. Warnock, Gary C. Peters, Patty Murray, Kirsten E. Gillibrand, Jacky Rosen, Elizabeth Warren, Benjamin L. Cardin, Tina Smith, Alex Padilla, Amy Klobuchar

Mr. SCHUMER. Madam President, I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, November 1, be waived.

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

MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TIGRAY

Mr. LEAHY. Madam President, the situation in Tigray continues to deteriorate. Recent bombings by the Ethiopian Government of Tigray's densely populated capital city, Mekele, has reportedly killed civilians, including children. Millions of people have been displaced, and many in Tigray are facing famine. Combatants on both sides of the conflict have committed atrocities.

The United Nations Office for the Coordination of Humanitarian Affairs reported recently that only 14 percent of trucks with relief aid were getting through to the people of Tigray, due to roadblocks and lack of fuel. Lifesaving medications have been blocked from getting into Tigray, which cripples the ability of the UN and their NGO partners to respond to urgent health needs. If the government does not permit deliveries of humanitarian aid, more and more people will needlessly starve to death.

The United States has imposed sanctions against the government in Addis Ababa. The Congress has also acted. The Fiscal Year 2022 Department of State and Foreign Operations Appropriations bill was introduced in the Senate on October 26, and it would prohibit U.S. military aid to Ethiopia. It would also require the Department of the Treasury to oppose international bank loans to the Ethiopian Government, except to meet basic human needs, until the government ceases offensive military operation, takes credible and sustained steps toward a genuine political dialogue to end the conflict, implements measures to protect human rights, allows unimpeded humanitarian access, and cooperates with independent investigations of violations of human rights.

Ethiopia is a country facing every imaginable problem, increasingly exacerbated by climate change. There is no military solution to the ethnic rivalries that have divided the country for generations. Any sustainable solution will only be achieved through negotiation and compromise. The international community, including the United States, can help support such a dialogue, but it is the Ethiopian Government's responsibility to create the conditions for that to occur. Rather than squander the country's scarce resources on a fruitless, brutal campaign to dominate Tigray by force, Prime Minister Abiy would be well advised to listen to the international community

and support a diplomatic solution. The alternative is famine, displacement, and unending misery for the people of Tigray, and for this Nobel Peace Prize winner to be held accountable for crimes against humanity.

(At the request of Mr. THUNE, the following statement was ordered to be printed in the RECORD.)

MISSED VOTE EXPLANATION

● Mr. RUBIO. Madam President, due to unforeseen travel disruptions, I will miss today's votes.●

VOTE EXPLANATION

Mr. HAWLEY. Madam President, had there been a recorded vote, I would have voted no on the confirmation of Executive Calendar No. 412, Rahul Gupta, of West Virginia, to be Director of National Drug Control Policy.

TRIBUTE TO MICHIGAN'S VETERANS

Ms. STABENOW. Madam President, I rise today to honor all of the brave Michigan veterans who have served in our Nation's military.

When the scourge of slavery threatened to tear our Nation in two, Michiganders selflessly marched to war. When fascism rose in Europe, Michiganders built an Arsenal of Democracy and kept freedom alive. And when terrorists attacked our own country 20 years ago, Michiganders stood up and signed up. Over and over again, Michigan men and women have served our country to protect our freedoms.

These veterans all fought different battles and had different missions. But all of them were patriots. All of them—and their families—made incredible sacrifices. And all of them were willing to lay down their own lives to protect their fellow Americans and this Nation we love.

Perhaps there's no better Michigan example of this than Charles S. Kettles. Charles was born in Ypsilanti in 1930 and fell in love with flying while attending Edison Institute High School in Dearborn. Aviation was in his blood; his dad was a military pilot.

In 1951, Charles was drafted into the Army. He attended Army Aviation School and served tours in Korea, Japan, and Thailand. He retired from Active Duty in 1956 and continued to serve in the Army Reserves.

During the Vietnam war, the Army was in desperate need of helicopter pilots. So in 1963, Charlie volunteered for active duty and learned to fly the UH-1D, "Huey."

Those skills would save lives on May 15, 1967. Then-Major Kettles volunteered to lead a flight of six Hueys on a rescue mission.

Charles's helicopter came under fire, but he kept on flying. After the second rescue flight, his helicopter was leaking fuel, and his gunner was severely

wounded. He found a helicopter that wasn't leaking and went back to rescue the stranded men.

On the way back to the base, he learned that eight troops had been left behind. Without a second thought, he returned to the landing zone.

His helicopter was hit by gunfire and a mortar round. Yet somehow, Charles made it back to the landing zone, picked up the stranded troops, and brought them safely back to the base. In total, he saved 44 lives that day.

Typically, the Medal of Honor must be awarded within 5 years of the heroic act. But this kind of heroism has no expiration date. In 2015, I introduced legislation with Senator GARY PETERS and Congresswoman DEBBIE DINGELL to allow Charles to receive the Medal of Honor. In 2016, he did.

And earlier this year, it was an incredible honor to be there when the Veterans Affairs Medical Center in Ann Arbor was renamed after Charles. Lieutenant Colonel Kettles saved lives back in 1967, and the Lieutenant Colonel Charles S. Kettles VA Medical Center is saving lives today.

"We got the 44 out," he said during his Medal of Honor ceremony in 2016. "None of those names appear on the wall in Washington. There's nothing more important than that."

Humility, a spirit of service, and the willingness to sacrifice. Michigan's veterans have done so much for us. It is our solemn duty to keep each and every promise we have made to them.

Thank you.

HONORING CHARLES "CHARLIE" E. WHITE

Mr. TESTER. Madam President, I rise today to honor the life of Charles "Charlie" E. White, an outstanding American and decorated Vietnam War veteran.

While Charlie is no longer with us, his legacy lives on. On behalf of my fellow Americans, I would like extend our deepest gratitude for his service to this Nation.

Charlie was born on May 21, 1944, in Kansas City, MO, to Owlén and Lucille White. His parents raised him alongside his brothers Bobby and Jerry and sister Judy in Independence, MO.

Charlie never shied away from service or sacrifice, and when the Vietnam war broke out, he quickly answered the call to duty and enlisted in the U.S. Army. He served our country heroically as a member of the U.S. Army Special Forces, the Green Berets.

As a sergeant in the Green Berets, he engaged in many perilous combat missions in Vietnam, including one where he was wounded by an enemy soldier's bayonet. He donned a scar across his face for the rest of his life from this encounter and was awarded for his exemplary valor with multiple service medals.

After the war, Charlie returned to Kansas and settled into his life as a loving husband and devoted father.

Known by many for his hard work ethic and determination, he led a long career working for BNFS Railway and provided a great life for his family.

He is survived by his wife Diane, sons Jack and Steve, daughter Tambra, nine grandchildren, and one great-grandson. His memory lives on through each of them and through his enduring legacy.

I now have the profound honor of recognizing Charlie White with the following honors for his bravery in the line of duty: Bronze Star Medal, Purple Heart Medal, and Silver Star Medal.

These medals represent a small token of our country's appreciation for Charlie's incredible service and sacrifice.

He is an American hero who has made our country proud, and we owe him a great debt of gratitude.

ADDITIONAL STATEMENTS

RECOGNIZING FLORENCE'S EXQUISITE CHOCOLATES

● Mr. RISCH. Madam President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor Florence's Exquisite Chocolates in Rexburg as the Idaho Small Business of the Month for November 2021.

As the namesake and founder of the business, Florence Manwaring had a long-standing passion for making chocolate. To pay her way through college, Florence began working in a chocolate factory where she learned the art of chocolatiering. Florence combined her work experience, passion, and giving spirit to make candies for her friends and family. Her chocolates became popular with her friends, and with their encouragement, Florence and her husband Var considered launching a business so she could pursue her passion. As the economy hit a downturn in the 70s, Var switched his focus from construction to helping his wife open a small business, and in 1981, Florence's dream became a reality.

Despite initial struggles, the shop quickly gained the attention of the Rexburg community and grew so rapidly that Florence's family became involved as well. A true family-owned business, the Manwarings have the distinction of employing every single family member, each of whom has been critical to the company's success.

Some of Florence's iconic chocolates include turtles, haystacks, toffees, caramels, and mints. The business has received widespread recognition, garnering positive reception from leaders of The Church of Jesus Christ of Latter-day Saints and then-President Ronald Reagan. Florence's shop has not only found success selling locally, but has also distributed its candies throughout the region.

Today, Florence's Exquisite Chocolates remains a family-owned staple in Rexburg. Florence's son Brian and his wife Michelle keep the tradition of quality-crafted sweets thriving by making their products available in other stores and maintaining an online presence to connect with their loyal customers nationwide. They look forward to continuing to serve their community.

Congratulations to the Manwaring family and all of the employees of Florence's Exquisite Chocolates on being the Idaho Small Business of the Month for November 2021. You make our great State proud, and I look forward to your continued growth and success.●

REMEMBERING DEXTER RANDALL

● Mr. SANDERS. Madam President, I rise today to honor the memory of Dexter Randall of Newport Center, VT. In Dexter's passing, Vermont and the Nation has lost a great champion for farmers.

Dexter was born in Lyndon, VT, in 1945 but spent most of his life with his family on their farm in Troy, VT. On September 3, 1971, he married Alice Gilman, who we sadly lost a year ago, on June 2, 2020. Along with their five children—Lisa, Justin, Jordan, Irene, and Jason—Randall and Alice ran their small organic dairy farm for 37 years before Justin and Irene took over operations.

While Dexter was first and foremost a farmer, he was also a public servant. In the Northeast Kingdom, an area of the State often known for more conservative points of view, Dexter charted a unique political path, serving as a Progressive State representative with a strong independent streak. Dexter felt that his political philosophy was not all that different from that of his father, who had been a Republican, but that the Vermont Republican Party of earlier generations had undergone significant change. During his time in and out of the Vermont Statehouse, he was an unwavering voice for farmers and small family farms, fighting for fair milk prices and to safeguard Vermont's agricultural heritage.

Both in elected office and during his 30 years on the board of Rural Vermont, Dexter showed a fearlessness in advocating for bold policy change. He understood that in order to save family farms and ensure the future of agriculture in Vermont, we needed to fundamentally rethink agricultural policy and fight against corporation consolidation. He was at the center of some of the biggest agricultural debates of his time, including the creation of the New England Dairy Compact and fighting to protect farmers from the corporate greed of companies producing genetically modified organisms—GMO—seeds. Dexter's work was not limited to Vermont. In 2006, he traveled to Mali to learn how U.S. policies impact Africa's agricultural sec-

tor. On this and many other topics, Dexter demonstrated an ability to translate complex policy issues into plain language, making it easy for his constituents to understand and relate to.

Caring for the land was at the heart of Dexter's work. Despite farming being more than a full-time job, he was active with the Missisquoi Basin Association, the American Devon Cattle Association, the Orleans County Natural Resources Conservation District, and the Vermont Center for Sustainable Agriculture. At a time when agriculture and environmental protection were often pitted against one another, Dexter showed that farmers can and often are strong conservationists and excellent stewards of the land.

When I first met Dexter 35 years ago, his reputation as a fearless champion for rural Vermonters and farmers preceded him. Some probably would have considered us to be unlikely friends; he was a dairy farmer in a remote part of the State, and I was the first Independent mayor of the State's biggest city of Burlington. Those people, of course, were wrong. It was 1986, milk prices were low, and both Dexter and I understood that farmers were suffering. To raise spirits and money, Rural Vermont held a fundraiser near Dexter and Alice's farm. For my part, I drove the 2 hours to the Northeast Kingdom because not only did I understand the importance of the issue, I was impressed by the grassroots advocacy of Dexter, Alice, and the organizers. From that day on, Dexter and I enjoyed a long friendship that included a pig roast on his farm each year. At the heart, these events were very much about good food, comradery, bringing people together, and appreciating the pastoral landscape of Vermont. These events were also where good, old-fashioned democracy took place. People could talk about the issues that were important to them and feel like politicians were actually listening. I learned a great deal at these events about the struggles of working people, especially in rural Vermont, and for that, I am eternally grateful to Dexter.

I was sad not to be able to join Dexter on the farm this year, and I will miss traveling there and seeing Dexter each year, but I am thankful for our many years of friendship. To my mind, Dexter represented the best of Vermont; he was not only deeply engaged in the issues, but he also genuinely cared about the wellbeing of his friends, family, neighbors, fellow farmers, and his rural constituents. He believed everyone deserves a fair shot, and he tirelessly advocated for Vermonters at every opportunity he could, whether by supporting universal healthcare or milk prices that enabled farmers to keep the lights on and live in dignity.

Ultimately, Dexter brought his ethos about farming—that “if you take care of the land it will take care of you, so you can leave it a little bit better than

you found it”—to his community and his State. Vermont is indeed a better place, and Vermonters are better off, thanks to Dexter Randall.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13067 OF NOVEMBER 3, 1997, WITH RESPECT TO SUDAN, RECEIVED DURING ADJOURNMENT OF THE SENATE ON OCTOBER 29, 2021—PM 15

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Sudan declared in Executive Order 13067 of November 3, 1997, is to continue in effect beyond November 3, 2021.

Sudan made strides in its transition toward democracy since 2019, but the military takeover of the government and arrest of civilian leaders now threaten those positive gains. The crisis that led to the declaration of a national emergency in Executive Order 13067; the expansion of that emergency in Executive Order 13400 of April 26, 2006; and the taking of additional steps with respect to that emergency in Executive Order 13412 of October 13, 2006, Executive Order 13761 of January 13, 2017, and Executive Order 13804 of July 11, 2017, has not been resolved. The situation in Darfur continues to pose an

unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13067, as expanded by Executive Order 13400, with respect to Sudan.

JOSEPH R. BIDEN, JR.,
THE WHITE HOUSE, October 28, 2021.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on October 28, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House had passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5763. An act to provide an extension of Federal-aid highway, highway safety, and transit programs, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the Secretary of the Senate, on October 29, 2021, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 5763. An act to provide an extension of Federal-aid highway, highway safety, and transit programs, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2021, the President pro tempore (Mr. LEAHY) announced that on October 29, 2021, during the adjournment of the Senate, he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 5763. An act to provide an extension of Federal-aid highway, highway safety, and transit programs, and for other purposes.

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1899. An act to amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

ENROLLED BILLS SIGNED

At 7:51 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 921. An act to amend title 18, United States Code, to further protect officers and employees of the United States, and for other purposes.

S. 1502. An act to make Federal law enforcement officer peer support communications confidential, and for other purposes.

H.R. 2911. An act to direct the Secretary of Veterans Affairs to submit to Congress a plan for obligating and expending Coronavirus pandemic funding made available to the Department of Veterans Affairs, and for other purposes.

H.R. 3475. An act to name the Department of Veterans Affairs community-based outpatient clinic in Columbus, Georgia, as the "Robert S. Poydasheff VA Clinic".

H.R. 3919. An act to ensure that the Federal Communications Commission prohibits authorization of radio frequency devices that pose a national security risk.

H.R. 4172. An act to name the Department of Veterans Affairs community-based outpatient clinic in Aurora, Colorado, as the "Lieutenant Colonel John W. Mosley VA Clinic".

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-2438. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2021 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia; to the Committee on Foreign Relations.

EC-2439. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2021-0111 - 2021-0124); to the Committee on Foreign Relations.

EC-2440. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Device De Novo Classification Process" (RIN0910-AH53) received in the Office of the President of the Senate on October 19, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2441. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Content and Format of Substantial Equivalence Reports; Food and Drug Administration Actions on Substantial Equivalence Reports" (RIN0910-AH89) received in the Office of the President of the Senate on October 19, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2442. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Pre-market Tobacco Product Applications and Recordkeeping Requirements" (RIN0910-AH44) received in the Office of the President of the Senate on October 19, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2443. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled

"Implementation of Executive Order on Access to Affordable Life-Saving Medications; Rescission of Regulation" (RIN0906-AB30) received in the Office of the President of the Senate on October 19, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2444. A communication from the President and Chief Executive Officer, National Institute for Children's Health Quality, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Sickle Cell Disease Treatment Demonstration Regional Collaboratives Program"; to the Committee on Health, Education, Labor, and Pensions.

EC-2445. A communication from the Acting Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Requirements Related to Surprise Billing; Part II" (RIN1210-AC00) received in the Office of the President of the Senate on October 19, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2446. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, the Board's annual submission regarding agency compliance with the Federal Managers' Financial Integrity Act and revised Office of Management and Budget (OMB) Circular A-123; to the Committee on Homeland Security and Governmental Affairs.

EC-2447. A communication from the Executive Director, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Privacy Act Exemptions" received in the Office of the President of the Senate on October 19, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2448. A communication from the Executive Director, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, a report relative to thirteen audit reports issued during fiscal year 2021 regarding the Agency and the Thrift Savings Plan; to the Committee on Homeland Security and Governmental Affairs.

EC-2449. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Homeland Security, received in the Office of the President of the Senate on October 25, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2450. A communication from the Director of the Office of Regulatory Affairs and Collaborative Action, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Indian Land Title and Records" (RIN1076-AF56) received in the Office of the President of the Senate on October 18, 2021; to the Committee on Indian Affairs.

EC-2451. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2021-0125 - 2021-0138); to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DURBIN, from the Committee on the Judiciary, with amendments:

S. 2429. A bill to amend chapter 38 of title 31, United States Code, relating to civil remedies, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

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

S. 3123. A bill to amend the Siletz Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of Siletz Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. PAUL (for himself and Mrs. BLACKBURN):

S. 3124. A bill to amend title XI of the Social Security Act to repeal the requirement for unique health identifiers; to the Committee on Finance.

By Mr. WARNOCK (for himself, Ms. CANTWELL, Mr. PETERS, and Mr. PADILLA):

S. 3125. A bill to establish an alternative fuel and low-emission aviation technology program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 3126. A bill to amend the Grand Ronde Reservation Act to address the hunting, fishing, trapping, and animal gathering rights of the Confederated Tribes of the Grand Ronde Community, and for other purposes; to the Committee on Indian Affairs.

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. 3127. A bill to amend title 10 and title 46, United States Code, to allocate authority for nominations to the service academies in the event of the death, resignation, or expulsion from office of a member of Congress, and for other purposes; to the Committee on Armed Services.

By Mr. MENENDEZ (for himself, Mr. CASSIDY, Mr. BOOKER, Mr. KENNEDY, Mr. VAN HOLLEN, Mrs. HYDE-SMITH, Mr. RUBIO, Mr. WICKER, and Mrs. GILLIBRAND):

S. 3128. A bill to reauthorize the National Flood Insurance Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. SCOTT of Florida (for himself and Mr. RUBIO):

S. Res. 435. A resolution honoring the 50th anniversary of Versailles, known as "The World's Most Famous Cuban Restaurant"; to the Committee on the Judiciary.

By Mr. CRUZ:

S. Con. Res. 18. A concurrent resolution requiring the Architect of the Capitol, the Secretary of the Senate, and the Chief Administrative Officer of the House of Representatives to contract with food service contractors and vending machine contractors for the Capitol Complex that accept cryptocurrency, and for other purposes; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 435

At the request of Mr. CRAPO, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor

of S. 435, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 444

At the request of Ms. COLLINS, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 444, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons.

S. 535

At the request of Ms. ERNST, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 535, a bill to authorize the location of a memorial on the National Mall to commemorate and honor the members of the Armed Forces that served on active duty in support of the Global War on Terrorism, and for other purposes.

S. 978

At the request of Ms. SMITH, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 978, a bill to provide for the adjustment or modification by the Secretary of Agriculture of loans for critical rural utility service providers, and for other purposes.

S. 1106

At the request of Mr. BOOKER, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Colorado (Mr. HICKENLOOPER) were added as cosponsors of S. 1106, a bill to prohibit the sale of shark fins, and for other purposes.

S. 1385

At the request of Mr. DURBIN, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Vermont (Mr. SANDERS) and the Senator from Colorado (Mr. HICKENLOOPER) were added as cosponsors of S. 1385, a bill to amend the Animal Welfare Act to establish additional requirements for dealers, and for other purposes.

S. 1972

At the request of Mr. KELLY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1972, a bill to amend title 10, United States Code, to improve dependent coverage under the TRICARE Young Adult Program, and for other purposes.

S. 2153

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2153, a bill to amend the National Flood Insurance Act of 1968 to ensure community accountability for areas repeatedly damaged by floods, and for other purposes.

S. 2273

At the request of Mr. BRAUN, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from New

Hampshire (Ms. HASSAN) were added as cosponsors of S. 2273, a bill to authorize Inspectors General to continue operations during a lapse in appropriations, and for other purposes.

S. 2322

At the request of Mr. CORNYN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2322, a bill to require a pilot program on the participation of non-asset-based third-party logistics providers in the Customs-Trade Partnership Against Terrorism.

S. 2483

At the request of Ms. ROSEN, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 2483, a bill to require the Director of the Cybersecurity and Infrastructure Security Agency to establish cybersecurity guidance for small organizations, and for other purposes.

S. 2580

At the request of Ms. SINEMA, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2580, a bill to direct the Secretary of the Interior and the Secretary of Agriculture to make free National Parks and Federal Recreational Lands Passes available to members of the Armed Forces, and for other purposes.

S. 2941

At the request of Mr. CASSIDY, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 2941, a bill to amend the Public Health Service Act to limit the liability of health care professionals who volunteer to provide health care services in response to a disaster.

S. 3063

At the request of Mr. HAGERTY, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3063, a bill to prohibit the use of funds for a United States Embassy, Consulate General, Legation, Consular Office, or any other diplomatic facility in Jerusalem other than the United States Embassy to the State of Israel, and for other purposes.

S. 3086

At the request of Mr. SCOTT of Florida, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3086, a bill to require the Energy Information Administration to submit to Congress and make publicly available an annual report on Federal agency policies and regulations and Executive orders that have increased or may increase energy prices in the United States, and for other purposes.

S. 3092

At the request of Mr. PADILLA, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from California (Mrs. FEINSTEIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3092, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve the provision of certain disaster assistance, and for other purposes.

S. 3093

At the request of Mr. PADILLA, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from California (Mrs. FEINSTEIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3093, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve the provision of certain disaster assistance, and for other purposes.

S. 3094

At the request of Mr. MORAN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 3094, a bill to amend title 38, United States Code, to improve homeless veterans reintegration programs, and for other purposes.

S. 3096

At the request of Mr. KELLY, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 3096, a bill to make amendments to the Barry Goldwater Scholarship and Excellence in Education Act.

S.J. RES. 25

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S.J. Res. 25, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 390

At the request of Mr. GRAHAM, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. Res. 390, a resolution expressing appreciation for the State of Qatar's efforts to assist the United States during Operation Allies Refuge.

AMENDMENT NO. 3881

At the request of Mr. PORTMAN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of amendment No. 3881 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. 3922

At the request of Ms. HIRONO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 3922 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. 4017

At the request of Mr. KELLY, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of amendment No. 4017 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. 4018

At the request of Mr. KELLY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of amendment No. 4018 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. 4021

At the request of Ms. ERNST, the names of the Senator from Kansas (Mr. MORAN), the Senator from West Virginia (Mrs. CAPITO), the Senator from North Dakota (Mr. HOEVEN), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of amendment No. 4021 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. 4025

At the request of Mrs. MURRAY, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of amendment No. 4025 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 435—HONORING THE 50TH ANNIVERSARY OF VERSAILLES, KNOWN AS "THE WORLD'S MOST FAMOUS CUBAN RESTAURANT"

Mr. SCOTT of Florida (for himself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 435

Whereas Versailles, located in Miami, Florida, is known as "The World's Most Famous Cuban Restaurant";

Whereas Versailles was originally founded in 1971 by Felipe Valls Sr., a Cuban immigrant;

Whereas, soon after opening its doors in 1971, Versailles became the gathering place for Cuban exiles located in Miami;

Whereas Versailles has been a central spot for notable visitors from across the United

States to show their support for the Cuban people;

Whereas Versailles has been home to many peaceful protests, including large scale demonstrations like the one that occurred in July 2021 in support of the people of Cuba protesting the harshness of the current regime in that country;

Whereas Versailles hosted seas of Cuban-Americans celebrating the death of longtime dictator Fidel Castro in November 2016, which led more than 60 TV crews and other forms of media to come and witness a piece of Cuban and Cuban-American history;

Whereas the mirrors in the main hall of Versailles, designed by Juan Pérez-Cruz, a decorator with a passion for French styles and uncle of singer Pitbull, appear to make the restaurant goers multiply;

Whereas Versailles is described by many residents of Miami-Dade County as being a cultural hub for Cuban-Americans and Miamians, which is evidenced by the fact that whenever a sports team in Miami wins a national title or accomplishes something extraordinary, there will be crowds of people outside of Versailles and on Calle Ocho, banging pots and pans together and chanting in celebration;

Whereas Versailles is working with the History of Miami Museum and Exile Books to collect memories and stories from individuals in connection with the restaurant over the past 50 years in order to showcase the cultural significance of Versailles;

Whereas the legacy of Felipe Valls Sr. continues with the Valls Group, which has 2,000 employees and owns the 9 La Carretas in South Florida, MesaMar in Coral Gables, Casa Cuba in South Miami, and Casa Juancho, a longtime Spanish restaurant in Little Havana;

Whereas the Valls family worked with the locally founded grocery store chain Sedano's to employ over 400 Versailles staff members while Versailles and all of the La Carreta locations were closed in 2020 during the Coronavirus Disease 2019 (COVID-19) pandemic; and

Whereas the Valls family has participated in charitable work throughout the Miami community for many organizations, including the American Cancer Society and Amigos for Kids; Now, therefore, be it

Resolved, That the Senate—

(1) honors the 50th anniversary of Versailles, known as the "The World's Most Famous Cuban Restaurant", as a moment to celebrate Cuban heritage and the innovation of the people of South Florida;

(2) notes that the story of Versailles, being created by Cuban immigrants as a cultural hub for Cuban-Americans and Miamians, is unique to the United States; and

(3) commends Versailles for 50 years of operation and cultural contributions to Miami and the great State of Florida.

SENATE CONCURRENT RESOLUTION 18—REQUIRING THE ARCHITECT OF THE CAPITOL, THE SECRETARY OF THE SENATE, AND THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES TO CONTRACT WITH FOOD SERVICE CONTRACTORS AND VENDING MACHINE CONTRACTORS FOR THE CAPITOL COMPLEX THAT ACCEPT CRYPTOCURRENCY, AND FOR OTHER PURPOSES

Mr. CRUZ submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 18

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SHORT TITLE.

This resolution may be cited as the “Adopting Cryptocurrency in Congress as an Exchange of Payment for Transactions Resolution” or the “ACCEPT Resolution”.

SEC. 2. ACCEPTING OF CRYPTOCURRENCY AT RESTAURANTS, VENDING MACHINES, AND GIFT SHOPS IN THE CAPITOL COMPLEX.

(a) DEFINITIONS.—In this section—

(1) the term “Capitol Buildings” means the Capitol Buildings described in section 5101 of title 40, United States Code; and

(2) the term “digital asset” means a native electronic asset that—

(A) is recorded on a cryptographically secured distributed ledger; and

(B) is designed to confer only economic or access rights.

(b) ACCEPTANCE OF CRYPTOCURRENCY.—The Architect of the Capitol, the Secretary of the Senate, and the Chief Administrative Officer of the House of Representatives shall each, for the Capitol Buildings that are under their jurisdiction—

(1) subject to subsection (c), solicit and enter into contracts to provide food service and vending machines in such Capitol Buildings with persons that will accept digital assets as payment for goods; and

(2) encourage the gift shops in such Capitol Buildings to accept digital assets as payment for goods.

(c) ADDITIONAL CONSIDERATIONS.—The Architect of the Capitol, the Secretary of the Senate, and the Chief Administrative Officer of the House of Representatives may not enter into contracts described in subsection (b)(1) if the Architect of the Capitol, in consultation with the Secretary of the Senate and the Chief Administrative Officer of the House, reports to the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives that entering into such contracts would preclude the selection of alternatives that are cost-effective and value-centered for patrons.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4068. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 4069. Mr. MERKLEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4070. Mr. GRASSLEY (for himself, Ms. STABENOW, Ms. ERNST, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4071. Ms. SINEMA (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4072. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4073. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4074. Mr. HAWLEY (for himself and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4075. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4076. Mr. HAWLEY (for himself, Mr. SCOTT of Florida, and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4077. Ms. ERNST (for herself, Mr. GRASSLEY, Mr. WARNOCK, Mrs. BLACKBURN, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4078. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4079. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4080. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4081. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4082. Mrs. FEINSTEIN (for herself, Ms. ERNST, Mr. CORNYN, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4083. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4084. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4085. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4086. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED

and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4087. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4088. Mrs. FEINSTEIN (for herself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4089. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4090. Mrs. FISCHER (for herself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4091. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4092. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4093. Mr. MARSHALL (for himself, Mr. LANKFORD, Mr. SCOTT of Florida, Mr. WICKER, Mr. TUBERVILLE, Mr. CRUZ, Mr. JOHNSON, Mr. CRAMER, and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4094. Ms. ROSEN (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4095. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4096. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4097. Mr. LANKFORD (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4098. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4099. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4100. Mr. LANKFORD (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4101. Mr. LANKFORD submitted an amendment intended to be proposed to

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

SA 4102. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4103. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4104. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4105. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4106. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4107. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4108. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4109. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4110. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4111. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4112. Mr. KING (for himself, Mr. ROUNDS, Mr. SASSE, Ms. ROSEN, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4113. Mr. MANCHIN (for himself, Mr. LUJÁN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4114. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4115. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R.

4350, supra; which was ordered to lie on the table.

SA 4116. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4117. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4118. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4119. Mr. WICKER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4120. Mr. WICKER (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4121. Ms. CORTEZ MASTO (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4122. Ms. CORTEZ MASTO (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4123. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4124. Mr. KING submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4125. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4126. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4127. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4128. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4129. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4130. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED

and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4131. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, supra; which was ordered to lie on the table.

SA 4132. Mr. SCHUMER (for Mr. MENENDEZ) proposed an amendment to the bill S. 1064, to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes.

TEXT OF AMENDMENTS

SA 4068. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 XII, add the following:

SEC. 1264. REPORT ON ISRAELI SETTLEMENT ACTIVITY IN OCCUPIED WEST BANK.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate committees of Congress a report that assesses the status of Israeli settlement activity in the occupied West Bank.

(b) ELEMENTS.—The report required by subsection (a) shall include the following with respect to Israeli settlement activity in the West Bank:

(1) The number of permits, tenders, and housing starts approved by the Government of Israel for settlement construction and the locations concerned.

(2) The number and locations of new outposts established without the approval of the Government of Israel.

(3) The number and locations of outposts established without the approval of the Government of Israel that were retroactively legalized.

(4) An assessment of the impact of settlements and outposts on—

(A) the freedom of movement, livelihoods, and quality of life of Palestinians; and

(B) the potential for establishing in the future a viable Palestinian state.

(5) The number and locations of demolitions of homes, businesses, or infrastructure owned by, or primarily serving, Palestinians.

(6) The number and locations of evictions of Palestinians from their places of residence.

(7) The number of permits issued for Palestinians in East Jerusalem and the West Bank territory designated under the Oslo Accords as “Area C”.

(8) A description of the level of financial expenditures by the Government of Israel in Israeli settlements in the West Bank.

(9) An analysis of the impact any change in the matters described in paragraphs (1) through (8) on would have on—

(A) the diplomatic posture of the United States globally; and

(B) the national security of the United States.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 4069. Mr. MERKLEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 B of title XXXI, add the following:

SEC. 3114. REALLOCATION OF FUNDING FOR B83 GRAVITY BOMB LIFE EXTENSION TO SUPPORT GLOBAL VACCINE PRODUCTION CAPACITY.

(A) REDUCTION IN AMOUNT FOR B83 GRAVITY BOMB LIFE EXTENSION.—The amount authorized to be appropriated by section 3101 and available as specified in the funding table in section 4701 for stockpile major modernization for multi-weapon systems is hereby reduced by \$98,456,000, with the amount of the reduction to be derived from amounts available for life extension for the B83 gravity bomb.

(B) FUNDING FOR GLOBAL VACCINE PRODUCTION.—There are authorized to be appropriated to the Secretary of State and other relevant agencies \$98,456,000 to provide support—

(1) for expanding global vaccine production capacity, including through the development or transfer of technology and the construction, expansion, or modernization of facilities; and

(2) to other countries, especially low and middle-income countries, with the distribution and delivery of COVID-19 vaccines.

SA 4070. Mr. GRASSLEY (for himself, Ms. STABENOW, Ms. ERNST, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 X, add the following:

SEC. 1064. CONSIDERATION OF FOOD INSECURITY IN DETERMINATIONS OF THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

(A) IN GENERAL.—Section 721(f) of the Defense Production Act of 1950 (50 U.S.C. 4565(f)) is amended—

(1) in paragraph (10), by striking “; and” and inserting a semicolon;

(2) by redesignating paragraph (11) as paragraph (12); and

(3) by inserting after paragraph (10) the following:

“(11) the potential effects of the proposed or pending transaction on the security of the food and agriculture systems of the United States, including any effects on the availability of, access to, or safety and quality of food; and”.

(B) INCLUSION OF SECRETARIES OF AGRICULTURE AND HEALTH AND HUMAN SERVICES ON THE COMMITTEE.—Section 721(k)(2) of the Defense Production Act of 1950 (50 U.S.C. 4565(k)(2)) is amended—

(1) by redesignating subparagraphs (H), (I), and (J) as subparagraphs (J), (K), and (L), respectively; and

(2) by inserting after subparagraph (G) the following:

“(H) The Secretary of Agriculture.

“(I) The Secretary of Health and Human Services.”.

SA 4071. Ms. SINEMA (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 VII, add the following:

SEC. 744. TASK FORCE TO REVIEW SMART DEVICE MENTAL HEALTH RESILIENCY APPLICATIONS.

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish a task force to review mental health resiliency applications currently available for smart devices.

(B) MENTAL HEALTH RESILIENCY APPLICATIONS.—Mental health resiliency applications to be reviewed under subsection (a) may include evidence-based applications such as Virtual Hope Box.

(C) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the establishment of the task force under subsection (a), the task force, in consultation with the Director of the Defense Health Agency and the Secretary of Veterans Affairs, shall submit to the Secretary of Defense and the congressional defense committees a report on the findings of the task force.

(2) ELEMENTS.—The report submitted under paragraph (1) shall include the following:

(A) An assessment of the efficacy of the mental health resiliency applications reviewed under subsection (a) at improving behavioral health outcomes.

(B) A description of any trials or pilot programs completed or underway at the Department of Defense with respect to the use of such applications.

(C) An assessment of the cost associated with such applications.

(D) An assessment of the compatibility of the use of such applications with other initiatives of the Department.

(E) Such recommendations as the task force may have on forming a pilot program to encourage the use of one or more of such applications among members of the Armed Forces.

SA 4072. Mr. MERKLEY submitted an amendment intended to be proposed to

amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. SUSPENSION OF CERTAIN UNITED STATES ASSISTANCE TO HONDURAS.

(A) PROHIBITION ON COMMERCIAL EXPORT OF COVERED DEFENSE ARTICLES AND SERVICES AND COVERED MUNITIONS ITEMS TO THE HONDURAN POLICE OR MILITARY.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the President shall prohibit the issuance of licenses to export covered defense articles and services and covered munitions items to the police or military of the Republic of Honduras.

(2) TERMINATION.—The prohibition under paragraph (1) shall terminate on the date on which the President determines and reports to the appropriate congressional committees that the police or military of the Republic of Honduras have not engaged in gross violations of human rights during the one-year period ending on the date of such determination.

(3) WAIVER.—The prohibition under paragraph (1) shall not apply to the issuance of a license with respect to which the President submits to the appropriate congressional committees a written certification that the exports to be covered by such license are important to the national interests and foreign policy goals of the United States, including a description of the manner in which such exports will promote such interests and goals.

(4) DEFINITIONS.—In this subsection:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(i) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(ii) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(B) COVERED DEFENSE ARTICLES AND SERVICES.—The term “covered defense articles and services” means defense articles and defense services designated by the President under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(C) COVERED MUNITIONS ITEMS.—The term “covered munitions items” means tear gas, pepper spray, rubber bullets, foam rounds, bean bag rounds, pepper balls, water cannons, handcuffs, shackles, stun guns, tasers, semi-automatic firearms, and their associated munitions not included in the definition under subparagraph (B).

(b) SUSPENSION AND RESTRICTIONS OF SECURITY ASSISTANCE EXTENDED TO THE REPUBLIC OF HONDURAS UNLESS CERTAIN CONDITIONS ARE MET.—

(1) SUSPENSION OF SECURITY ASSISTANCE.—No assistance may be made available for the police or military of the Republic of Honduras, including assistance for equipment and training.

(2) LOANS FROM MULTILATERAL DEVELOPMENT BANKS AND THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—The Secretary of the Treasury shall—

(A) instruct United States representatives at multilateral development banks to use their voice and vote to oppose any loans for the police or military of the Republic of Honduras; and

(B) instruct the United States Executive Director of each international financial institution and the Chief Executive Officer of the United States International Development Finance Corporation to promote human rights due diligence and risk management in connection with any loan, grant, policy, or strategy related to the Republic of Honduras, in accordance with the criteria specified in subsection 7029(d) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116-94; 133 Stat. 2863) and accompanying report.

(3) **CONDITIONS FOR LIFTING SUSPENSIONS AND RESTRICTIONS.**—The provisions of this subsection shall terminate on the date on which the Secretary of State determines and reports to the Committees on Foreign Relations and Appropriations of the Senate and the Committees on Foreign Affairs and Appropriations of the House of Representatives that the Government of Honduras has—

(A) pursued all legal avenues to bring to trial and obtain a verdict of all those who ordered, carried out, and covered up—

(i) the March 2, 2016, murder of Berta Cáceres;

(ii) the killings of over 100 small-farmer activists in the Aguán Valley;

(iii) the killings of 22 people and forced disappearance of 1 person by state security forces in the context of the 2017 post-electoral crisis;

(iv) the killings of at least 6 people by state security forces in the context of anti-government demonstrations between March and July of 2019;

(v) the killings of at least 21 journalists and media workers between October 2016 and July 2020;

(vi) the July 18, 2020, forced disappearances of 4 Garifuna community leaders from Triunfo de la Cruz; and

(vii) the December 26, 2020, killing of indigenous Lenca leader and environmental activist Félix Vásquez at his home in La Paz, and the December 29, 2020, killing of indigenous Tolupan leader and environmental activist Adan Mejía in Yoró;

(B) investigated and successfully prosecuted members of military and police forces who are credibly found to have violated human rights and ensured that the military and police cooperated in such cases, and that such violations have ceased;

(C) withdrawn the military from domestic policing and ensured that all domestic police functions are separated from the command and control of the Armed Forces of Honduras and are instead directly responsible to civilian authority;

(D) established that it protects effectively the rights of trade unionists, journalists, small farmers, human rights and environmental defenders, indigenous and Afro-indigenous community members and rights activists, women's and LGBTQI rights activists, critics of the government, and other members of civil society to operate without interference or repression; and

(E) taken effective steps to establish the rule of law and to guarantee a judicial system that is capable of investigating, prosecuting, and bringing to justice members of the police and military who have committed human rights abuses.

(C) **POLICE OR MILITARY OF THE REPUBLIC OF HONDURAS DEFINED.**—In this section, the term “police or military of the Republic of Honduras” means—

(1) the Honduran National Police;

(2) the Honduran Armed Forces;

(3) the Military Police of Public Order of the Republic of Honduras; or

(4) para-police or paramilitary elements, acting under color of law or having received financing, training, orders, intelligence,

weapons, or other forms of material assistance for the forces identified in paragraphs (1) through (3).

SA 4073. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 XV, add the following:

SEC. ____ . ACTIVE PROTECTION OF THE MAJOR RANGE AND TEST FACILITY BASE.

(a) **AUTHORITY.**—The Secretary of Defense may take, and may authorize members of the Armed Forces and officers and civilian employees of the Department of Defense to take, such actions described in subsection (b) as are necessary to mitigate the threat, as determined by the Secretary, that a space-based asset may pose to the security or operation of the Major Range and Test Facility Base (as defined in section 196(i) of title 10, United States Code).

(b) **ACTIONS DESCRIBED.**—The actions described in this subsection are the following:

(1) To detect, identify, monitor, and track a space-based asset, without prior consent, including by means of intercept or other access of an electronic communication used to control the space-based asset.

(2) To disrupt the sensors of a space-based asset, without prior consent, including by disabling, intercepting, interfering with, or causing interference with such space-based sensors.

SA 4074. Mr. HAWLEY (for himself and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 X of division A, add the following:

SEC. 10 ____ . HONORING MISSOURIANS WHO MADE THE ULTIMATE SACRIFICE IN AFGHANISTAN.

(a) **FINDINGS.**—Congress finds that—

(1) Marine Corps Lance Corporal Jared Schmitz of Wentzville, Missouri, was a dear and loving son, brother, and friend, who sought constantly to lift those around him and care for others in need;

(2) Lance Corporal Schmitz was a devoted patriot who knew that he wanted to serve in the Marine Corps by his sophomore year of high school and trained relentlessly on his own initiative so that he might one day wear the Eagle, Globe, and Anchor;

(3) Lance Corporal Schmitz enlisted in the Marine Corps before his 18th birthday and went on to serve with gallantry as a Marine Corps infantryman, upholding the standards and traditions of all the brave service members from the State of Missouri who came before him;

(4) Lance Corporal Schmitz went to Kabul, Afghanistan, in August 2021 and, despite the

risks, demonstrated heroic commitment to supporting the evacuation of citizens of the United States, allies of the United States, partners of the United States, and innocent civilians;

(5) on August 26, 2021, at just 20 years of age, while serving alongside his fellow citizens to provide safe passage to those in need, Lance Corporal Schmitz made the ultimate sacrifice at the international airport in Kabul, giving his life so that others might live; and

(6) Lance Corporal Schmitz was the last of the 56 Missourians who made the ultimate sacrifice as part of Operation Enduring Freedom and Operation Freedom's Sentinel and whose names shall not be forgotten, including—

(A) Christopher Michael Allgaier;
 (B) Michael Chad Bailey;
 (C) Michael Joe Beckerman;
 (D) Brian Jay Bradbury;
 (E) Paul Douglas Carron;
 (F) Jacob Russell Carver;
 (G) Joseph Brian Cemper;
 (H) Robert Keith Charlton;
 (I) Richard Michael Crane;
 (J) Robert Wayne Crow, Jr.;
 (K) Justin Eric Culbreth;
 (L) Robert Gene Davis;
 (M) Edward Fred Dixon III;
 (N) Jason David Fingar;
 (O) James Matthew Finley;
 (P) Zachary Michael Fisher;
 (Q) Jacob Rudeloff Fleischer;
 (R) Blake Wade Hall;
 (S) Nicholas Joel Hand;
 (T) James Warren Harrison, Jr.;
 (U) Jonathon Michael Dean Hostetter;
 (V) James Roger Ide V;
 (W) Issac Brandon Jackson;
 (X) Christopher M. Katzenberger;
 (Y) Jeremy Andrew Katzenberger;
 (Z) William Jo Kerwood;
 (AA) Daniel Leon Kisling, Jr.;
 (BB) Denis Deleon Kisseloff;
 (CC) Donald Matthew Marler;
 (DD) Matthew David Mason;
 (EE) Richard Lewis McNulty III;
 (FF) Bradley Louis Melton;
 (GG) James Douglas Mowris;
 (HH) Michael Robert Patton;
 (II) Joseph Michael Peters;
 (JJ) Robert Wayne Pharris;
 (KK) Ricky Linn Richardson, Jr.;
 (LL) Charles Montague Sadell;
 (MM) Charles Ray Sanders, Jr.;
 (NN) Ronald Wayne Sawyer;
 (OO) Patrick Wayne Schimmel;
 (PP) Jared Marcus Schmitz;
 (QQ) Roslyn Littman Schulte;
 (RR) Billy Joe Siercks;
 (SS) Adam Olin Smith;
 (TT) Tyler James Smith;
 (UU) Christopher Glenn Stark;
 (VV) Sean Patrick Sullivan;
 (WW) Philip James Svitak;
 (XX) Phillip David Vinnedge;
 (YY) Matthew Herbert Walker;
 (ZZ) Jeffrey Lee White, Jr.;
 (AAA) Matthew Willard Wilson;
 (BBB) Vincent Cortez Winston, Jr.;
 (CCC) Sterling William Wyatt; and
 (DDD) Gunnar William Zwilling.

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

(1) Marine Corps Lance Corporal Jared Schmitz and his fellow Missourians who made the ultimate sacrifice during the war in Afghanistan represent the very best of the State of Missouri and the United States; and

(2) the United States honors those brave service members and their families and shall never forget the services they rendered and sacrifices they made in the defense of their grateful Nation.

SA 4075. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 E of title VIII, add the following:

SEC. 857. COMBATING TRAFFICKING IN PERSONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should have a zero tolerance policy for human trafficking, and it is of vital importance that Government contractors who engage in human trafficking be held accountable.

(b) ANALYSIS REQUIRED.—The Secretary of Defense shall review the recommendations contained in the report of the Comptroller General of the United States titled “Human Trafficking: DOD Should Address Weaknesses in Oversight of Contractors and Reporting of Investigations Related to Contracts” (dated August 2021; GAO-21-546) and develop the following:

(1) Policies and processes to ensure contracting officers of the Department of Defense be informed of their responsibilities relating to combating trafficking in persons and to ensure that such contracting officers are accurately and completely reporting trafficking in persons investigations.

(2) Policies and processes to specify—

(A) the offices and individuals within the Department that should be receiving and reporting on trafficking in persons incidents involving contractors;

(B) the elements of the Department and persons outside the Department that are responsible for reporting trafficking in persons investigations; and

(C) requirements relating to reporting such incident in the Federal Awardee Performance and Integrity Information System (or any other contractor performance rating system).

(3) Policies and processes to ensure that combating trafficking in persons monitoring is more effectively implemented through, among other things, reviewing and monitoring contractor compliance plans relating to combating trafficking in persons.

(4) Policies and processes to ensure the Secretary of Defense has accurate and complete information about compliance with acquisition-specific training requirements relating to combating trafficking in persons by contractors.

(5) A mechanism for ensuring completion of such training within 30 days after a contractor begins performance on a contract.

(6) An assessment of the resources and staff required to support oversight of combating trafficking in persons, including resources and staff to validate annual combating trafficking in persons self-assessments by elements of the Department.

(c) INTERIM BRIEF.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall brief the congressional defense committees, the Committee on Oversight of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate on the preliminary findings of the analysis required by subsection (b).

(d) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act,

the Secretary of Defense shall submit to the congressional defense committees, the Committee on Oversight of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate the analysis required by subsection (b).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SA 4076. Mr. HAWLEY (for himself, Mr. SCOTT of Florida, and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. _____ . PROHIBITION ON THE USE OF TIKTOK.

(a) DEFINITIONS.—In this section—

(1) the term “covered application” means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited;

(2) the term “executive agency” has the meaning given that term in section 133 of title 41, United States Code; and

(3) the term “information technology” has the meaning given that term in section 11101 of title 40, United States Code.

(b) PROHIBITION ON THE USE OF TIKTOK.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the Administrator of General Services, the Director of the Cybersecurity and Infrastructure Security Agency, the Director of National Intelligence, and the Secretary of Defense, and consistent with the information security requirements under subchapter II of chapter 35 of title 44, United States Code, shall develop standards and guidelines for executive agencies requiring the removal of any covered application from information technology.

(2) NATIONAL SECURITY AND RESEARCH EXCEPTIONS.—The standards and guidelines developed under paragraph (1) shall include—

(A) exceptions for law enforcement activities, national security interests and activities, and security researchers; and

(B) for any authorized use of a covered application under an exception, requirements for agencies to develop and document risk mitigation actions for such use.

SA 4077. Ms. ERNST (for herself, Mr. GRASSLEY, Mr. WARNOCK, Mrs. BLACKBURN, and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. 1004. INCREASED TRANSFER AUTHORITY TO REIMBURSE THE NATIONAL GUARD FOR DEFENSE SUPPORT OF CIVIL AUTHORITIES ACTIONS.

(a) TRANSFER AUTHORITY.—Notwithstanding section 2214 of title 10, United States Code, and subject to subsection (b), the Secretary of Defense may transfer without limitation amounts necessary to reimburse the National Guard for Defense Support of Civil Authorities actions upon a written request from the Chief of the National Guard Bureau to the Secretary and Congress detailing the need for the transfer and the estimated costs.

(b) REPORT.—Not later than 30 days after the Secretary transfers amount pursuant to subsection (a), the Secretary and the Chief of the National Guard Bureau shall jointly submit to Congress a report detailing the costs associated with the Defense Support of Civil Authorities actions reimbursed pursuant to such transfer.

SA 4078. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 VIII, add the following:

SEC. 838. SUPPORT FOR FLAME-RESISTANT TEXTILE INDUSTRIAL BASE.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the capability of the textile industrial base to support the Department of Defense’s requirement for flame resistant uniforms, including—

(1) an assessment of the risk to members of the Armed Forces and National Guard presented by flash fire in combat and non-combat operations;

(2) a review of existing criteria for determining in what circumstances combat uniforms of the Armed Forces and National Guard are required to be flame-resistant;

(3) the potential benefits of flame-resistant combat uniforms on operational safety and force protection;

(4) plans for enhancing protections for members of the Armed Forces and National Guard against flash fire; and

(5) the minimum level of annual procurement by the Defense Logistics Agency necessary to sustain the flame resistant textile industrial base to be prepared to respond to emerging needs of the Armed Forces and National Guard for current and future conflicts.

SA 4079. Mr. OSSOFF submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 XXVIII, add the following:

SEC. 2836. REPORT ON CAPACITY OF CHILD DEVELOPMENT CENTERS OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written report providing an update on the capacity of child development centers of the Department of Defense.

(b) ELEMENTS.—The report submitted under subsection (a) shall—

(1) provide data on the capacity of child development centers through the Department, including infrastructure, staffing, waitlists, and resources, set forth in the aggregate and by installation and Armed Force;

(2) highlight, by installation, whether demand by members of the Armed Forces for child care is or is not being met by existing capacity at such centers; and

(3) determine whether plans and adequate funding authority exist to remedy any identified shortfall in child care capacity for the Department of Defense.

SA 4080. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 V, add the following:

SEC. 596. AUTHORITY OF STATES TO USE NATIONAL GUARD MEMBERS PERFORMING ACTIVE GUARD AND RESERVE DUTY DURING STATE-DIRECTED RESPONSES TO DOMESTIC INCIDENTS.

Section 328(b) of title 32, United States Code, is amended—

(1) by inserting “(1)” before “A member”;

and

(2) by adding at the end the following new paragraph:

“(2) Under regulations prescribed by the Chief of the National Guard Bureau, the adjutant general of the jurisdiction concerned may authorize a member of the National Guard performing duty under subsection (a) to perform additional duties in response to a State-declared emergency or disaster provided that the adjutant general determines that members performing such additional duties will derive a benefit that satisfies or complements training requirements for the wartime mission or other training objectives of the members’ unit.”.

SA 4081. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 X, insert the following:

SEC. 10. ROLE OF THE COMMISSIONER AND INTERNATIONAL AGREEMENTS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) COMMISSIONER.—The term “Commissioner” means the Commissioner of the United States Section of the International Boundary and Water Commission.

(3) NEW RIVER.—The term “New River” means the river that starts in Mexicali, Mexico, flows north into the United States through Calexico, passes through the Imperial Valley, and drains into the Salton Sea.

(4) SECRETARY.—The term “Secretary” means the Secretary of State.

(5) TIJUANA RIVER.—The term “Tijuana River” means the river that rises in the Sierra de Juarez in Mexico, flows through the City of Tijuana and then north into the United States, passes through the Tijuana River estuary, and drains into the Pacific Ocean.

(b) WASTEWATER AND STORMWATER AUTHORITY.—The Commissioner may study, design, construct, operate, and maintain projects to manage, improve, and protect the quality of wastewater, stormwater runoff, and other untreated flows in the Tijuana River watershed and the New River watershed.

(c) TIJUANA AND NEW RIVER PROJECTS WITHIN THE UNITED STATES.—The Secretary, acting through the Commissioner, shall—

(1) construct, operate, and maintain projects that—

(A) are on a priority list developed by the Environmental Protection Agency for projects in the Tijuana River watershed or New River watershed;

(B) are within the United States; and

(C) improve the water quality of the Tijuana River watershed or the New River watershed, as applicable; and

(2) use available funds, including funds received from the Administrator, to construct, operate, and maintain the projects described in paragraph (1).

(d) AGREEMENTS WITH MEXICO.—The Secretary, acting through the Commissioner, may execute an agreement with the appropriate official or officials of the Government of Mexico for—

(1) the joint study and design of stormwater control and water quality projects; and

(2) on approval of the necessary plans and specifications of the projects described in paragraph (1), the construction, operation, and maintenance of those projects by the United States and Mexico, in accordance with the treaty relating to the utilization of the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, and supplementary protocol, signed at Washington February 3, 1944 (59 Stat. 1219), between the United States and Mexico.

(e) SAVINGS PROVISION.—Nothing in this section limits the authority of the International Boundary and Water Commission under any other provision of law.

SA 4082. Mrs. FEINSTEIN (for herself, Ms. ERNST, Mr. CORNYN, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 B of title XII, add the following:

SEC. 1216. STATUS OF WOMEN AND GIRLS IN AFGHANISTAN.

(a) FINDINGS.—Congress finds the following:

(1) Since May 2021, the escalation of violent conflict in Afghanistan has forcibly displaced an estimated 655,000 civilians, and 80 percent of those forced to flee are women and children.

(2) Since regaining control of Afghanistan in August 2021, the Taliban have taken actions reminiscent of their brutal rule in the late 1990s. They have cracked down on protesters, reportedly detained and beaten journalists, and reestablished their Ministry for the Promotion of Virtue and Prevention of Vice, which under previous Taliban rule enforced prohibitions on behavior deemed un-Islamic. The Taliban’s acting higher education minister said women will be permitted to study at universities in gender-segregated classrooms while wearing Islamic attire. The new Taliban government is being filled with hard-liners from the former Taliban regime. The Taliban are imposing harsh rule despite pledges to respect the rights of women and minority communities and provide amnesty for people who supported United States efforts in Afghanistan.

(3) Until the Taliban assumed control of the country in August 2021, the women and girls of Afghanistan had achieved much since 2001, even as insecurity, poverty, underdevelopment, and patriarchal norms continued to limit their rights and opportunities in much of Afghanistan.

(4) Through strong support from the United States and the international community—

(A) female enrollment in public schools in Afghanistan continued to increase through 2015 with an estimated high of 50 percent of school age girls attending; and

(B) by 2019—

(i) women held political leadership positions, and women served as ambassadors; and

(ii) women served as professors, judges, prosecutors, defense attorneys, police, military members, health professionals, journalists, humanitarian and developmental aid workers, and entrepreneurs.

(5) Women’s and girls’ rights and empowerment continue to serve the interests of Afghanistan and the United States because women are sources of peace and economic progress in Afghanistan.

(6) With the return of Taliban control, the United States has little ability to preserve the rights of women and girls in Afghanistan, and those women and girls may again face the intimidation and marginalization they faced under the last Taliban regime.

(7) Women and girls in Afghanistan are again facing gender-based violence, including—

(A) forced marriage;

(B) intimate partner and domestic violence;

(C) sexual harassment;

(D) sexual violence, including rape;

(E) gender-based denial of resources; and

(F) emotional and psychological violence.

(8) Gender-based violence has always been a significant problem in Afghanistan and is expected to become more widespread with the Taliban in control. In 2020, even before the Taliban assumed control of the country, Human Rights Watch projected that 87 percent of Afghan women and girls will experience at least one form of gender-based violence in their lifetime, with 62 percent experiencing multiple incidents of such violence.

(9) Prior to the Taliban takeover in August 2021, approximately 7,000,000 people in Afghanistan lacked or had limited access to essential health services as a result of inadequate public health coverage, weak health systems, and conflict-related interruptions in care. Women and girls faced additional challenges, as their access to life-saving services (for example, emergency obstetric services) was limited due to a shortage of female medical staff, cultural barriers, stigma and fears of reprisals following sexual violence, or other barriers to mobility, including security fears.

(10) Only approximately 50 percent of pregnant women and girls in Afghanistan deliver their children in a health facility with a professional attendant, which increases the risk of complications in childbirth and preventable maternal mortality. Food insecurity in Afghanistan is also posing a variety of threats to women and girls as malnutrition weakens their immune systems, making them more susceptible to infections, complications during pregnancy, and risks during childbirth.

(11) Adolescent girls are particularly at risk due to the lack of safe and accessible reproductive health services.

(12) With the combined impacts of ongoing conflict and COVID-19, Afghan households increasingly resort to child marriage, forced marriage, and child labor to address food insecurity and other effects of extreme poverty.

(13) In Afghanistan, the high prevalence of anemia among adolescent girls reduces their ability to survive childbirth, especially when coupled with high rates of child marriage and forced marriage and barriers to accessing safe health services and information.

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

(1) since 2001, women's rights organizations and girl-led groups and networks have been important engines of social, economic, and political development in Afghanistan;

(2) any future political order in Afghanistan should secure the political, economic, and social gains made by Afghan women and work to increase the equal treatment of women and girls and improve the safe access for women and girls to essential services and information through laws and policies pertaining to public and private life;

(3) respecting the human rights of all people is essential to securing lasting peace and sustainable development in Afghanistan;

(4) in cooperation with international partners, the United States must endeavor to preserve the hard-won gains made in Afghanistan during the past two decades, particularly as related to the political and economic role, social rights, and protection of women and girls in society;

(5) the continuing humanitarian assistance to the Afghan people is critical to support women and girls, for their protection, continued education, and well-being;

(6) immediate and ongoing humanitarian needs in Afghanistan can only be met by a humanitarian response that includes formal agreements between local nongovernmental organizations and international partners that promotes the safe access and participation of female staff at all levels and across functional roles among all humanitarian actors; and

(7) a lack of aid and essential services would result in a humanitarian crisis and serve to reinforce gender inequalities and power imbalances in Afghanistan.

(c) POLICY OF THE UNITED STATES REGARDING THE RIGHTS OF WOMEN AND GIRLS OF AFGHANISTAN.—

(1) IN GENERAL.—It is the policy of the United States—

(A) to continue to support the rights of women and girls in Afghanistan following the withdrawal of the United States Armed Forces from Afghanistan, including through mechanisms to hold all parties publicly accountable for violations of international humanitarian law and human rights violations against women and girls;

(B) to strongly oppose any weakening of the rights of women and girls in Afghanistan;

(C) to instruct representatives of the United States Government to use the voice, foreign assistance, and influence of the United States directly with the Taliban and at the United Nations, including with United Nations agencies, through participation in United Nations bodies, and with representatives of other United Nations Member States, to promote, respect, and uphold the human rights of the women and girls of Afghanistan, including the right to safely work;

(D) to continue providing aid and assistance necessary to preserve the rights of women and girls in Afghanistan so that they may continue to pursue educational and professional opportunities and be equal members of Afghan society;

(E) to identify individuals who violate the basic rights of women and girls in Afghanistan, as those rights are defined by international human right standards, such as by committing murder, lynching, and grievous domestic violence against women, and to press for bringing those individuals to justice;

(F) to systematically consult with Afghan women and girls on their needs and priorities in the development, implementation, and monitoring of humanitarian action, including women and girls who are part of the Afghan diaspora community; and

(G) to ensure all humanitarian action is informed by—

(i) a gender and power analysis conducted by the Department of State that identifies forms of inequality and oppression; and

(ii) the collection, analysis, and use of data disaggregated by sex and age.

(2) DEFINITION OF AFGHAN SOCIETY.—In this subsection, the term “Afghan society” means the range of formal and informal organizations in Afghanistan, including Afghan local nongovernmental organizations as well as international nongovernmental organizations, that reflect community interests and deliver some essential services.

(d) HUMANITARIAN AID POSITIONS FOR WOMEN IN AFGHANISTAN.—The Administrator of the United States Agency for International Development shall promote that Afghanistan-based humanitarian assistance-related positions that the United States Agency for International Development is seeking to fill are offered to women who are citizens of Afghanistan to the extent practicable.

(e) REPORT ON WOMEN AND GIRLS IN AFGHANISTAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through 2024, the Secretary of State shall submit to the appropriate committees of Congress a report that includes the following:

(A) An assessment of the conditions of women's and girls' rights in Afghanistan in relation to humanitarian needs and key development outcomes following the departure of United States and partner military forces, including the access of those women and girls to primary and secondary education, jobs, health care, and equal status in society as compared to men.

(B) An assessment of the political and civic participation of women and girls in Afghanistan.

(C) An assessment of the prevalence of gender-based violence in Afghanistan.

(D) A report on United States funding obligated or expended during the period covered by the report in furtherance of gender equality and women's and girls' rights in Afghanistan, including how much funding has directly supported women's rights organizations at the local level in Afghanistan.

(2) ASSESSMENT.—

(A) INPUT.—The assessment described in paragraph (1)(A) shall include the input of—

(i) Afghan women and girls;

(ii) organizations employing and working with Afghan women and girls; and

(iii) humanitarian organizations providing assistance in Afghanistan.

(B) SAFETY AND CONFIDENTIALITY.—In carrying out the assessment described in paragraph (1)(A), the Secretary shall, to the maximum extent practicable, ensure the safety and confidentiality of personal information of each individual who provides information from within Afghanistan.

(3) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SA 4083. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ IMPROVING THE MANAGEMENT OF DRIFTNET FISHING.

(a) SHORT TITLE.—This section may be cited as the “Driftnet Modernization and Bycatch Reduction Act”.

(b) DEFINITION.—Section 3(25) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802(25)) is amended by inserting “, or with a mesh size of 14 inches or greater,” after “more”.

(c) FINDINGS AND POLICY.—

(1) FINDINGS.—Section 206(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826(b)) is amended—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(8) within the exclusive economic zone, large-scale driftnet fishing that deploys nets with large mesh sizes causes significant entanglement and mortality of living marine resources, including myriad protected species, despite limitations on the lengths of such nets.”.

(2) POLICY.—Section 206(c) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826(c)) is amended—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) prioritize the phase out of large-scale driftnet fishing in the exclusive economic

zone and promote the development and adoption of alternative fishing methods and gear types that minimize the incidental catch of living marine resources.”.

(d) **TRANSITION PROGRAM.**—Section 206 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826) is amended by adding at the end the following—

“(i) **FISHING GEAR TRANSITION PROGRAM.**—

“(1) **IN GENERAL.**—During the 5-year period beginning on the date of enactment of the Driftnet Modernization and Bycatch Reduction Act, the Secretary shall conduct a transition program to facilitate the phase-out of large-scale driftnet fishing and adoption of alternative fishing practices that minimize the incidental catch of living marine resources, and shall award grants to eligible permit holders who participate in the program.

“(2) **PERMISSIBLE USES.**—Any permit holder receiving a grant under paragraph (1) may use such funds only for the purpose of covering—

“(A) any fee originally associated with a permit authorizing participation in a large-scale driftnet fishery, if such permit is surrendered for permanent revocation, and such permit holder relinquishes any claim associated with the permit;

“(B) a forfeiture of fishing gear associated with a permit described in subparagraph (A); or

“(C) the purchase of alternative gear with minimal incidental catch of living marine resources, if the fishery participant is authorized to continue fishing using such alternative gears.

“(3) **CERTIFICATION.**—The Secretary shall certify that, with respect to each participant in the program under this subsection, any permit authorizing participation in a large-scale driftnet fishery has been permanently revoked and that no new permits will be issued to authorize such fishing.”.

(e) **EXCEPTION.**—Section 307(1)(M) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(1)(M)) is amended by inserting before the semicolon the following: “, unless such large-scale driftnet fishing—

“(i) deploys, within the exclusive economic zone, a net with a total length of less than two and one-half kilometers and a mesh size of 14 inches or greater; and

“(ii) is conducted within 5 years of the date of enactment of the Driftnet Modernization and Bycatch Reduction Act”.

(f) **FEEES.**—

(1) **IN GENERAL.**—The North Pacific Fishery Management Council may recommend, and the Secretary of Commerce may approve, regulations necessary for the collection of fees from charter vessel operators who guide recreational anglers who harvest Pacific halibut in International Pacific Halibut Commission regulatory areas 2C and 3A as those terms are defined in part 300 of title 50, Code of Federal Regulations (or any successor regulations).

(2) **USE OF FEES.**—Any fees collected under this subsection shall be available for the purposes of—

(A) financing administrative costs of the Recreational Quota Entity program;

(B) the purchase of halibut quota shares in International Pacific Halibut Commission regulatory areas 2C and 3A by the recreational quota entity authorized in part 679 of title 50, Code of Federal Regulations (or any successor regulations);

(C) halibut conservation and research; and

(D) promotion of the halibut resource by the recreational quota entity authorized in part 679 of title 50, Code of Federal Regulations (or any successor regulations).

(3) **LIMITATION ON COLLECTION AND AVAILABILITY.**—Fees shall be collected and available pursuant to this subsection only to the extent and in such amounts as provided in advance in appropriations Acts, subject to paragraph (4).

(4) **FEE COLLECTED DURING START-UP PERIOD.**—Notwithstanding paragraph (3), fees may be collected through the date of enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2022, and shall be available for obligation and remain available until expended.

SA 4084. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. 10. DEFINITION OF LAND USE REVENUE UNDER WEST LOS ANGELES LEASING ACT OF 2016.

Section 2(d)(2) of the West Los Angeles Leasing Act of 2016 (Public Law 114-226) is amended—

(1) in subparagraph (A), by striking “; and” and inserting a semicolon;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

“(B) any funds received as compensation for an easement described in subsection (e); and”.

SA 4085. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 XXVIII, add the following:

SEC. 2836. PROHIBITION ON CLOSING OR RELOCATING MARINE CORPS RECRUIT DEPOT IN SAN DIEGO, CALIFORNIA.

No Federal funds may be used to close or relocate the Marine Corps Recruit Depot in San Diego, California, or to conduct any planning or other activity related to such closure or relocation.

SA 4086. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. . PROTECTIONS FOR COVERED INDIVIDUALS.

Section 7211 of title 5, United States Code, is amended—

(1) by striking “The right of employees” and inserting the following:

“(a) **IN GENERAL.**—The right of covered individuals”; and

(2) by adding at the end the following:

“(b) **REMEDIES.**—

“(1) **ADMINISTRATIVE REMEDIES.**—

“(A) **IN GENERAL.**—A covered individual with respect to a Federal agency (other than a covered individual described in subparagraph (B), (C), or (D)) who is aggrieved by a violation of subsection (a) may seek corrective action under sections 1214 and 1221 in the same manner as an individual who is aggrieved by a prohibited personnel practice described in section 2302(b)(8).

“(B) **FBI EMPLOYEES.**—A covered individual with respect to the Federal Bureau of Investigation who is aggrieved by a violation of subsection (a) may seek corrective action under section 2303.

“(C) **INTELLIGENCE COMMUNITY EMPLOYEES.**—A covered individual with respect to a covered intelligence community element (as defined in section 1104(a) of the National Security Act of 1947 (50 U.S.C. 3234(a))) who is aggrieved by a violation of subsection (a) may seek corrective action under section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) or subsection (b)(7) or (j) of section 3001 of that Act (50 U.S.C. 3341).

“(D) **CONTRACTOR EMPLOYEES.**—A covered individual with respect to a Federal agency who is an employee of, former employee of, or applicant for employment with, a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of the agency and who is aggrieved by a violation of subsection (a) of this section may seek corrective action under section 2409 of title 10 or section 4712 of title 41.

“(E) **BURDEN OF PROOF.**—The burdens of proof under subsection (e) of section 1221 shall apply to an allegation of a violation of subsection (a) of this section made under subparagraph (A), (B), (C), or (D) of this paragraph in the same manner as those burdens of proof apply to an allegation of a prohibited personnel practice under such section 1221.

“(F) **CLASS OF INDIVIDUALS ENTITLED TO SEEK CORRECTIVE ACTION.**—The right to seek corrective action under subparagraph (A), (B), (C), or (D) shall apply to a covered individual who is an employee of, former employee of, or applicant for employment with, a Federal agency described in the applicable subparagraph or a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of such a Federal agency, notwithstanding the fact that a provision of law referenced in the applicable subparagraph does not authorize one or more of those types of covered individuals to seek corrective action.

“(2) **PRIVATE RIGHT OF ACTION.**—

“(A) **IN GENERAL.**—If a final decision providing relief for a violation of subsection (a) alleged under subparagraph (A), (B), (C), or (D) of paragraph (1) of this subsection is not issued within 210 days of the date on which the covered individual seeks corrective action under the applicable subparagraph and there is no showing that the delay is due to the bad faith of the covered individual, the

covered individual may bring an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over the action without regard to the amount in controversy, for lost wages and benefits, reinstatement, costs and attorney fees, compensatory damages, equitable or injunctive relief, or any other relief that the court considers appropriate.

“(B) JURY TRIAL.—An action brought under subparagraph (A) shall, upon the request of the covered individual, be tried by the court with a jury.

“(C) BURDEN OF PROOF.—The burdens of proof under subsection (e) of section 1221 shall apply to an allegation of a violation of subsection (a) of this section in an action brought under this paragraph in the same manner as those burdens of proof apply to an allegation of a prohibited personnel practice under such section 1221.

“(c) DEFINITIONS.—For purposes of this section—

“(1) the term ‘covered individual’, with respect to a Federal agency, means an employee of, former employee of, or applicant for employment with—

“(A) the agency; or

“(B) a contractor, subcontractor, grantee, subgrantee, or personal services contractor (as those terms are used in section 2409 of title 10 and section 4712 of title 41) of the agency; and

“(2) the term ‘Federal agency’ means an agency, office, or other establishment in the executive, legislative, or judicial branch of the Federal Government.”.

SA 4087. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. . ONE HEALTH CENTER OF EXCELLENCE.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”), in consultation with the Commissioner of Food and Drugs, the Center for Veterinary Medicine, and the Office of the Chief Scientist of the Food and Drug Administration, not later than 1 year after the date of enactment of this Act, shall establish within the Food and Drug Administration a One Health Center of Excellence for purposes of strengthening inter- and intra-agency actions with respect to emerging public health threats, as described in subsection (b).

(b) ACTIVITIES.—The activities of the One Health Center of Excellence shall include the following:

(1) Developing programs and enhancing strategies to research, monitor, prevent, and respond to emerging public health threats, such as zoonotic disease outbreaks, as well as other biological, chemical, and radiological threats to public health.

(2) Supporting recruitment and training for personnel engaged in such research, monitoring, prevention, and response efforts.

(3) Conducting, promoting, and supporting research regarding public health threats.

(4) Improving public awareness and understanding of a One Health approach.

(5) Facilitating collaborative relationships among—

(A) relevant Federal agencies, such as the Department of Agriculture, the Department of the Interior, the Department of Defense, the Department of Commerce, the Department of Homeland Security, the United States Agency for International Development, the Food and Drug Administration, the Centers for Disease Control and Prevention, the National Institutes of Health, and the Environmental Protection Agency;

(B) Tribal Nations;

(C) State and local public health veterinarians and wildlife officials; and

(D) other experts, as determined by the Secretary.

(c) PUBLIC PROCESS.—The Secretary shall provide a period for public comment during the time that the One Health Center of Excellence is being implemented.

(d) ANNUAL REPORT.—Not later than January 1 of the year that begins 1 year after the One Health Center of Excellence is implemented, and annually thereafter, the Secretary shall publish on the website of the Food and Drug Administration a report on the activities of the One Health Center of Excellence and recommendations for Congress regarding additional legislation that may be needed to prevent and respond to emerging public health threats.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SA 4088. Mrs. FEINSTEIN (for herself and Mr. SCHATZ) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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:

DIVISION E—CANNABIDIOL AND MARIHUANA RESEARCH EXPANSION

SEC. 5101. SHORT TITLE.

This division may be cited as the “Cannabidiol and Marihuana Research Expansion Act”.

SEC. 5102. DEFINITIONS.

In this division—

(1) the term “appropriately registered” means that an individual or entity is registered under the Controlled Substances Act (21 U.S.C. 801 et seq.) to engage in the type of activity that is carried out by the individual or entity with respect to a controlled substance on the schedule that is applicable to cannabidiol or marihuana, as applicable;

(2) the term “cannabidiol” means—

(A) the substance, cannabidiol, as derived from marihuana that has a delta-9-tetrahydrocannabinol level that is greater than 0.3 percent; and

(B) the synthetic equivalent of the substance described in subparagraph (A);

(3) the terms “controlled substance”, “dispense”, “distribute”, “manufacture”, “marihuana”, and “practitioner” have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802), as amended by this division;

(4) the term “covered institution of higher education” means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—

(A)(i) has highest or higher research activity, as defined by the Carnegie Classification of Institutions of Higher Education; or

(ii) is an accredited medical school or an accredited school of osteopathic medicine; and

(B) is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.);

(5) the term “drug” has the meaning given the term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1));

(6) the term “medical research for drug development” means medical research that is—

(A) a preclinical study or clinical investigation conducted in accordance with section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or otherwise permitted by the Department of Health and Human Services to determine the potential medical benefits of marihuana or cannabidiol as a drug; and

(B) conducted by a covered institution of higher education, practitioner, or manufacturer that is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.); and

(7) the term “State” means any State of the United States, the District of Columbia, and any territory of the United States.

TITLE LI—REGISTRATIONS FOR MARIHUANA RESEARCH

SEC. 5121. MARIHUANA RESEARCH APPLICATIONS.

Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by striking “(f) The Attorney General” and inserting “(f)(1) The Attorney General”;

(3) by striking “Registration applications” and inserting the following:

“(2)(A) Registration applications”;

(4) by striking “Article 7” and inserting the following:

“(3) Article 7”;

(5) by inserting after paragraph (2)(A), as so designated, the following:

“(B)(i) The Attorney General shall register a practitioner to conduct research with marihuana if—

“(I) the applicant’s research protocol—

“(aa) has been reviewed and allowed—

“(AA) by the Secretary of Health and Human Services under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i));

“(BB) by the National Institutes of Health or another Federal agency that funds scientific research; or

“(CC) pursuant to sections 1301.18 and 1301.32 of title 21, Code of Federal Regulations, or any successors thereto; and

“(II) the applicant has demonstrated to the Attorney General that there are effective procedures in place to adequately safeguard against diversion of the controlled substance for legitimate medical or scientific use pursuant to section 5125 of the Cannabidiol and Marihuana Research Expansion Act, including demonstrating that the security measures are adequate for storing the quantity of marihuana the applicant would be authorized to possess.

“(ii) The Attorney General may deny an application for registration under this subparagraph only if the Attorney General determines that the issuance of the registration would be inconsistent with the public interest. In determining the public interest, the Attorney General shall consider the factors listed in—

“(I) subparagraphs (B) through (E) of paragraph (1); and

“(II) subparagraph (A) of paragraph (1), if the applicable State requires practitioners conducting research to register with a board or authority described in such subparagraph (A).

“(iii)(I) Not later than 60 days after the date on which the Attorney General receives a complete application for registration under this subparagraph, the Attorney General shall—

“(aa) approve the application; or

“(bb) request supplemental information.

“(II) For purposes of subclause (I), an application shall be deemed complete when the applicant has submitted documentation showing that the requirements under clause (i) are satisfied.

“(iv) Not later than 30 days after the date on which the Attorney General receives supplemental information as described in clause (iii)(I)(bb) in connection with an application described in this subparagraph, the Attorney General shall approve or deny the application.

“(v) If an application described in this subparagraph is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.”.

SEC. 5122. RESEARCH PROTOCOLS.

(a) IN GENERAL.—Paragraph (2)(B) of section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)), as amended by section 5121 of this Act, is further amended by adding at the end the following:

“(vi)(I) If the Attorney General grants an application for registration under clause (i), the registrant may amend or supplement the research protocol without reapplying if the registrant does not change—

“(aa) the quantity or type of drug;

“(bb) the source of the drug; or

“(cc) the conditions under which the drug is stored, tracked, or administered.

“(II)(aa) If a registrant under clause (i) seeks to change the type of drug, the source of the drug, or conditions under which the drug is stored, tracked, or administered, the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

“(bb) A registrant may proceed with an amended or supplemental research protocol described in item (aa) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (aa).

“(cc) The Attorney General may only object to an amended or supplemental research protocol under this subclause if additional security measures are needed to safeguard against diversion or abuse.

“(dd) If a registrant under clause (i) seeks to address additional security measures identified by the Attorney General under item (cc), the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

“(ee) A registrant may proceed with an amended or supplemental research protocol described in item (dd) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (dd).

“(III)(aa) If a registrant under clause (i) seeks to change the quantity of marihuana needed for research and the change in quantity does not impact the factors described in item (bb) or (cc) of subclause (I) of this clause, the registrant shall notify the Attorney General via registered mail or using an

electronic means permitted by the Attorney General.

“(bb) A notification under item (aa) shall include—

“(AA) the Drug Enforcement Administration registration number of the registrant;

“(BB) the quantity of marihuana already obtained;

“(CC) the quantity of additional marihuana needed to complete the research; and

“(DD) an attestation that the change in quantity does not impact the source of the drug or the conditions under which the drug is stored, tracked, or administered.

“(cc) The Attorney General shall ensure that—

“(AA) any registered mail return receipt with respect to a notification under item (aa) is submitted for delivery to the registrant providing the notification not later than 3 days after receipt of the notification by the Attorney General; and

“(BB) notice of receipt of a notification using an electronic means permitted under item (aa) is provided to the registrant providing the notification not later than 3 days after receipt of the notification by the Attorney General.

“(dd)(AA) On and after the date described in subitem (BB), a registrant that submits a notification in accordance with item (aa) may proceed with the research as if the change in quantity has been approved on such date, unless the Attorney General notifies the registrant of an objection described in item (ee).

“(BB) The date described in this subitem is the date on which a registrant submitting a notification under item (aa) receives the registered mail return receipt with respect to the notification or the date on which the registrant receives notice that the notification using an electronic means permitted under item (aa) was received by the Attorney General, as the case may be.

“(ee) A notification submitted under item (aa) shall be deemed to be approved unless the Attorney General, not later than 10 days after receiving the notification, explicitly objects based on a finding that the change in quantity—

“(AA) does impact the source of the drug or the conditions under which the drug is stored, tracked, or administered; or

“(BB) necessitates that the registrant implement additional security measures to safeguard against diversion or abuse.

“(IV) Nothing in this clause shall limit the authority of the Secretary of Health and Human Services over requirements related to research protocols, including changes in—

“(aa) the method of administration of marihuana;

“(bb) the dosing of marihuana; and

“(cc) the number of individuals or patients involved in research.”.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this section.

SEC. 5123. APPLICATIONS TO MANUFACTURE MARIHUANA FOR RESEARCH.

(a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsections (c) through (k) as subsections (d) through (l), respectively;

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

“(c)(1)(A) As it relates to applications to manufacture marihuana for research purposes, if the Attorney General places a notice in the Federal Register to increase the number of entities registered under this Act to manufacture marihuana to supply appropriately registered researchers in the United

States, the Attorney General shall, not later than 60 days after the date on which the Attorney General receives a completed application—

“(i) approve the application; or

“(ii) request supplemental information.

“(B) For purposes of subparagraph (A), an application shall be deemed complete when the applicant has submitted documentation showing each of the following:

“(i) The requirements designated in the notice in the Federal Register are satisfied.

“(ii) The requirements under this Act are satisfied.

“(iii) The applicant will limit the transfer and sale of any marihuana manufactured under this subsection—

“(I) to researchers who are registered under this Act to conduct research with controlled substances in schedule I; and

“(II) for purposes of use in preclinical research or in a clinical investigation pursuant to an investigational new drug exemption under 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)).

“(iv) The applicant will transfer or sell any marihuana manufactured under this subsection only with prior, written consent for the transfer or sale by the Attorney General.

“(v) The applicant has completed the application and review process under subsection (a) for the bulk manufacture of controlled substances in schedule I.

“(vi) The applicant has established and begun operation of a process for storage and handling of controlled substances in schedule I, including for inventory control and monitoring security in accordance with section 5125 of the Cannabidiol and Marihuana Research Expansion Act.

“(vii) The applicant is licensed by each State in which the applicant will conduct operations under this subsection, to manufacture marihuana, if that State requires such a license.

“(C) Not later than 30 days after the date on which the Attorney General receives supplemental information requested under subparagraph (A)(ii) with respect to an application, the Attorney General shall approve or deny the application.

“(2) If an application described in this subsection is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.”;

(3) in subsection (h)(2), as so redesignated, by striking “subsection (f)” each place it appears and inserting “subsection (g)”;

(4) in subsection (j)(1), as so redesignated, by striking “subsection (d)” and inserting “subsection (e)”;

(5) in subsection (k), as so redesignated, by striking “subsection (f)” each place it appears and inserting “subsection (g)”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(A) in section 102 (21 U.S.C. 802)—

(i) in paragraph (16)(B)—

(I) in clause (i), by striking “or” at the end;

(II) by redesignating clause (ii) as (iii); and

(III) by inserting after clause (i) the following:

“(ii) the synthetic equivalent of hemp-derived cannabidiol that contains less than 0.3 percent tetrahydrocannabinol; or”;

(ii) in paragraph (52)(B)—

(I) by striking “303(f)” each place it appears and inserting “303(g)”;

(II) in clause (i), by striking “(d), or (e)” and inserting “(e), or (f)”;

(iii) in paragraph (54), by striking “303(f)” each place it appears and inserting “303(g)”;

(B) in section 302(g)(5)(A)(iii)(I)(bb) (21 U.S.C. 822(g)(5)(A)(iii)(I)(bb)), by striking “303(f)” and inserting “303(g)”;

(C) in section 304 (21 U.S.C. 824), by striking “303(g)(1)” each place it appears and inserting “303(h)(1)”;

(D) in section 307(d)(2) (21 U.S.C. 827(d)(2)), by striking “303(f)” and inserting “303(g)”;

(E) in section 309A(a)(2) (21 U.S.C. 829a(a)(2)), in the matter preceding subparagraph (A), by striking “303(g)(2)” and inserting “303(h)(2)”;

(F) in section 311(h) (21 U.S.C. 831(h)), by striking “303(f)” each place it appears and inserting “303(g)”;

(G) in section 401(h)(2) (21 U.S.C. 841(h)(2)), by striking “303(f)” each place it appears and inserting “303(g)”;

(H) in section 403(c)(2)(B) (21 U.S.C. 843(c)(2)(B)), by striking “303(f)” and inserting “303(g)”;

(I) in section 512(c)(1) (21 U.S.C. 882(c)(1)), by striking “303(f)” and inserting “303(g)”.

(2) Section 1008(c) of the Controlled Substances Import and Export Act (21 U.S.C. 958(c)) is amended—

(A) in paragraph (1), by striking “303(d)” and inserting “303(e)”;

(B) in paragraph (2)(B), by striking “303(h)” and inserting “303(i)”.

(3) Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended—

(A) in section 520E-4(c) (42 U.S.C. 290bb-36d(c)), by striking “303(g)(2)(B)” and inserting “303(h)(2)(B)”;

(B) in section 544(a)(3) (42 U.S.C. 290dd-3(a)(3)), by striking “303(g)” and inserting “303(h)”.

(4) Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended—

(A) in section 1833(bb)(3)(B) (42 U.S.C. 1395l(bb)(3)(B)), by striking “303(g)” and inserting “303(h)”;

(B) in section 1834(o)(3)(C)(ii) (42 U.S.C. 1395m(o)(3)(C)(ii)), by striking “303(g)” and inserting “303(h)”;

(C) in section 1866F(c)(3)(C) (42 U.S.C. 1395cc-6(c)(3)(C)), by striking “303(g)” and inserting “303(h)”.

(5) Section 1903(aa)(2)(C)(ii) of the Social Security Act (42 U.S.C. 1396b(aa)(2)(C)(ii)) is amended by striking “303(g)” each place it appears and inserting “303(h)”.

SEC. 5124. ADEQUATE AND UNINTERRUPTED SUPPLY.

On an annual basis, the Attorney General shall assess whether there is an adequate and uninterrupted supply of marihuana, including of specific strains, for research purposes.

SEC. 5125. SECURITY REQUIREMENTS.

(a) IN GENERAL.—An individual or entity engaged in researching marihuana or its components shall store it in a securely locked, substantially constructed cabinet.

(b) REQUIREMENTS FOR OTHER MEASURES.—Any other security measures required by the Attorney General to safeguard against diversion shall be consistent with those required for practitioners conducting research on other controlled substances in schedules I and II in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) that have a similar risk of diversion and abuse.

SEC. 5126. PROHIBITION AGAINST REINSTATING INTERDISCIPLINARY REVIEW PROCESS FOR NON-NIH-FUNDED RESEARCHERS.

The Secretary of Health and Human Services may not—

(1) reinstate the Public Health Service interdisciplinary review process described in the guidance entitled “Guidance on Procedures for the Provision of Marijuana for Medical Research” (issued on May 21, 1999); or

(2) require another review of scientific protocols that is applicable only to research on marihuana or its components.

TITLE LII—DEVELOPMENT OF FDA-APPROVED DRUGS USING CANNABIDIOL AND MARIHUANA

SEC. 5141. MEDICAL RESEARCH ON CANNABIDIOL.

Notwithstanding any provision of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), chapter 81 of title 41, United States Code, or any other Federal law, an appropriately registered covered institution of higher education, a practitioner, or a manufacturer may manufacture, distribute, dispense, or possess marihuana or cannabidiol if the marihuana or cannabidiol is manufactured, distributed, dispensed, or possessed, respectively, for purposes of medical research for drug development or subsequent commercial production in accordance with section 5142.

SEC. 5142. REGISTRATION FOR THE COMMERCIAL PRODUCTION AND DISTRIBUTION OF FOOD AND DRUG ADMINISTRATION-APPROVED DRUGS.

The Attorney General shall register an applicant to manufacture or distribute cannabidiol or marihuana for the purpose of commercial production of a drug containing or derived from marihuana that is approved by the Secretary of Health and Human Services under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), in accordance with the applicable requirements under subsection (a) or (b) of section 303 of the Controlled Substances Act (21 U.S.C. 823).

SEC. 5143. IMPORTATION OF CANNABIDIOL FOR RESEARCH PURPOSES.

The Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) is amended—

(1) in section 1002(a) (21 U.S.C. 952(a))—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2)(C), by inserting “and” after “uses.”;

(C) inserting before the undesignated matter following paragraph (2)(C) the following:

“(3) such amounts of marihuana or cannabidiol (as defined in section 5102 of the Cannabidiol and Marihuana Research Expansion Act) as are—

“(A) approved for medical research for drug development (as such terms are defined in section 5102 of the Cannabidiol and Marihuana Research Expansion Act), or

“(B) necessary for registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.);”;

(2) in section 1007 (21 U.S.C. 957), by amending subsection (a) to read as follows:

“(a)(1) Except as provided in paragraph (2), no person may—

“(A) import into the customs territory of the United States from any place outside thereof (but within the United States), or import into the United States from any place outside thereof, any controlled substance or list I chemical, or

“(B) export from the United States any controlled substance or list I chemical, unless there is in effect with respect to such person a registration issued by the Attorney General under section 1008, or unless such person is exempt from registration under subsection (b).

“(2) Paragraph (1) shall not apply to the import or export of marihuana or cannabidiol (as defined in section 5102 of the Cannabidiol and Marihuana Research Expansion Act) that has been approved for—

“(A) medical research for drug development authorized under section 5141 of the Cannabidiol and Marihuana Research Expansion Act; or

“(B) use by registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).”.

TITLE LIII—DOCTOR-PATIENT RELATIONSHIP

SEC. 5161. DOCTOR-PATIENT RELATIONSHIP.

It shall not be a violation of the Controlled Substances Act (21 U.S.C. 801 et seq.) for a State-licensed physician to discuss—

(1) the currently known potential harms and benefits of marihuana derivatives, including cannabidiol, as a treatment with the legal guardian of the patient of the physician if the patient is a child; or

(2) the currently known potential harms and benefits of marihuana and marihuana derivatives, including cannabidiol, as a treatment with the patient or the legal guardian of the patient of the physician if the patient is a legal adult.

TITLE LIV—FEDERAL RESEARCH

SEC. 5181. FEDERAL RESEARCH.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the Director of the National Institutes of Health and the heads of other relevant Federal agencies, shall submit to the Caucus on International Narcotics Control, the Committee on the Judiciary, and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on the Judiciary of the House of Representatives a report on—

(1) the potential therapeutic effects of cannabidiol or marihuana on serious medical conditions, including intractable epilepsy;

(2) the potential effects of marihuana, including—

(A) the effect of increasing delta-9-tetrahydrocannabinol levels on the human body and developing adolescent brains; and

(B) the effect of various delta-9-tetrahydrocannabinol levels on cognitive abilities, such as those that are required to operate motor vehicles or other heavy equipment; and

(3) the barriers associated with researching marihuana or cannabidiol in States that have legalized the use of such substances, which shall include—

(A) recommendations as to how such barriers might be overcome, including whether public-private partnerships or Federal-State research partnerships may or should be implemented to provide researchers with access to additional strains of marihuana and cannabidiol; and

(B) recommendations as to what safeguards must be in place to verify—

(i) the levels of tetrahydrocannabinol, cannabidiol, or other cannabinoids contained in products obtained from such States is accurate; and

(ii) that such products do not contain harmful or toxic components.

(b) ACTIVITIES.—To the extent practicable, the Secretary of Health and Human Services, either directly or through awarding grants, contacts, or cooperative agreements, shall expand and coordinate the activities of the National Institutes of Health and other relevant Federal agencies to better determine the effects of cannabidiol and marihuana, as outlined in the report submitted under paragraphs (1) and (2) of subsection (a).

SA 4089. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 X, add the following:

SEC. 10 _____. PROHIBITED USES OF ACQUIRED, DONATED, AND CONSERVATION LAND.

Section 714(a) of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–81c(a)) is amended by striking paragraph (3) and inserting the following:

“(3) CONSERVATION LAND.—The term ‘conservation land’ means—

“(A) any land within the Conservation Area that is designated to satisfy the conditions of a Federal habitat conservation plan, general conservation plan, or State natural communities conservation plan;

“(B) any national conservation land within the Conservation Area established pursuant to section 2002(b)(2)(D) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(b)(2)(D)); and

“(C) any area of critical environmental concern within the Conservation Area established pursuant to section 202(c)(3) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(3)).”.

SA 4090. Mrs. FISCHER (for herself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 title X, insert the following:

SEC. _____. ADVANCING IOT FOR PRECISION AGRICULTURE.

(a) SHORT TITLE.—This section may be cited as the “Advancing IoT for Precision Agriculture Act of 2021”.

(b) PURPOSE.—It is the purpose of this section to promote scientific research and development opportunities for connected technologies that advance precision agriculture capabilities.

(c) NATIONAL SCIENCE FOUNDATION DIRECTIVE ON AGRICULTURAL SENSOR RESEARCH.—In awarding grants under its sensor systems and networked systems programs, the Director of the National Science Foundation shall include in consideration of portfolio balance research and development on sensor connectivity in environments of intermittent connectivity and intermittent computation—

(1) to improve the reliable use of advance sensing systems in rural and agricultural areas; and

(2) that considers—

(A) direct gateway access for locally stored data;

(B) attenuation of signal transmission;

(C) loss of signal transmission; and

(D) at-scale performance for wireless power.

(d) UPDATING CONSIDERATIONS FOR PRECISION AGRICULTURE TECHNOLOGY WITHIN THE

NSF ADVANCED TECHNICAL EDUCATION PROGRAM.—Section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i) is amended—

(1) in subsection (d)(2)—

(A) in subparagraph (D), by striking “and” after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(F) applications that incorporate distance learning tools and approaches.”;

(2) in subsection (e)(3)—

(A) in subparagraph (C), by striking “and” after the semicolon;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(E) applications that incorporate distance learning tools and approaches.”; and

(3) in subsection (j)(1), by inserting “agricultural,” after “commercial.”.

(e) GAO REVIEW.—Not later than 18 months after the date of enactment of this section, the Comptroller General of the United States shall provide—

(1) a technology assessment of precision agriculture technologies, such as the existing use of—

(A) sensors, scanners, radio-frequency identification, and related technologies that can monitor soil properties, irrigation conditions, and plant physiology;

(B) sensors, scanners, radio-frequency identification, and related technologies that can monitor livestock activity and health;

(C) network connectivity and wireless communications that can securely support digital agriculture technologies in rural and remote areas;

(D) aerial imagery generated by satellites or unmanned aerial vehicles;

(E) ground-based robotics;

(F) control systems design and connectivity, such as smart irrigation control systems; and

(G) data management software and advanced analytics that can assist decision making and improve agricultural outcomes; and

(2) a review of Federal programs that provide support for precision agriculture research, development, adoption, education, or training, in existence on the date of enactment of this section.

SA 4091. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 sections 1031 through 1034 and insert the following:

SEC. 1031. PROHIBITION ON USE OF FUNDS TO OPERATE THE DETENTION FACILITY AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AFTER SEPTEMBER 30, 2023.

None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act may be used to operate the detention facility at United States Naval Station, Guantanamo Bay, Cuba, after September 30, 2023.

SEC. 1032. REPEAL OF PROHIBITIONS RELATING TO DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.—Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1953), as most recently amended by section 1041 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), is repealed.

(b) USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.—Section 1034 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1954), as most recently amended by section 1042 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), is repealed.

(c) USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.—Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1954), as most recently amended by section 1043 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283), is repealed.

SEC. 1033. REPEAL OF CERTAIN REQUIREMENTS FOR CERTIFICATIONS AND NOTIFICATIONS RELATING TO TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION.—Section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 969; 10 U.S.C. 801 note) is repealed.

(b) NOTIFICATION.—Section 308 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112-87; 125 Stat. 1883; 10 U.S.C. 801 note) is repealed.

SEC. 1034. REPEAL OF CHAPTER 47A OF TITLE 10, UNITED STATES CODE.

(a) IN GENERAL.—Subchapters I through VI and subchapter VIII of chapter 47A of title 10, United States Code, are repealed.

(b) CONFORMING AMENDMENTS TO SUBCHAPTER VII.—Subchapter VII of chapter 47A of such title is amended—

(1) in section 950d(a)(3), by inserting “(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022)” after “of this title”;

(2) in section 950f—

(A) in subsection (b)—

(i) in paragraph (2), by inserting “(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022)” after “of this title”; and

(ii) in paragraph (6)(B), by striking “section 949b(b)(4) of this title” and inserting “paragraph (7)”; and

(B) by adding at the end the following new paragraph:

“(7) No appellate military judge on the United States Court of Military Commission Review may be reassigned to other duties, except under circumstances as follows:

“(A) The appellate military judge voluntarily requests to be reassigned to other duties and the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, approves such reassignment.

“(B) The appellate military judge retires or otherwise separates from the armed forces.

“(C) The appellate military judge is reassigned to other duties by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, based on military necessity and such reassignment is consistent with service rotation regulations (to the extent such regulations are applicable).

“(D) The appellate military judge is withdrawn by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, for good cause consistent with applicable procedures under chapter 47 of this title (the Uniform Code of Military Justice).”;

(3) in section 950h(c), by inserting “(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022)” after “of this title”; and

(4) by adding at the end the following new section:

“§ 950k. Definition

“In this subchapter, the term ‘military commission under this chapter’ means a military commission under this chapter as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022.”.

(c) CLERICAL AMENDMENT.—The table of subchapters at the beginning of chapter 47A of such title is amended by striking the items relating to subchapters I through VI and subchapter VIII.

SA 4092. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 XII, add the following:

SEC. 1264. REPORT ON ALLEGATIONS OF WAR CRIMES AND TORTURE COMMITTED IN LIBYA.

(a) IN GENERAL.—Not later than 180 days after receiving a credible allegation of the commission of a covered offense, including from a nongovernmental organization that monitors violations of human rights, the Attorney General, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on such allegation, including a description of any challenges to prosecution.

(b) TERMINATION.—The reporting requirement under subsection (a) shall terminate on the date that is five years after the date of the enactment of this Act.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEE OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on the Judiciary, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) COVERED OFFENSE.—The term “covered offense” means an offense under section 2340A, 2441, or 2442 of title 18, United States Code, committed in Libya.

SA 4093. Mr. MARSHALL (for himself, Mr. LANKFORD, Mr. SCOTT of Florida, Mr. WICKER, Mr. TUBERVILLE, Mr. CRUZ, Mr. JOHNSON, Mr. CRAMER, and Mr. KENNEDY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 VII, add the following:

SEC. 744. PROHIBITION ON ADVERSE PERSONNEL ACTIONS TAKEN AGAINST MEMBERS OF THE ARMED FORCES BASED ON DECLINING COVID-19 VACCINE.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1107a the following new section:

“§ 1107b. Prohibition on certain adverse personnel actions related to COVID-19 vaccine requirement

“Notwithstanding any other provision of law, a member of the armed forces subject to discharge on the basis of the member choosing not to receive the COVID-19 vaccine may only receive an honorable discharge.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1107a the following new item:

“1107b. Prohibition on certain adverse personnel actions related to COVID-19 vaccine requirement.”.

(c) APPLICABILITY.—The prohibition under section 1107b of title 10, United States Code, as added by subsection (a), shall apply with respect to any discharge received on or after December 11, 2020.

SA 4094. Ms. ROSEN (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 B of title III, insert the following:

SEC. 318. PILOT PROGRAM TO TEST NEW SOFTWARE TO TRACK GREENHOUSE GAS EMISSIONS AT CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense may conduct a pilot program to be known as the Installations Emissions Tracking Program to evaluate the feasibility and effectiveness of using software and emerging technologies, methodologies, and capabilities to track real-time greenhouse gas emissions from installations of the Department of Defense and assets of such installations (in this section referred to as the “Program”).

(b) GOALS.—The goals of the Program are—

- (1) to evaluate whether software and emerging technologies, methodologies, and capabilities are able to effectively track greenhouse gas emissions at installations of the Department and assets of such installations in real time; and
- (2) to reduce energy costs and increase efficiencies of such installations and assets.

(c) LOCATIONS.—If the Secretary conducts the Program, the Secretary shall select for participation in the Program four major installations of the Department, as determined by the Secretary, located in different geographical regions of the United States that the Secretary determines—

- (1) are prone to producing higher greenhouse gas emissions than the average installation of the Department;
- (2) are in regions that historically have poor air quality; and
- (3) have historically higher than average utility costs as compared to other installations of the Department.

(1) are prone to producing higher greenhouse gas emissions than the average installation of the Department;

SA 4095. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. . . . PROVISION OF ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST RESULTS TO LOCAL WORKFORCE DEVELOPMENT BOARDS.

(a) IN GENERAL.—The Secretary of Defense shall, not later than 30 days after receiving the results of an Armed Services Vocational Aptitude Battery test for a student, provide such results to each local workforce development board selected to receive such results by the student.

(b) LOCAL WORKFORCE DEVELOPMENT BOARD.—In this section, the term “local workforce development board” has the meaning given the term “local board” in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

SA 4096. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 E of title V, add the following:

SEC. 576. REPORT ON STATUS OF ARMY TUITION ASSISTANCE PROGRAM ARMY IGNITED PROGRAM.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report on the status of the Army IgnitED program of the Army’s Tuition Assistance Program.

(b) ELEMENTS.—The report required under subsection (a) shall describe—

(1) the estimated date when the Army IgnitED program will be fully functional;

(2) the estimated date when service members will be reimbursed for out of pocket expenses caused by processing delays and errors under the Army IgnitED program; and

(3) the estimated date when institutions of higher education will be fully reimbursed for all costs typically provided through the Tuition Assistance Program but delayed due to processing delays and errors under the Army IgnitED program.

SA 4097. Mr. LANKFORD (for himself and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . EXECUTIVE ORDERS 14042 AND 14043.

The provisions of Executive Order 14042 (86 Fed. Reg. 50985; relating to ensuring adequate COVID safety protocols for Federal contractors) and Executive Order 14043 (86 Fed. Reg. 50989; relating to requiring Coronavirus Disease 2019 vaccination for Federal employees) are rescinded and shall have no force or effect.

SA 4098. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 title X, insert the following:

SEC. ____ . USE OF SCIENTIFIC INFORMATION IN RULEMAKING.

Section 553 of title 5, United States Code, is amended by adding at the end the following:

“(f) To the extent that an agency makes a decision based on science when issuing a rule under this section, the agency shall use scientific information, technical procedures, measures, methods, protocols, methodologies, or models, employed in a manner consistent with the best available science, and shall consider as applicable—

“(1) the extent to which the scientific information, technical procedures, measures, methods, protocols, methodologies, or models employed to generate the information are reasonable for and consistent with the intended use of the information;

“(2) the extent to which the information is relevant for use by the head of the agency in making a decision related to issuing the rule;

“(3) the degree of clarity and completeness with which the data, assumptions, methods, quality assurance, and analyses employed to generate the information are documented;

“(4) the extent to which the variability and uncertainty in the information, or in the procedures, measures, methods, protocols,

methodologies, or models, are evaluated and characterized; and

“(5) the extent of independent verification or peer review of the information or of the procedures, measures, methods, protocols, methodologies, or models.

“(g) An agency shall make a decision described in subsection (f) based on the weight of the scientific evidence.

“(h) Each agency shall make available to the public—

“(1) all notices, determinations, findings, rules, consent agreements, and orders of the head of the agency in connection with a rule;

“(2) a nontechnical summary of each risk evaluation conducted in connection with a rule; and

“(3) a list of the studies considered by the agency in carrying out each risk evaluation described in paragraph (2), along with the results of those studies.”.

SA 4099. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . BLENDED FEDERAL WORKFORCE.

(a) IN GENERAL.—Section 1103(c) of title 5, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “(c)(1)” and inserting “(c)(1)(A)”; and

(B) by adding at the end the following:

“(B)(i) The Office of Personnel Management shall collect from Executive agencies, other than elements of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), on at least an annual basis the following:

“(I) The total number of persons employed directly by the Executive agency.

“(II) The total number of prime contractor employees and subcontractor employees, as those terms are defined in section 8701 of title 41, issued credentials allowing access to Executive agency property or computer systems.

“(III) The total number of employees of Federal grant and cooperative agreement recipients, as those legal instruments are described in sections 6304 and 6305 of title 31, respectively, who are issued credentials allowing access to Executive agency property or computer systems.

“(IV) A total count of the workforce, including employees, prime contractor employees, subcontractor employees, grantee employees, and cooperative agreement employees.

“(i) The Office of Personnel Management shall compile the data collected under clause (i) and issue, and post on its website, an annual report containing the data.”; and

(2) in paragraph (2), by striking “paragraph (1)” and inserting “paragraph (1)(A)”.

(b) SENSE OF CONGRESS ON EFFECTIVE AND EFFICIENT MANAGEMENT OF THE BLENDED FEDERAL WORKFORCE.—

(1) DEFINITION.—In this subsection, the term “Executive agency” has the meaning given the term in section 105 of title 5, United States Code.

(2) FINDINGS.—Congress finds the following:

(A) The implementation of Federal laws and the competent administration of Federal

programs require skilled and capable personnel.

(B) Executive agencies depend on a blended workforce that includes Federal employees, employees of prime contractors and subcontractors performing services to Executive agencies, and employees of State or local governments, nonprofit organizations, or institutions of higher education performing services to Executive agencies under the terms of grants and cooperative agreements (in this subsection referred to as “grantees”), all of whom make essential contributions to achieving the missions of the Government in service to the people of the United States.

(C) Approximately 2,000,000 Federal employees help to execute the laws of the United States, supplemented by an unknown number, estimated to exceed 5,000,000, of employees of prime contractors, subcontractors, and grantees providing services to Executive agencies.

(D) Policymakers, Executive agencies, and observers have often focused on individual components of the blended workforce, such as employees, without considering all components or considering the entire blended workforce and how all 3 components can work most effectively together.

(E) Executive agencies inhibit their own workforce planning and risk making decisions that may reduce the overall efficiency and cost effectiveness of the blended workforce by focusing on only 1 component in isolation.

(F) Establishing artificial limits on headcounts or full-time equivalent positions for Federal employees, administrators, and managerial employees of Executive agencies may discourage the employment of interns or entry-level employees to build a balanced employment pipeline and may inadvertently encourage managers to shift work to contractors and grantees for the purpose of complying with such numerical limits, even if those decisions are not justified by an approach to improve the efficiency or cost effectiveness of the Executive agency’s work.

(G) The Government Accountability Office has identified strategic human capital management as a high-risk area for the Federal Government, adding that critical skills gaps “impede the government from cost-effectively serving the public and achieving results”.

(3) SENSE OF CONGRESS.—It is the sense of Congress that Executive agencies should—

(A) manage the entire Federal blended workforce, including employees, contractors, and grantees, using a comprehensive and holistic approach to advance their missions as effectively and cost efficiently as possible, within appropriated budgets and without using artificial numerical limits on headcounts or full-time-equivalent positions; and

(B) conduct a holistic review of their blended workforce and develop a comprehensive plan to ensure an efficient and cost-effective blended workforce.

SA 4100. Mr. LANKFORD (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 B of title X, add the following:

SEC. 1013. RESUMPTION OF BORDER WALL CONSTRUCTION.

(a) FINDINGS.—Congress finds that—

(1) more than 1,700,000 migrants were encountered trying to illegally enter the United States during fiscal year 2021, which represents the highest number of illegal border crossings ever recorded by U.S. Customs and Border Protection;

(2) at least 1,300,000 migrants have illegally crossed the international border between the United States and Mexico since President Biden suspended border wall construction, which represents a 314 percent increase in illegal border crossings compared to fiscal year 2020;

(3) the actual number of migrants who illegally crossed the international border between the United States and Mexico and bypassed law enforcement during fiscal year 2021 is unknown;

(4) U.S. Customs and Border Protection set twenty year records for encountering the highest number of illegal border crossers per month in March 2021, April 2021, May 2021, June 2021, and July 2021;

(5) President Biden's efforts to suspend or terminate border wall construction have cost taxpayers between \$1,837,000,000 and \$2,087,000,000 since January 20, 2021, and such costs are increasing by at least \$3,000,000 daily;

(6) Congress has voted multiple times, on a bipartisan basis, to authorize the construction of a border wall system along the international border between the United States and Mexico; and

(7) a border wall system is an effective tool for enhancing border security.

(b) RESUMPTION OF BORDER WALL CONSTRUCTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law—

(A) all contracts entered into by the Secretary of Homeland Security, the Commissioner of U.S. Customs and Border Protection, the Commanding General of the Army Corps of Engineers, the Secretary of Defense, or any other Federal official for the purposes of constructing a barrier along the southwest land border of the United States shall be carried out according to the terms and conditions that were in effect on or before January 19, 2021; and

(B) all materials acquired by the Department of Homeland Security (including U.S. Customs and Border Protection), the Department of Defense (including the Army Corps of Engineers), or any other Federal agency for the construction of a barrier along the southwest land border of the United States shall remain under the custody of the agency that acquired such materials.

(2) EXECUTION OF CONTRACTS.—Any Federal agency that has acquired any materials described in the paragraph (1)(B) shall carry out all contracts involving such materials according to the terms and conditions that were in effect on or before January 19, 2021.

(3) RENEWAL OF CONTRACTS.—The Department of Homeland Security (including U.S. Customs and Border Protection), the Department of Defense (including the Army Corps of Engineers), and any other Federal agency that has terminated contracts pursuant to Presidential Proclamation 10142 (86 Fed. Reg. 7225) shall make every effort to renew and reenter such contracts according to the terms and conditions that were in effect on or before January 19, 2021.

(c) REPORT.—Not later than 90 days after the date of the enactment of the Act, the Director of the Office of Management and Budget, the Secretary of Homeland Security, the Commanding General of the Army Corps of Engineers, and the Secretary of Defense

shall jointly submit a written report to the Committee on Appropriations of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Appropriations of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on Oversight and Reform of the House of Representatives that—

(1) identifies the contracts for border wall construction that have been terminated;

(2) calculates all of the costs incurred as a result of such terminations, including the costs for make safe and site security activities;

(3) identifies all of the materials that were liquidated as excess, including the initial purchase price and the sale price for such materials;

(4) identifies all of the lands that were liquidated as excess; including the initial purchase price and the sale price for such lands; and

(5) includes copies of any analysis or legal opinions that were developed to support the implementation of Presidential Proclamation 10142 (86 Fed. Reg. 7225).

(d) MONTHLY CERTIFICATIONS.—The Secretary of Homeland Security, the Commanding General of the Army Corps of Engineers, and the Secretary of Defense shall each submit a monthly certification to Congress that their respective departments are in fully compliance with the requirements of this section.

SA 4101. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . FLEXIBILITY FOR TEMPORARY AND TERM APPOINTMENTS.

(a) TEMPORARY AND TERM APPOINTMENTS.—Subchapter I of chapter 31 of title 5, United States Code, is amended by adding at the end the following:

“§3117. Temporary and term appointments

“(a) DEFINITIONS.—In this section:

“(1) DIRECTOR.—The term ‘Director’ means the Director of the Office of Personnel Management.

“(2) TEMPORARY APPOINTMENT.—The term ‘temporary appointment’ means an appointment in the competitive service for a period of not more than 1 year.

“(3) TERM APPOINTMENT.—The term ‘term appointment’ means an appointment in the competitive service for a period of more than 1 year and not more than 5 years.

“(b) APPOINTMENT.—

“(1) IN GENERAL.—The head of an Executive agency may make a temporary appointment or term appointment to a position in the competitive service when the need for the services of an employee in the position is not permanent.

“(2) EXTENSION.—Under conditions prescribed by the Director, the head of an Executive agency may—

“(A) extend a temporary appointment made under paragraph (1) in increments of not more than 1 year each, up to a maximum of 3 total years of service; and

“(B) extend a term appointment made under paragraph (1) in increments determined appropriate by the head of the Executive agency, up to a maximum of 6 total years of service.

“(c) APPOINTMENTS FOR CRITICAL HIRING NEEDS.—

“(1) IN GENERAL.—Under conditions prescribed by the Director, the head of an Executive agency may make a noncompetitive temporary appointment, or a noncompetitive term appointment for a period of not more than 18 months, to a position in the competitive service for which a critical hiring need exists, as determined under section 3304, without regard to the requirements of sections 3327 and 3330.

“(2) NO EXTENSIONS.—An appointment made under paragraph (1) may not be extended.

“(d) REGULATIONS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Director may prescribe regulations to carry out this section.

“(2) APPLICATION.—Any regulations prescribed by the Director for the administration of this section shall not apply to the Secretary of Defense in the exercise of the authorities granted under section 1105 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2447).

“(e) SPECIAL PROVISION REGARDING THE DEPARTMENT OF DEFENSE.—Nothing in this section shall preclude the Secretary of Defense from making temporary and term appointments in the competitive service pursuant to section 1105 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2447).

“(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the authorities granted under section 3109.”.

(b) CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 31 of title 5, United States Code, is amended by inserting after the item relating to section 3116 the following:

“3117. Temporary and term appointments.”.

SA 4102. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . REQUIREMENT TO POST A 100 WORD SUMMARY TO REGULATIONS.GOV.

Section 553(b) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (3) the following:

“(4) the Internet address of a summary of not more than 100 words in length of the proposed rule, in plain language, that shall be posted on the Internet website under section 206(d) of the E-Government Act of 2002 (44 U.S.C. 3501 note) (commonly known as regulations.gov).”.

SA 4103. Mr. LANKFORD submitted an amendment intended to be proposed

to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 VII, add the following:

SEC. 744. CONSCIENCE PROTECTIONS FOR MEMBERS OF ARMED FORCES WHO PROVIDE OR ASSIST WITH PROVISION OF HEALTH CARE.

(a) IN GENERAL.—The Secretary of Defense shall not take any adverse action against a member of the Armed Forces who provides or assists in the provision of health care for the Department of Defense (including as a behavioral, mental, or physical health professional) on the basis that such member declines to perform, assist, refer for, or otherwise participate in a particular medical procedure, counseling activity, or course of treatment because of a sincere religious belief or moral conviction of such member or because the particular medical procedure, counseling activity, or course of treatment would, in the professional medical judgment of such member, be harmful to the patient.

(b) NO IMPACT ON CARE.—The Secretary shall ensure that no patient is unduly delayed in receiving any medically indicated care they are otherwise eligible to receive, including preventative, emergency, and routine care, because of compliance by the Secretary with subsection (a).

(c) ADVERSE ACTION DEFINED.—In this section, the term “adverse action” includes any adverse personnel action, discrimination, or denial of promotion, schooling, training, or assignment.

SA 4104. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 X, add the following:

SEC. 1036. BRIEFING REQUIREMENTS RELATING TO TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) IN GENERAL.—Section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 969; 10 U.S.C. 801 note) is amended—

(1) in the section heading, by striking “PRIOR REQUIREMENTS FOR CERTIFICATIONS” and inserting “REQUIREMENTS FOR CERTIFICATIONS AND BRIEFINGS”;

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following new subsection (f):

“(f) BRIEFINGS.—

“(1) IN GENERAL.—Whenever the Secretary makes a certification under subsection (b) with respect to an individual detained at Guantanamo, the Secretary shall provide to the appropriate committees of Congress a

classified briefing on the restrictions of the transfer of the individual—

“(A) before the transfer; and

“(B) after the transfer has been completed.

“(2) ELEMENTS.—Each briefing required by paragraph (1) shall address the threat posed by the individual to the national security of the United States.”.

(b) CONFORMING AMENDMENT.—Section 1034(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1954) is amended by striking “section 1034(f)(2)” and inserting “section 1034(g)”.

SA 4105. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 E of title XII, add the following:

SEC. 1253. ENSURING RELIABLE SUPPLY OF RARE EARTH MINERALS.

(a) FINDINGS.—Congress makes the following findings:

(1) The People’s Republic of China is the global leader in mining, refining, and component manufacturing of rare earth elements, producing approximately 85 percent of the world’s supply between 2011 and 2017.

(2) In 2019, the United States imported an estimated 80 percent of its rare earth compounds from the People’s Republic of China.

(3) On March 26, 2014, the World Trade Organization ruled that the People’s Republic of China’s export restraints on rare earth minerals violated its obligations under its protocol of accession to the World Trade Organization, thereby harming United States manufacturers and workers.

(4) The Chinese Communist Party has threatened to leverage the People’s Republic of China’s dominant position in the rare earth market to “strike back” at the United States.

(5) The Quadrilateral Security Dialogue is an effective partnership for reliable multilateral financing, development, and distribution of goods for global consumption, as evidenced by the Quad Vaccine Partnership announced on March 12, 2021.

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

(1) the People’s Republic of China’s dominant share of the global rare earth mining market is a threat to the economic stability, well being, and competitiveness of key industries in the United States;

(2) the United States should reduce reliance on the People’s Republic of China for rare earth minerals through—

(A) strategic investments in development projects, production technologies, and refining facilities in the United States; or

(B) in partnership with strategic allies of the United States that are reliable trading partners, including members of the Quadrilateral Security Dialogue; and

(3) the United States Trade Representative should initiate multilateral talks among the countries of the Quadrilateral Security Dialogue to promote shared investment and development of rare earth minerals.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the United States Trade Representative, in

consultation with the officials specified in paragraph (3), shall submit to the appropriate congressional committees a report on the work of the Trade Representative to address the national security threat posed by the People’s Republic of China’s control of nearly ¾ of the global supply of rare earth minerals.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a description of the extent of the engagement of the United States with the other countries of the Quadrilateral Security Dialogue to promote shared investment and development of rare earth minerals during the period beginning on the date of the enactment of this Act and ending on the date of the report; and

(B) a description of the plans of the President to leverage the partnership of the countries of the Quadrilateral Security Dialogue to produce a more reliable and secure global supply chain of rare earth minerals.

(3) OFFICIALS SPECIFIED.—The official specified in this paragraph are the following:

(A) The Secretary of State.

(B) The Secretary of Commerce.

(C) The Chief Executive Officer of the United States International Development Finance Corporation.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Finance, the Committee on Foreign Relations, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Ways and Means, the Committee on Foreign Affairs, and the Committee on Energy and Commerce of the House of Representatives.

SA 4106. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 E of title XII, add the following:

SEC. 1253. SENSE OF CONGRESS ON INCREASING PORT AND AIRFIELD CAPACITY OF COUNTRIES IN INDO-PACIFIC REGION.

It is the sense of Congress that, as the People’s Republic of China continues to grow in influence through infrastructure (specifically infrastructure that can easily be shifted from economic to military uses), the United States International Development Finance Corporation should prioritize providing alternative financing opportunities that increase port and air field capacity of countries throughout the Indo-Pacific region that—

(1) are targets of the predatory infrastructure development scheme of the People’s Republic of China; and

(2) are eligible for support provided by the Corporation under title II of the Better Utilization of Investments Leading to Development Act of 2018 (22 U.S.C. 9621 et seq.).

SA 4107. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed

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 VII, add the following:

SEC. 744. LIMITATION ON MEDICAL RESEARCH TO ADDRESS CONDITIONS RELATED TO SERVICE IN THE ARMED FORCES.

Section 2358(c) of title 10, United States Code, is amended—

(1) by striking the period at the end and inserting “; or”;

(2) by striking “to finance any research” and inserting “to finance—

“(1) any research”; and

(3) by adding at the end the following new paragraph:

“(2) any medical research project unless the project directly addresses treatment of diseases, injuries, or illnesses related to service in the Armed Forces.”.

SA 4108. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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:

SECTION _____. EXPEDITED HIRING AUTHORITY.

(a) EXPEDITED HIRING AUTHORITY FOR COLLEGE GRADUATES.—Section 3115(e)(1) of title 5, United States Code, is amended by striking “15 percent” and inserting “25 percent”.

(b) EXPEDITED HIRING AUTHORITY FOR POST-SECONDARY STUDENTS.—Section 3116(d)(1) of title 5, United States Code, is amended by striking “15 percent” and inserting “25 percent”.

SA 4109. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. _____. CRITERIA FOR GRANTING DIRECT-HIRE AUTHORITY TO AGENCIES.

Section 3304(a)(3)(B) of title 5, United States Code, is amended by striking “shortage of candidates” and all that follows through “highly qualified candidates” and inserting “shortage of highly qualified candidates”.

SA 4110. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed

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. _____. NONCOMPETITIVE ELIGIBILITY FOR HIGH-PERFORMING CIVILIAN EMPLOYEES.

(a) DEFINITIONS.—In this section—

(1) the term “competitive service” has the meaning given the term in section 2102 of title 5, United States Code; and

(2) the term “Executive agency” has the meaning given the term in section 105 of title 5, United States Code.

(b) REGULATIONS.—Under such regulations as the Director of the Office of Personnel Management shall issue, an Executive agency may noncompetitively appoint, for other than temporary employment, to a position in the competitive service any individual who—

(1) is certified by the Director as having been a high-performing employee in a former position in the competitive service;

(2) has been separated from the former position described in paragraph (1) for less than 6 years; and

(3) is qualified for the new position in the competitive service, as determined by the head of the Executive agency making the noncompetitive appointment.

(c) LIMITATION ON AUTHORITY.—An individual may not be appointed to a position under subsection (b) more than once.

(d) DESIGNATION OF HIGH-PERFORMING EMPLOYEES.—The Director of the Office of Personnel Management shall, in the regulations issued under subsection (b), set forth the criteria for certifying an individual as a “high-performing employee” in a former position, which shall be based on—

(1) the final performance appraisal of the individual in that former position; and

(2) a recommendation by the immediate or other supervisor of the individual in that former position.

SA 4111. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 X, add the following:

SEC. 1036. REVIEW AND APPROVAL BY SECRETARY OF DEFENSE OF TRANSFER OF DETAINEES FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) REVIEW AND APPROVAL.—The Secretary of Defense shall review and approve any transfer of an individual detained at Guantanamo from United States Naval Station, Guantanamo Bay, Cuba.

(b) TRANSFER AGREEMENTS.—The Secretary shall sign any agreement relating to the transfer of an individual detained at Guantanamo from United States Naval Station, Guantanamo Bay.

(c) NONDELEGATION.—The Secretary may not delegate any responsibility under subsection (a) or (b).

(d) REPORT REQUIRED.—

(1) IN GENERAL.—During the five-year period beginning on the date on which an individual detained at Guantanamo is transferred from United States Naval Station, Guantanamo Bay, the Secretary shall annually submit to Congress a report on the whereabouts and activities of the individual.

(2) FORM.—Each report required by paragraph (1) shall be submitted in classified form.

(e) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term “individual detained at Guantanamo” means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay.

SA 4112. Mr. KING (for himself, Mr. ROUNDS, Mr. SASSE, Ms. ROSEN, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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:

DIVISION E—DEFENSE OF UNITED STATES INFRASTRUCTURE

SEC. 5001. SHORT TITLE.

This division may be cited as the “Defense of United States Infrastructure Act of 2021”.

SEC. 5002. DEFINITIONS.

In this division:

(1) CRITICAL INFRASTRUCTURE.—The term “critical infrastructure” has the meaning given such term in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(2) CYBERSECURITY RISK.—The term “cybersecurity risk” has the meaning given such term in section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(3) DEPARTMENT.—The term “Department” means the Department of Homeland Security.

(4) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

TITLE LI—INVESTING IN CYBER RESILIENCY IN CRITICAL INFRASTRUCTURE

SEC. 5101. NATIONAL RISK MANAGEMENT CYCLE.

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

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

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

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

(i) by striking “section 2215” and inserting “section 2217”; and

(ii) by striking “and” at the end; and

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

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

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

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

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

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

(7) by adding at the end the following:

“SEC. 2220A. NATIONAL RISK MANAGEMENT CYCLE.

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

“(b) NATIONAL RISK MANAGEMENT CYCLE.—**(1) RISK IDENTIFICATION AND ASSESSMENT.**—

“(A) IN GENERAL.—The Secretary, acting through the Director, shall establish a recurring process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, the associated likelihoods, vulnerabilities, and consequences, and the resources necessary to address them.

“(B) CONSULTATION.—In establishing the process required under subparagraph (A), the Secretary shall consult with, and request and collect information to support analysis from, Sector Risk Management Agencies, critical infrastructure owners and operators, the Assistant to the President for National Security Affairs, the Assistant to the President for Homeland Security, and the National Cyber Director.

“(C) PUBLICATION.—Not later than 180 days after the date of enactment of this section, the Secretary shall publish in the Federal Register procedures for the process established under subparagraph (A), subject to any redactions the Secretary determines are necessary to protect classified or other sensitive information.

“(D) REPORT.—The Secretary shall submit to the President, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Homeland Security of the House of Representatives a report on the risks identified by the process established under subparagraph (A)—

“(i) not later than 1 year after the date of enactment of this section; and

“(ii) not later than 1 year after the date on which the Secretary submits a periodic evaluation described in section 9002(b)(2) of title XC of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283).

“(2) NATIONAL CRITICAL INFRASTRUCTURE RESILIENCE STRATEGY.—

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

“(B) ELEMENTS.—Each strategy delivered under subparagraph (A) shall—

“(i) identify, assess, and prioritize areas of risk to critical infrastructure that would compromise or disrupt national critical functions impacting national security, economic security, or public health and safety;

“(ii) assess the implementation of the previous national critical infrastructure resilience strategy, as applicable;

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

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

“(v) request any additional authorities necessary to successfully execute the strategy.

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

“(3) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date on which the President delivers a strategy under this section, and every year thereafter, the Secretary, in coordination with Sector Risk Management Agencies, shall brief the appropriate committees of Congress on—

“(A) the national risk management cycle activities undertaken pursuant to the strategy; and

“(B) the amounts and timeline for funding that the Secretary has determined would be necessary to address risks and successfully execute the full range of activities proposed by the strategy.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by striking the item relating to section 2214 and all that follows through the item relating to section 2217 and inserting the following:

“Sec. 2214. National Asset Database.

“Sec. 2215. Duties and authorities relating to .gov internet domain.

“Sec. 2216. Joint Cyber Planning Office.

“Sec. 2217. Cybersecurity State Coordinator.

“Sec. 2218. Sector Risk Management Agencies.

“Sec. 2219. Cybersecurity Advisory Committee.

“Sec. 2220. Cybersecurity education and training programs.

“Sec. 2220A. National risk management cycle.”

(2) ADDITIONAL TECHNICAL AMENDMENT.—

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

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

TITLE LII—IMPROVING THE ABILITY OF THE FEDERAL GOVERNMENT TO ASSIST IN ENHANCING CRITICAL INFRASTRUCTURE CYBER RESILIENCE

SEC. 5201. INSTITUTE A 5-YEAR TERM FOR THE DIRECTOR OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) IN GENERAL.—Subsection (b)(1) of section 2202 of the Homeland Security Act of 2002 (6 U.S.C. 652), is amended by inserting “The term of office of an individual serving as Director shall be 5 years.” after “who shall report to the Secretary.”

(b) TRANSITION RULES.—The amendment made by subsection (a) shall take effect on the first appointment of an individual to the position of Director of the Cybersecurity and Infrastructure Security Agency, by and with the advice and consent of the Senate, that is

made on or after the date of enactment of this Act.

SEC. 5202. PILOT PROGRAM ON CYBER THREAT INFORMATION COLLABORATION ENVIRONMENT.

(a) DEFINITIONS.—In this section:

(1) CRITICAL INFRASTRUCTURE INFORMATION.—The term “critical infrastructure information” has the meaning given such term in section 2222 of the Homeland Security Act of 2002 (6 U.S.C. 671).

(2) CYBER THREAT INDICATOR.—The term “cyber threat indicator” has the meaning given such term in section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501).

(3) CYBERSECURITY THREAT.—The term “cybersecurity threat” has the meaning given such term in section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501).

(4) ENVIRONMENT.—The term “environment” means the information collaboration environment established under subsection (b).

(5) INFORMATION SHARING AND ANALYSIS ORGANIZATION.—The term “information sharing and analysis organization” has the meaning given such term in section 2222 of the Homeland Security Act of 2002 (6 U.S.C. 671).

(6) NON-FEDERAL ENTITY.—The term “non-Federal entity” has the meaning given such term in section 102 of the Cybersecurity Act of 2015 (6 U.S.C. 1501).

(b) PILOT PROGRAM.—The Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, the Director of the National Security Agency, and the Attorney General shall carry out a pilot program under which the Secretary shall develop an information collaboration environment and associated analytic tools that enable Federal and non-Federal entities to identify, mitigate, and prevent malicious cyber activity to—

(1) provide limited access to appropriate and operationally relevant data from unclassified and classified intelligence about cybersecurity risks and cybersecurity threats, as well as malware forensics and data from network sensor programs, on a platform that enables query and analysis;

(2) enable cross-correlation of data on cybersecurity risks and cybersecurity threats at the speed and scale necessary for rapid detection and identification;

(3) facilitate a comprehensive understanding of cybersecurity risks and cybersecurity threats; and

(4) facilitate collaborative analysis between the Federal Government and public and private sector critical infrastructure entities and information and analysis organizations.

(c) IMPLEMENTATION OF INFORMATION COLLABORATION ENVIRONMENT.—

(1) EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Secretary, acting through the Director of the Cybersecurity and Infrastructure Security Agency, and in coordination with the Secretary of Defense, the Director of National Intelligence, the Director of the National Security Agency, and the Attorney General, shall—

(A) identify, inventory, and evaluate existing Federal sources of classified and unclassified information on cybersecurity threats;

(B) evaluate current programs, applications, or platforms intended to detect, identify, analyze, and monitor cybersecurity risks and cybersecurity threats;

(C) consult with public and private sector critical infrastructure entities to identify public and private critical infrastructure cyber threat capabilities, needs, and gaps; and

(D) identify existing tools, capabilities, and systems that may be adapted to achieve the purposes of the environment in order to

maximize return on investment and minimize cost.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—Not later than 1 year after completing the evaluation required under paragraph (1)(B), the Secretary, acting through the Director of the Cybersecurity and Infrastructure Security Agency, and in consultation with the Secretary of Defense, the Director of National Intelligence, the Director of the National Security Agency, and the Attorney General, shall begin implementation of the environment to enable participants in the environment to develop and run analytic tools referred to in subsection (b) on specified data sets for the purpose of identifying, mitigating, and preventing malicious cyber activity that is a threat to public and private critical infrastructure.

(B) REQUIREMENTS.—The environment and the use of analytic tools referred to in subsection (b) shall—

(i) operate in a manner consistent with relevant privacy, civil rights, and civil liberties policies and protections, including such policies and protections established pursuant to section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485);

(ii) account for appropriate data standards and interoperability requirements, consistent with the standards set forth in subsection (d);

(iii) enable integration of current applications, platforms, data, and information, including classified information, in a manner that supports integration of unclassified and classified information on cybersecurity risks and cybersecurity threats;

(iv) incorporate tools to manage access to classified and unclassified data, as appropriate;

(v) ensure accessibility by entities the Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, the Director of the National Security Agency, and the Attorney General, determines appropriate;

(vi) allow for access by critical infrastructure stakeholders and other private sector partners, at the discretion of the Secretary, in consultation with the Secretary of Defense;

(vii) deploy analytic tools across classification levels to leverage all relevant data sets, as appropriate;

(viii) identify tools and analytical software that can be applied and shared to manipulate, transform, and display data and other identified needs; and

(ix) anticipate the integration of new technologies and data streams, including data from government-sponsored network sensors or network-monitoring programs deployed in support of non-Federal entities.

(3) ANNUAL REPORT REQUIREMENT ON THE IMPLEMENTATION, EXECUTION, AND EFFECTIVENESS OF THE PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until the date that is 1 year after the pilot program under this section terminates under subsection (e), the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate and the Committee on Homeland Security, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives a report that details—

(A) Federal Government participation in the environment, including the Federal entities participating in the environment and the volume of information shared by Federal entities into the environment;

(B) non-Federal entities' participation in the environment, including the non-Federal

entities participating in the environment and the volume of information shared by non-Federal entities into the environment;

(C) the impact of the environment on positive security outcomes in the Federal Government and non-Federal entities;

(D) barriers identified to fully realizing the benefit of the environment both for the Federal Government and non-Federal entities; and

(E) additional authorities or resources necessary to successfully execute the environment.

(4) CYBER THREAT DATA STANDARDS AND INTEROPERABILITY.—

(1) ESTABLISHMENT.—The Secretary, in coordination with the Secretary of Defense, the Director of National Intelligence, the Director of the National Security Agency, and the Attorney General, shall establish data standards and requirements for non-Federal entities to participate in the environment.

(2) DATA STREAMS.—The Secretary shall identify, designate, and periodically update programs that shall participate in or be interoperable with the environment, which may include—

(A) network-monitoring and intrusion detection programs;

(B) cyber threat indicator sharing programs;

(C) certain government-sponsored network sensors or network-monitoring programs;

(D) incident response and cybersecurity technical assistance programs; or

(E) malware forensics and reverse-engineering programs.

(3) DATA GOVERNANCE.—The Secretary, in consultation with the Secretary of Defense, the Director of National Intelligence, the Director of the National Security Agency, and the Attorney General shall establish procedures and data governance structures, as necessary, to protect sensitive data, comply with Federal regulations and statutes, and respect existing consent agreements with public and private sector critical infrastructure entities that apply to critical infrastructure information.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall change existing ownership or protection of, or policies and processes for access to, agency data.

(e) DURATION.—The pilot program under this section shall terminate on the date that is 5 years after the date of enactment of this Act.

TITLE LIII—IMPROVING SECURITY IN THE NATIONAL CYBER ECOSYSTEM

SEC. 5301. REPORT ON CYBERSECURITY CERTIFICATIONS AND LABELING.

Not later than October 1, 2022, the National Cyber Director, in consultation with the Director of the National Institute of Standards and Technology and the Director of the Cybersecurity and Infrastructure Security Agency, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report that—

(1) identifies and assesses existing efforts by the Federal Government to create, administer, or otherwise support the use of certifications or labels to communicate the security or security characteristics of information technology or operational technology products and services; and

(2) assesses the viability of and need for a new program at the Department to harmonize information technology and operational technology product and service security certification and labeling efforts across the Federal Government and between the Federal Government and the private sector.

SEC. 5302. SECURE FOUNDATIONAL INTERNET PROTOCOLS.

(a) DEFINITIONS.—In this section:

(1) BORDER GATEWAY PROTOCOL.—The term “border gateway protocol” means a protocol designed to optimize routing of information exchanged through the internet.

(2) DOMAIN NAME SYSTEM.—The term “domain name system” means a system that stores information associated with domain names in a distributed database on networks.

(3) INFORMATION AND COMMUNICATIONS TECHNOLOGY INFRASTRUCTURE PROVIDERS.—The term “information and communications technology infrastructure providers” means all systems that enable connectivity and operability of internet service, backbone, cloud, web hosting, content delivery, domain name system, and software-defined networks and other systems and services.

(b) CREATION OF A STRATEGY TO ENCOURAGE IMPLEMENTATION OF MEASURES TO SECURE FOUNDATIONAL INTERNET PROTOCOLS.—

(1) PROTOCOL SECURITY STRATEGY.—In order to encourage implementation of measures to secure foundational internet protocols by information and communications technology infrastructure providers, not later than 180 days after the date of enactment of this Act, the Assistant Secretary for Communications and Information of the Department of Commerce, in coordination with the Director of the National Institute Standards and Technology and the Director of the Cybersecurity and Infrastructure Security Agency, shall establish a working group composed of appropriate stakeholders, including representatives of the Internet Engineering Task Force and information and communications technology infrastructure providers, to prepare and submit to Congress a strategy to encourage implementation of measures to secure the border gateway protocol and the domain name system.

(2) STRATEGY REQUIREMENTS.—The strategy required under paragraph (1) shall—

(A) articulate the motivation and goal of the strategy to reduce incidents of border gateway protocol hijacking and domain name system hijacking;

(B) articulate the security and privacy benefits of implementing the most up-to-date and secure instances of the border gateway protocol and the domain name system and the burdens of implementation and the entities on whom those burdens will most likely fall;

(C) identify key United States and international stakeholders;

(D) outline varying measures that could be used to implement security or provide authentication for the border gateway protocol and the domain name system;

(E) identify any barriers to implementing security for the border gateway protocol and the domain name system at scale;

(F) propose a strategy to implement identified security measures at scale, accounting for barriers to implementation and balancing benefits and burdens, where feasible; and

(G) provide an initial estimate of the total cost to the Government and implementing entities in the private sector of implementing security for the border gateway protocol and the domain name system and propose recommendations for defraying these costs, if applicable.

TITLE LIV—ENABLING THE NATIONAL CYBER DIRECTOR

SEC. 5401. ESTABLISHMENT OF HIRING AUTHORITIES FOR THE OFFICE OF THE NATIONAL CYBER DIRECTOR.

(a) DEFINITIONS.—In this section—

(1) the term “Director” means the National Cyber Director;

(2) the term “excepted service” has the meaning given such term in section 2103 of title 5, United States Code;

(3) the term “Office” means the Office of the National Cyber Director;

(4) the term “qualified position” means a position identified by the Director under subsection (b)(1)(A), in which the individual occupying such position performs, manages, or supervises functions that execute the responsibilities of the Office.

(b) **HIRING PLAN.**—The Director shall, for purposes of carrying out the functions of the Office—

(1) craft an implementation plan for positions in the excepted service in the Office, which shall propose—

(A) qualified positions in the Office, as the Director determines necessary to carry out the responsibilities of the Office; and

(B) subject to the requirements of paragraph (2), rates of compensation for an individual serving in a qualified position;

(2) propose rates of basic pay for qualified positions, which shall—

(A) be determined in relation to the rates of pay provided for employees in comparable positions in the Office, in which the employee occupying the comparable position performs, manages, or supervises functions that execute the mission of the Office; and

(B) subject to the same limitations on maximum rates of pay and consistent with section 5341 of title 5, United States Code, adopt such provisions of that title to provide for prevailing rate systems of basic pay and apply those provisions to qualified positions for employees in or under which the Office may employ individuals described by section 5342(a)(2)(A) of such title; and

(3) craft proposals to provide—

(A) employees in qualified positions compensation (in addition to basic pay), including benefits, incentives, and allowances, consistent with, and not in excess of the level authorized for, comparable positions authorized by title 5, United States Code; and

(B) employees in a qualified position for which the Director proposes a rate of basic pay under paragraph (2) an allowance under section 5941 of title 5, United States Code, on the same basis and to the same extent as if the employee was an employee covered by such section, including eligibility conditions, allowance rates, and all other terms and conditions in law or regulation.

SA 4113. Mr. MANCHIN (for himself, Mr. LUJÁN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . AMOUNTS FOR NEXT GENERATION RADAR AND RADIO ASTRONOMY IMPROVEMENTS AND RELATED ACTIVITIES.

(a) **IN GENERAL.**—There are authorized to be appropriated to the National Science Foundation, \$176,000,000 for the period of fiscal years 2022 through 2024 for the design, development, prototyping, or mid-scale upgrades of next generation radar and radio astronomy improvements and related activities under section 14 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-4).

(b) **APPROVAL.**—Nothing in this section shall amend the Director of the National

Science Foundation’s authority to review and issue awards.

SA 4114. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . EXPANSION OF APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

Section 14501 of title 40, United States Code, is amended—

(1) in subsection (a), in the second sentence, by striking “three thousand and ninety miles” and inserting “the total number of miles established by the Secretary under subsection (h)”;

and

(2) by adding at the end the following:

“(h) **EXPANSION OF THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.**—As soon as practicable after the date of enactment of this subsection, the Secretary shall establish the total number of miles that is authorized to be constructed for the Appalachian development highway system under subsection (a) based on—

“(1) a report prepared by the Secretary before the date of enactment of this subsection in which the Secretary describes the total number of miles that should be authorized to be constructed for the Appalachian development highway system under subsection (a); or

“(2) if the Secretary determines that there is not an existing report that addresses the matters described in paragraph (1), a report prepared by the Secretary, in consultation with the Appalachian Regional Commission and applicable State departments of transportation, as soon as practicable after the date of enactment of this subsection, that describes the total number of miles that should be authorized to be constructed for the Appalachian development highway system under subsection (a).”.

SA 4115. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . OPIOID SUBSTANCE ABUSE REDUCTION.

(a) **STEWARDSHIP FEE ON OPIOID PAIN RELIEVERS.**—

(1) **IN GENERAL.**—Chapter 32 of the Internal Revenue Code of 1986 is amended by inserting after subchapter D the following new subchapter:

“Subchapter E—Certain Opioid Pain Relievers

“Sec. 4191. Opioid pain relievers.

“**SEC. 4191. OPIOID PAIN RELIEVERS.**

“(a) **IN GENERAL.**—There is hereby imposed on the sale of any active opioid by the manu-

facturer, producer, or importer a fee equal to 1 cent per milligram so sold.

“(b) **ACTIVE OPIOID.**—For purposes of this section—

“(1) **IN GENERAL.**—The term ‘active opioid’ means any controlled substance (as defined in section 102 of the Controlled Substances Act, as in effect on the date of the enactment of this section) which is opium, an opiate, or any derivative thereof.

“(2) **EXCLUSION FOR CERTAIN PRESCRIPTION MEDICATIONS.**—Such term shall not include any prescribed drug which is used exclusively for the treatment of opioid addiction as part of a medically assisted treatment effort.

“(3) **EXCLUSION OF OTHER INGREDIENTS.**—In the case of a product that includes an active opioid and another ingredient, subsection (a) shall apply only to the portion of such product that is an active opioid.

“(c) **REBATE OR DISCOUNT PROGRAM FOR CERTAIN CANCER AND HOSPICE PATIENTS.**—

“(1) **IN GENERAL.**—The Secretary of Health and Human Services, in consultation with patient advocacy groups and other relevant stakeholders as determined by such Secretary, shall establish a mechanism by which—

“(A) any amount paid by an eligible patient in connection with the stewardship fee under subsection (a) shall be rebated to such patient in as timely a manner as possible, or

“(B) amounts paid by an eligible patient for active opioids are discounted at time of payment or purchase to ensure that such patient does not pay any amount attributable to such fee,

with as little burden on the patient as possible. The Secretary of Health and Human Services shall choose whichever of the options described in subparagraph (A) or (B) is, in such Secretary’s determination, most effective and efficient in ensuring eligible patients face no economic burden from such fee.

“(2) **ELIGIBLE PATIENT.**—For purposes of this subsection, the term ‘eligible patient’ means—

“(A) a patient for whom any active opioid is prescribed to treat pain relating to cancer or cancer treatment,

“(B) a patient participating in hospice care,

“(C) a patient with respect to whom the prescriber of the applicable opioid determines that other non-opioid pain management treatments are inadequate or inappropriate, and

“(D) in the case of the death or incapacity of a patient described in subparagraph (A), (B), or (C), or any similar situation as determined by the Secretary of Health and Human Services, the appropriate family member, medical proxy, or similar representative or the estate of such patient.”.

(2) **CLERICAL AMENDMENT.**—The table of subchapters for chapter 32 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to subchapter D the following new item:

“SUBCHAPTER E. CERTAIN OPIOID PAIN RELIEVERS”.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to sales on or after the later of—

(A) the date which is 1 year after the date of the enactment of this Act; or

(B) the date on which the Secretary of Health and Human Services establishes the mechanism described in subsection (c)(1) of section 4191 of the Internal Revenue Code of 1986, as added by this section.

(b) **BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE ABUSE.**—

(1) **GRANTS TO STATES.**—Section 1921(b) of the Public Health Service Act (42 U.S.C.

300x-21(b)) is amended by inserting “, and, as applicable, for carrying out section 1923A” before the period.

(2) NONAPPLICABILITY OF PREVENTION PROGRAM PROVISION.—Section 1922(a)(1) of the Public Health Service Act (42 U.S.C. 300x-22(a)(1)) is amended by inserting “except with respect to amounts made available as described in section 1923A,” before “will expend”.

(3) OPIOID TREATMENT PROGRAMS.—Subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.) is amended by inserting after section 1923 the following:

“SEC. 1923A. ADDITIONAL SUBSTANCE ABUSE TREATMENT PROGRAMS.

“A funding agreement for a grant under section 1921 is that the State involved shall provide that any amounts made available by any increase in revenues to the Treasury in the previous fiscal year resulting from the enactment of section 4191 of the Internal Revenue Code of 1986 (determined by taking into account any outlays for amounts rebated or discounted under subsection (c)(1) thereof (as described in section 1933(a)(1)(B)(i))) be used exclusively for substance abuse (including opioid abuse) treatment efforts in the State, including—

“(1) treatment programs—

“(A) establishing new addiction treatment facilities, residential and outpatient, including covering capital costs;

“(B) establishing sober living facilities;

“(C) recruiting and increasing reimbursement for certified mental health providers providing substance abuse treatment in medically underserved communities or communities with high rates of prescription drug abuse;

“(D) expanding access to long-term, residential treatment programs for opioid addicts (including 30-, 60-, and 90-day programs);

“(E) establishing or operating support programs that offer employment services, housing, and other support services to help recovering addicts transition back into society;

“(F) establishing or operating housing for children whose parents are participating in substance abuse treatment programs, including capital costs;

“(G) establishing or operating facilities to provide care for babies born with neonatal abstinence syndrome, including capital costs; and

“(H) other treatment programs, as the Secretary determines appropriate; and

“(2) recruitment and training of substance use disorder professionals to work in rural and medically underserved communities.”.

(4) ADDITIONAL FUNDING.—Section 1933(a)(1)(B)(i) of the Public Health Service Act (42 U.S.C. 300x-33(a)(1)(B)(i)) is amended by inserting “, plus any increase in revenues to the Treasury in the previous fiscal year resulting from the enactment of section 4191 of the Internal Revenue Code of 1986 (determined by taking into account any outlays for amounts rebated or discounted under subsection (c)(1) thereof)” before the period.

(c) REPORT.—Not later than 2 years after the date described in subsection (a)(3), the Secretary of Health and Human Services shall submit to Congress a report on the impact of the amendments made by subsections (a) and (b) on—

(1) the retail cost of active opioids (as defined in section 4191 of the Internal Revenue Code of 1986, as added by subsection (a));

(2) patient access to such opioids, particularly cancer and hospice patients, including the effect of the discount or rebate on such opioids for cancer and hospice patients under section 4191(c)(1) of such Code, as so added;

(3) how the increase in revenue to the Treasury resulting from the enactment of

section 4191 of the Internal Revenue Code of 1986 is used to improve substance abuse treatment efforts in accordance with section 1923A of the Public Health Service Act (as added by subsection (b)); and

(4) suggestions for improving—

(A) access to opioids for cancer and hospice patients; and

(B) substance abuse treatment efforts under such section 1923A.

SA 4116. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 X, add the following:

SEC. 1064. EXTENSION OF BLACK LUNG DISABILITY TRUST FUND EXCISE TAX.

(a) IN GENERAL.—Section 4121(e)(2)(A) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2021” and inserting “December 31, 2031”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply on and after the first day of the first calendar month beginning after the date of the enactment of this Act.

SA 4117. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 title X, add at the end the following:

Subtitle H—COVID-19 Mine Worker Protection Act

SEC. 1071 SHORT TITLE.

This subtitle may be cited as the “COVID-19 Mine Worker Protection Act”.

SEC. 1072. EMERGENCY TEMPORARY AND PERMANENT STANDARDS.

(a) EMERGENCY TEMPORARY HEALTH OR SAFETY STANDARD.—

(1) IN GENERAL.—In consideration of the grave risk presented by COVID-19 and the need to strengthen protections for miners, pursuant to section 101(b) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811(b)) and notwithstanding the provisions of law and the Executive order listed in paragraph (3), not later than 7 days after the date of enactment of this Act, the Secretary of Labor shall promulgate an emergency temporary health or safety standard to protect miners from occupational exposure to SARS-CoV-2.

(2) APPLICATION OF STANDARD.—Pursuant to section 101(b)(2) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811(b)(2)), the emergency temporary health or safety standard promulgated under paragraph (1) shall be effective until superseded by a mandatory health or safety standard promulgated under subsection (b).

(3) INAPPLICABLE PROVISIONS OF LAW AND EXECUTIVE ORDER.—The provisions of law and

the Executive order listed in this paragraph are as follows:

(A) Chapter 6 of title 5, United States Code (commonly referred to as the “Regulatory Flexibility Act”).

(B) Subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the “Paperwork Reduction Act”).

(C) The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.).

(D) Executive Order 12866 (58 Fed. Reg. 190; relating to regulatory planning and review), as amended.

(b) PERMANENT STANDARD.—Pursuant to section 101(b)(3) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811(b)(3)), the Secretary shall promulgate a mandatory standard to protect miners from occupational exposure to SARS-CoV-2.

(c) REQUIREMENTS.—The standards promulgated under this section shall—

(1) include a requirement that operators—

(A) with the input and involvement of miners or, where applicable, the representatives of miners develop and implement a comprehensive infectious disease exposure control plan to address the risk of occupational exposure to SARS-CoV-2; and

(B) provide to miners the necessary personal protective equipment, disinfectant, ancillary medical supplies, and other applicable supplies determined necessary by the Secretary to reduce and limit exposure to SARS-CoV-2 in coal or other mines;

(2) incorporate guidelines—

(A) issued by the Centers for Disease Control and Prevention and the National Institute for Occupational Safety and Health, which are designed to prevent the transmission of infectious agents in occupational settings; and

(B) from relevant scientific research on novel pathogens; and

(3) include a requirement for the recording and reporting of all work-related COVID-19 infections and deaths as set forth in part 50 of title 30, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SEC. 1073. SURVEILLANCE, TRACKING, AND INVESTIGATION OF MINING-RELATED CASES OF COVID-19.

The Secretary of Labor (acting through the Assistant Secretary for Mine Safety and Health), in coordination with the Director of the Centers for Disease Control and Prevention and the Director of the National Institute for Occupational Safety and Health, shall—

(1) collect and analyze case reports and other data on COVID-19 to identify and evaluate the extent, nature, and source of COVID-19 among miners, including the prevalence of and consequences of COVID-19 diagnoses among miners also diagnosed with pneumoconiosis;

(2) investigate, as appropriate, individual cases of COVID-19 among miners to evaluate the source of exposure and adequacy of infectious disease exposure control plans;

(3) provide regular periodic reports on COVID-19 among miners to the public; and

(4) based on such reports and investigations, make recommendations on needed actions or guidance to protect miners from COVID-19.

SEC. 1074. DEFINITIONS.

The terms used in this subtitle have the meanings given the terms in section 3 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 802).

SA 4118. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 X, add the following:

SEC. 1064. PROTECTIONS FOR PENSIONS IN BANKRUPTCY PROCEEDINGS.

(a) **SHORT TITLE.**—This section may be cited as the “Stop Looting American Pensions Act of 2021” or the “SLAP Act”.

(b) **AMENDMENTS TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 AND THE INTERNAL REVENUE CODE OF 1986.**—

(1) **MINIMUM FUNDING STANDARD.**—

(A) **AMENDMENT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.**—Section 302(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1082(a)) is amended by adding at the end the following:

“(3) **CASES UNDER TITLE 11.**—A plan shall continue to be required to satisfy the minimum funding standard under paragraph (1) if a case under title 11, United States Code, is commenced with respect to the employer unless the Secretary of the Treasury has waived the requirements of this subsection with respect to the plan under subsection (c).”.

(B) **AMENDMENT TO THE INTERNAL REVENUE CODE OF 1986.**—Section 412(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“(3) **CASES UNDER TITLE 11.**—A plan shall continue to be required to satisfy the minimum funding standard under paragraph (1) if a case under title 11, United States Code, is commenced with respect to the employer unless the Secretary has waived the requirements of this subsection with respect to the plan under subsection (c).”.

(2) **OBLIGATION TO CONTRIBUTE.**—Section 4212 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1392) is amended by adding at the end the following:

“(d) A person shall be subject to an obligation to contribute under this part notwithstanding the commencement of a case under title 11, United States Code, with respect to that person.”.

(3) **OBLIGATION TO PAY WITHDRAWAL LIABILITY.**—Section 4220(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1399(c)) is amended by adding at the end the following:

“(9) An employer shall be subject to an obligation to make payments of withdrawal liability under this section notwithstanding the commencement of a case under title 11, United States Code, with respect to the employer.”.

(c) **ADMINISTRATIVE EXPENSES AND PRIORITIES IN BANKRUPTCY PROCEEDINGS.**—

(1) **ALLOWANCE OF ADMINISTRATIVE EXPENSES.**—

(A) **IN GENERAL.**—Section 503(b) of title 11, United States Code, is amended—

(i) in paragraph (8)(B), by striking “and”;

(ii) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

“(10) unpaid minimum required contributions, as defined in section 302(c)(4)(C)(iii)(I) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1082(c)(4)(C)(iii)(I)) and section 4971(c)(4) of the Internal Revenue Code of 1986; and

“(11) withdrawal liability determined under part 1 of subtitle E of title IV of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1381 et seq.), including any accelerated payment of such withdrawal liability under section 4219(c)(5) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1399(c)(5)).”.

(B) **CONFORMING AMENDMENT RELATING TO PRIORITIES.**—Section 507(a)(5) of title 11, United States Code, is amended, in the matter preceding subparagraph (A), by inserting after “contributions to an employee benefit plan” the following: “, other than for unpaid minimum required contributions, as defined in section 302(c)(4)(C)(iii)(I) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1082(c)(4)(C)(iii)(I)) and section 4971(c)(4) of the Internal Revenue Code of 1986”.

(2) **INCREASED WAGE PRIORITY.**—Section 507(a) of title 11, United States Code, is amended—

(A) in paragraph (4), in the matter preceding subparagraph (A)—

(i) by striking “\$10,000” and inserting “\$20,000”;

(ii) by striking “within 180 days”; and

(iii) by striking “or the date of the cessation of the debtor’s business, whichever occurs first,”; and

(B) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking “within 180 days”; and

(II) by striking “or the date of the cessation of the debtor’s business, whichever occurs first”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) for each such plan, to the extent of the number of employees covered by each such plan, multiplied by \$20,000.”.

(d) **AUTOMATIC STAY IN BANKRUPTCY PROCEEDINGS.**—Section 362(b) of title 11, United States Code, is amended—

(1) in paragraph (28), by striking “and” at the end;

(2) in paragraph (29), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (29) the following:

“(30) under subsection (a) of this section, the commencement or continuation of an action or proceeding by the Director of the Pension Benefits Guaranty Corporation to enforce the minimum standard under section 303(k) of the Employment Retirement Income Security Act of 1974 (29 U.S.C. 1083(k)).”.

(e) **SALES OF PROPERTY IN BANKRUPTCY PROCEEDINGS.**—

(1) **IN GENERAL.**—Section 363 of title 11, United States Code, is amended—

(A) in subsection (b)(1), in the matter preceding subparagraph (A), by striking “The trustee” and inserting “Subject to subsection (q), the trustee”;

(B) in subsection (c)(1), by striking “If the business” and inserting “Subject to subsection (q), if the business”; and

(C) by adding at the end the following:

“(q)(1) Subject to paragraphs (2) and (3), the trustee may not sell property of the estate under subsection (b) or (c) unless the trustee is able to demonstrate that—

“(A) the sale complies with the provisions of this title;

“(B) the sale has been proposed in good faith and not by any means forbidden by the law;

“(C) any payment made for services or for costs and expenses in or in connection with the sale is reasonable;

“(D) if, with respect to the case, there is any fee payable under section 1930 of title 28, the proceeds of the sale will be used to pay that fee;

“(E) with respect to each class of claims or interests—

“(i) such class has accepted the sale; or

“(ii) such class is not impaired by the sale.

“(2) The trustee, on request of the proponent of the sale, may sell property of the estate under subsection (b) or (c) if—

“(A) all of the applicable requirements of paragraph (1) other than subparagraph (E)

are met with respect to a sale of property; and

“(B) the sale does not discriminate unfairly, and is fair and equitable, with respect to each class of claims or interests that is impaired under, and has not accepted, the sale.

“(3) The trustee may not sell substantially all of the property of the estate under subsection (b) or (c) during the 60-day period beginning on the date of the filing of the petition unless the court determines that—

“(A) there is a high likelihood that the value of the property of the estate will decrease significantly during that period; and

“(B) the requirements under paragraph (1) have been satisfied with respect to each sale that would contribute to substantially all of the property of the estate being sold.”.

(2) **PROTECTION OF EMPLOYEE BENEFITS IN A SALE OF ASSETS.**—Section 363(b) of title 11, United States Code, is amended by adding at the end the following:

“(3) In approving a sale under this subsection, the court shall consider the extent to which a bidder has offered to maintain existing jobs, preserve terms and conditions of employment, and assume or match pension and retiree health benefit obligations in determining whether an offer constitutes the highest or best offer for such property.”.

(f) **FRAUDULENT TRANSFERS AND OBLIGATIONS.**—Section 548 of title 11, United States Code, is amended—

(1) in subsection (a)(1), in the matter preceding subparagraph (A), by striking “2 years” and inserting “6 years”; and

(2) in subsection (b), by striking “2 years” and inserting “6 years”.

(g) **LIMITATIONS ON EXECUTIVE COMPENSATION ENHANCEMENTS.**—Section 503(c) of title 11, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A)—

(A) by inserting “, a senior executive officer, or any of the 20 next most highly compensated employees or consultants” after “an insider”;

(B) by inserting “or for the payment of performance or incentive compensation, or a bonus of any kind, or other financial returns designed to replace or enhance incentive, stock, or other compensation in effect before the date of the commencement of the case,” after “remain with the debtor’s business,”; and

(C) by inserting “clear and convincing” before “evidence in the record”; and

(2) by amending paragraph (3) to read as follows:

“(3) other transfers or obligations, to or for the benefit of insiders, senior executive officers, managers, or consultants providing services to the debtor, in the absence of a finding by the court, based upon clear and convincing evidence, and without deference to the debtor’s request for such payments, that such transfers or obligations are essential to the survival of the debtor’s business or (in the case of a liquidation of some or all of the debtor’s assets) essential to the orderly liquidation and maximization of value of the assets of the debtor, in either case, because of the essential nature of the services provided, and then only to the extent that the court finds such transfers or obligations are reasonable compared to individuals holding comparable positions at comparable companies in the same industry and not disproportionate in light of economic concessions by the debtor’s nonmanagement workforce during the case.”.

(h) **APPLICABILITY.**—This section and the amendments made by this section shall apply with respect to any case that is commenced on or after the date of enactment of this Act.

SA 4119. Mr. WICKER (for himself and Mr. KAINÉ) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . ADDITIONAL FUNDING FOR OHIO REPLACEMENT.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$25,000,000, with the amount of the increase to be available for Ohio Replacement (PE 0603595N).

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities is hereby decreased by \$25,000,000, with the amount of the decrease to be derived from amounts available for Shipbuilding and Conversion, Navy, Amphibious Ships, Line 19, LHA Replacement.

SEC. ____ . ADDITIONAL FUNDING FOR SHIP SHORE CONNECTOR.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$10,000,000, with the amount of the increase to be available for the Ship Shore Connector (PE 0605220N).

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities is hereby decreased by \$10,000,000, with the amount of the decrease to be derived from amounts available for Shipbuilding and Conversion, Navy, Amphibious Ships, Line 19, LHA Replacement.

SEC. ____ . ADDITIONAL FUNDING FOR INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$2,000,000, with the amount of the increase to be available for Industrial Base Analysis and Sustainment Support (PE 0607210D8Z).

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities is hereby decreased by \$2,000,000, with the amount of the decrease to be derived from amounts available for Shipbuilding and Conversion, Navy, Amphibious Ships, Line 19, LHA Replacement.

SA 4120. Mr. WICKER (for himself and Mr. KAINÉ) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 title II, insert the following:

SEC. ____ . ADDITIONAL FUNDING FOR JOINT SERVICE EXPLOSIVE ORDINANCE DEVELOPMENT.

(a) **ADDITIONAL FUNDING.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$11,000,000, with the amount of the increase to be available for Joint Service Explosive Ordinance Development (PE 0603654N).

(b) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities is hereby decreased by \$11,000,000, with the amount of the decrease to be derived from amounts available for Shipbuilding and Conversion, Navy, Amphibious Ships, Line 19, LHA Replacement.

SA 4121. Ms. CORTEZ MASTO (for herself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 DIGITAL PRIVACY TECHNOLOGIES.

(a) **DEFINITIONS.**—In this section:

(1) **PERSONAL DATA.**—The term “personal data” means information that identifies, is linked to, or is reasonably linkable to, an individual or a consumer device, including derived data.

(2) **PRIVACY ENHANCING TECHNOLOGY.**—The term “privacy enhancing technology”—

(A) means any software solution, technical processes, or other technological means of enhancing the privacy and confidentiality of an individual’s personal data in data or sets of data; and

(B) includes anonymization and pseudonymization techniques, filtering tools, anti-tracking technology, differential privacy tools, synthetic data, and secure multi-party computation.

(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 of personal data in data sets while maintaining fairness, accuracy, and efficiency;

(2) fundamental research on algorithms and other similar mathematical tools used to protect individual privacy when collecting, storing, sharing, or aggregating data;

(3) fundamental research on technologies that promote data minimization principles

in data collection, sharing, and analytics; and

(4) research awards on privacy enhancing technologies coordinated with other relevant Federal agencies and programs.

(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, including the National Institutes of Health and the Centers for Disease Control and Prevention, for the purpose of facilitating public health research, on the development of privacy enhancing technologies; 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, and analytics by the public and private sectors.

(e) **REPORT ON RESEARCH AND STANDARDS DEVELOPMENT.**—Not later than 2 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 and the Director of the National Institute of Standards and Technology, submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology 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 of the Directors 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 4122. Ms. CORTEZ MASTO (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 B of title V, add the following:

SEC. 520B. CONTACT OF ELIGIBLE MEMBERS FOR THE REVIEW AND CORRECTION OF MILITARY RECORDS.

(a) IN GENERAL.—The Secretary of Defense shall conduct a search in accordance with subsection (b) to identify the current address of each former member of the Armed Forces who meets the following criteria:

(1) Served as a member of the Armed Forces on or after October 7, 2001.

(2) Was discharged with a service characterization that was less than honorable discharge, excluding a bad conduct discharge or dishonorable discharge.

(3) Has not received an upgrade of discharge to honorable discharge.

(b) RESOURCES TO CONDUCT SEARCH.—To identify the current addresses of former members of the Armed Forces who meet the criteria under subsection (a), the Secretary of Defense shall access public record databases, including—

(1) LexisNexis Public Records;

(2) PeopleMap on Thomson Reuters Westlaw;

(3) OPENOnline; and

(4) any other public record database as determined by the Secretary of Defense.

(c) CONTACT OF ELIGIBLE MEMBERS.—The Secretary of Defense shall—

(1) prepare a universal notice that includes—

(A) a description of the process for a former member to apply for a discharge upgrade or otherwise correct their military record;

(B) a list of resources through which a former member may receive assistance in completing or submitting the application;

(C) a summary of any recent statutory amendments and agency guidance that—

(i) require any board established under section 1552(a)(1) of title 10, United States Code, to grant liberal consideration to applications involving post-traumatic stress disorder, traumatic brain injury, military sexual trauma, and other behavioral health conditions; and

(ii) permit discharge upgrades to former members discharged under section 654 of title 10, United States Code, as in effect before such section was repealed pursuant to the Don't Ask, Don't Tell Repeal Act of 2010 (Public Law 111-321);

(D) a description of the medical evidence that a former member may provide to a board to support an application, noting that such evidence may include—

(i) a medical diagnosis of post-traumatic stress disorder, traumatic brain injury, or other behavioral health issues;

(ii) documentation by a medical professional or licensed social worker of symptoms of post-traumatic stress disorder, traumatic brain injury, military sexual trauma, or other behavioral health issues; and

(iii) letters describing behavioral changes or symptoms of post-traumatic stress disorder, traumatic brain injury, and other behavioral health issues of the former member witnessed by family members of the former member or other individuals; and

(E) information on the process for a former member to obtain treatment or a medical health evaluations from the Department of Veterans Affairs; and

(2) take measures to provide the universal notice required under paragraph (1) to each former member of the Armed Forces who meets the criteria under subsection (a).

SA 4123. Ms. CORTEZ MASTO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 B of title III, insert the following:

SEC. 318. ENERGY EFFICIENCY AND RESILIENCY TARGETS FOR DEPARTMENT OF DEFENSE DATA CENTERS.

(a) ENERGY EFFICIENCY AND RESILIENCY TARGETS FOR DATA CENTERS.—

(1) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2921. Energy efficiency and resiliency targets for data centers

“(a) COVERED DATA CENTERS.—(1) For each covered data center, the Secretary of Defense shall—

“(A) develop a power usage effectiveness target for the data center, based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices;

“(B) develop a water usage effectiveness target for the data center, based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices;

“(C) develop a resiliency target for the data center, based on location, industry standards, business continuity and disaster recovery, and best practices;

“(D) develop a facility availability target for the data center, based on location, industry standards, business continuity and disaster recovery, and best practices;

“(E) develop other energy efficiency or water usage targets for the data center based on industry standards, business continuity and disaster recovery, and best practices, as applicable to meet energy efficiency and resiliency goals;

“(F) identify potential renewable or clean energy resources, or related technologies such as advanced battery storage capacity, to enhance resiliency at the data center, including potential renewable or clean energy purchase targets based on the location of the data center; and

“(G) identify any statutory, regulatory, or policy barriers to meeting any target under any of subparagraphs (A) through (F).

“(2) In this subsection, the term ‘covered data center’ means a data center established before the date of the enactment of this section that—

“(A) is one of the 50 data centers of the Department of Defense with the highest annual power usage rates; or

“(B) is one of the 20 data centers operated for the Department by a private contractor with the highest annual power usage rates.

“(b) NEW DATA CENTERS.—(1)(A) Except as provided in paragraph (2), in the case of any data center of the Department established on or after the date of the enactment of this section, regardless of whether the data center is owned and operated by the Department or by a contractor on behalf of the Department, the Secretary shall establish energy, water usage, and resiliency-related standards that the data center shall be required to meet based on location, resiliency, industry standards, business continuity and disaster recovery, and best practices.

“(B) Standards established under subparagraph (A) shall include—

“(i) power usage effectiveness standards;

“(ii) water usage effectiveness standards;

“(iii) resiliency standards;

“(iv) facility availability standards; and

“(v) any other energy or resiliency standards the Secretary determines are appropriate.

“(2) The Secretary may waive the requirement for a data center of the Department established on or after the date of the enactment of this section to meet the standards established under paragraph (1) if the Secretary—

“(A) determines that such waiver is in the national security interest of the United States; and

“(B) submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives notice of such waiver and the reasons for such waiver.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2920 the following new item:

“Sec. 2921. Energy efficiency and resiliency targets for data centers.”.

(b) INVENTORY OF DATA FACILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an inventory of all data centers owned or operated by the Department of Defense.

(2) ELEMENTS.—The inventory required under paragraph (1) shall include the following:

(A) A list of data centers owned or operated by the Department of Defense.

(B) For each such data center, the earlier of the following dates:

(i) The date on which the data center was established.

(ii) The date of the most recent capital investment in new power, cooling, or compute infrastructure at the data center.

(C) The total average annual power use, in kilowatts, for each such data center.

(D) The number of data centers that measure power usage effectiveness and for each such data center, the power usage effectiveness for the center.

(E) The number of data centers that measure water usage effectiveness and, for each such data center, the water usage effectiveness for the center.

(F) A description of any other existing energy efficiency or efficient water usage metrics used by any data center and the applicable measurements for any such center.

(G) An assessment of the facility resiliency of each data center, including redundant power and cooling facility infrastructure.

(H) Any other matters the Secretary determines are relevant.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the completion of the inventory required under subsection (b), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the inventory and the energy efficiency and resiliency targets under section 2921(a) of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—The report under paragraph (1) shall include each of the following:

(A) A timeline of necessary actions required to meet the energy efficiency and resiliency targets for covered data centers under section 2921(a) of title 10, United States Code, as added by subsection (a).

(B) The estimated costs associated with meeting such targets.

(C) An assessment of the business case for meeting such targets, including any estimated savings in operational energy and water costs and estimated reduction in energy and water usage if the targets are met.

(D) An inventory of any data centers for which meeting such targets could more efficiently be achieved by transferring the workloads of such centers to private facilities, and a business case for meeting such targets in that manner.

(E) An analysis of any statutory, regulatory, or policy barriers to meeting such targets identified under section 2921(a)(E) of title 10, United States Code, as added by subsection (a).

(d) DATA CENTER DEFINED.—In this section, the term “data center” has the meaning given such term in the most recent Integrated Data Collection guidance of the Office of Management and Budget.

SA 4124. Mr. KING submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. ____ . FLIGHT INSTRUCTION OR TESTING.

(a) IN GENERAL.—An authorized flight instructor providing student instruction, flight instruction, or flight training shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(b) AUTHORIZED ADDITIONAL PILOTS.—An individual acting as an authorized additional pilot during Phase I flight testing of aircraft holding an experimental airworthiness certificate, in accordance with section 21.191 of title 14, Code of Federal Regulations, and meeting the requirements set forth in Federal Aviation Administration regulations and policy in effect as of the date of enactment of this section, shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(c) USE OF AIRCRAFT.—An individual who uses, causes to use, or authorizes to use aircraft for flights conducted under subsection (a) or (b) shall not be deemed to be operating an aircraft carrying persons or property for compensation or hire.

(d) REVISION OF RULES.—The requirements of this section shall become effective upon the date of enactment. The Administrator of the Federal Aviation Administration shall issue, revise, or repeal the rules, regulations, guidance, or procedures of the Federal Aviation Administration to conform to the requirements of this section.

SA 4125. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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. MODIFICATION OF ESTABLISHMENT OF COORDINATOR FOR DETAINED ISIS MEMBERS AND RELEVANT DISPLACED POPULATIONS IN SYRIA.

Section 1224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1642) is amended—

(a) by striking subsection (a);
(b) by amending subsection (b) to read as follows:

“(a) DESIGNATION.—The President, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, the Secretary of the Treasury, the Administrator of the United States Agency for International Development, and the Attorney General, shall designate an existing official to serve within the executive branch as senior-level coordinator to coordinate, in conjunction with other relevant agencies, all matters related to ISIS members who are in the custody of the Syrian Democratic Forces and other relevant displaced populations in Syria, including—

“(1) the long-term disposition of such individuals, including in all matters related to—
“(A) repatriation, transfer, prosecution, and intelligence-gathering;

“(B) all multilateral and international engagements led by the Department of State and other agencies that are related to the current and future handling, detention, and prosecution of such ISIS members, including such engagements with the International Criminal Police Organization; and
“(C) the coordination of the provision of technical and evidentiary assistance to foreign countries to aid in the successful prosecution of such ISIS members, as appropriate, in accordance with international humanitarian law and other internationally recognized human rights and rule of law standards;

“(2) all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, internally displaced persons and refugees at camps or facilities in Syria that hold family members of such ISIS members;

“(3) coordination with relevant agencies on matters described in this section; and
“(4) any other matter the Secretary of State considers relevant.”;

(c) in subsection (c), by striking “subsection (b)” and inserting “subsection (a)”;

(d) by amending subsection (d) to read as follows:

“(d) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once each year thereafter through January 31, 2024, the Coordinator, in coordination with the relevant agencies, shall submit to the appropriate committees of Congress a detailed report that includes the following:

“(A) A detailed description of the facilities where detained ISIS members described in paragraph (1) are being held, including security and management of such facilities and adherence to international humanitarian law standards.

“(B) A description of all multilateral and international engagements related to humanitarian access and provision of basic services to, and freedom of movement and security and safe return of, internally displaced persons and refugees at camps or facilities in Iraq, Syria, and any other area affected by ISIS activity, including a description of—

“(i) support for efforts by the Syrian Democratic Forces’ to facilitate the return of refugees from Iraq and Syria;

“(ii) repatriation efforts with respect to displaced women and children;

“(iii) any current or future potential threat to United States national security in-

terests posed by detained ISIS members, including an analysis of the Al-Hol camp and annexes; and

“(iv) United States Government plans and strategies to respond to any threat identified under clause (iii).

“(C) An analysis of all United States efforts to prosecute detained ISIS members and the outcomes of such efforts. Any information, the disclosure of which may violate Department of Justice policy or law, relating to a prosecution or investigation may be withheld from a report under this subsection.

“(D) A detailed description of any option to expedite prosecution of any detained ISIS member, including in a court of competent jurisdiction outside of the United States.

“(E) An analysis of factors on the ground in Syria and Iraq that may result in the unintended release of detained ISIS members, and an assessment of any measures available to mitigate such releases.

“(F) A detailed description of efforts to coordinate the disposition and security of detained ISIS members with other countries and international organizations, including the International Criminal Police Organization, to ensure secure chains of custody and locations of such ISIS members.

“(G) An analysis of the manner in which the United States Government communicates on such proposals and efforts to the families of United States citizens believed to be a victim of a criminal act by a detained ISIS member.

“(H) An analysis of all efforts between the United States and partner countries within the Global Coalition to Defeat ISIS or other countries to share intelligence or evidence that may aid in the prosecution of ISIS members, and any legal obstacles that may hinder such efforts.

“(I) Any other matter the Coordinator considers appropriate.

“(2) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.”;

(e) in subsection (e), by striking “January 31, 2021” and inserting “January 31, 2024”;

(f) in subsection (f)—
(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) COORDINATOR.—The term ‘Coordinator’ means the individual designated under subsection (a).”;

(3) by adding at the end the following new paragraph:

“(4) RELEVANT AGENCIES.—The term ‘relevant agencies’ means—

“(A) the Department of State;

“(B) the Department of Defense;

“(C) the Department of the Treasury;

“(D) the Department of Justice;

“(E) the United States Agency for International Development;

“(F) the Office of the Director of National Intelligence; and

“(G) any other agency the President considers relevant.”; and

(g) by redesignating subsections (c) through (f) as subsections (b) through (e), respectively.

SA 4126. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 III, add the following:

SEC. 356. MODIFICATION OF REQUIREMENTS FOR DISPOSAL OF MATERIALS CONTAINING PERFLUOROALKYL SUBSTANCES, POLYFLUOROALKYL SUBSTANCES, OR AQUEOUS FILM FORMING FOAM.

Section 330 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2701 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “; or” and inserting a semicolon;

(B) in paragraph (2), by striking “; or” and inserting a semicolon;

(C) in paragraph (3), by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following new paragraph:

“(4) have been sent to another entity or entities for disposal, including a waste processing facility, subcontractor, or fuel blending facility.”; and

(2) by adding at the end the following new subsections:

“(c) REPORT.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, and annually thereafter, the Secretary of Defense shall submit to the Administrator of the Environmental Protection Agency and the Committees on Armed Services of the Senate and the House of Representatives a report on all incineration by the Department of Defense of materials covered by subsection (b) during the one-year period preceding the submittal of the report, including—

“(1) the total amount of materials incinerated;

“(2) the temperature range at which the materials were incinerated;

“(3) the locations and facilities where the covered materials were incinerated;

“(4) details on actions taken by the Secretary to comply with this section; and

“(5) details on actions taken by the Department of Defense to implement the recommendations contained in the revised interim guidance on the destruction and disposal of PFAS and materials containing PFAS published by the Administrator of the Environmental Protection Agency under section 7361 of the National Defense Authorization Act for Fiscal Year 2020 (15 U.S.C. 8961), including the recommendation for safe storage of PFAS and materials containing PFAS until identified uncertainties are addressed and appropriate destruction and disposal technologies can be recommended.

“(d) DEFINITIONS.—In this section:

“(1) AFFF.—The term ‘AFFF’ means aqueous film forming foam.

“(2) PFAS.—The term ‘PFAS’ means perfluoroalkyl substances or polyfluoroalkyl substances.”.

SA 4127. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 III, add the following:

SEC. 356. MORATORIUM ON INCINERATION BY DEPARTMENT OF DEFENSE OF PERFLUOROALKYL SUBSTANCES, POLYFLUOROALKYL SUBSTANCES, AND AQUEOUS FILM FORMING FOAM.

Beginning on the date of the enactment of this Act, the Secretary of Defense shall not incinerate materials containing perfluoroalkyl substances, polyfluoroalkyl substances, or aqueous film forming foam until regulations have been prescribed by the Secretary that—

(1) implement the requirements of section 330 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2701 note); and

(2) take into consideration the interim guidance published by the Administrator of the Environmental Protection Agency under section 7361 of the National Defense Authorization Act for Fiscal Year 2020 (15 U.S.C. 8961).

SA 4128. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 B of title XII, add the following:

SEC. 1216. ADDITIONAL VISAS UNDER AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (Public Law 111-8; 8 U.S.C. 1101 note) is amended, in the matter preceding clause (i), by striking “34,500” and inserting “38,500”.

SA 4129. Mrs. SHAHEEN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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:

Subtitle — Combating Synthetic Drugs

SEC. 01. SHORT TITLE.

This subtitle may be cited as the “Fighting Emerging Narcotics Through Additional Nations to Yield Lasting Results Act” or “FENTANYL Results Act”.

SEC. 02. PRIORITIZATION OF EFFORTS OF THE DEPARTMENT OF STATE TO COMBAT INTERNATIONAL TRAFFICKING IN COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—The Secretary of State shall prioritize efforts of the Department of State to combat international trafficking in covered synthetic drugs by carrying out programs and activities to include the following:

(1) Supporting increased data collection by the United States and foreign countries through increased drug use surveys among populations, increased use of wastewater

testing where appropriate, and multilateral sharing of that data.

(2) Engaging in increased consultation and partnership with international drug agencies, including the European Monitoring Centre for Drugs and Drug Addiction, and regulatory agencies in foreign countries.

(3) Carrying out the program to provide assistance to build the capacity of foreign law enforcement agencies with respect to covered synthetic drugs, as required by section 03.

(4) Carrying out exchange programs for governmental and nongovernmental personnel in the United States and in foreign countries to provide educational and professional development on demand reduction matters relating to the illicit use of narcotics and other drugs, as required by section 04.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of this section.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SEC. 03. PROGRAM TO PROVIDE ASSISTANCE TO BUILD THE CAPACITY OF FOREIGN LAW ENFORCEMENT AGENCIES WITH RESPECT TO COVERED SYNTHETIC DRUGS.

(a) IN GENERAL.—Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420), the Secretary of State shall establish a program to provide assistance to build the capacity of law enforcement agencies of the countries described in subsection (c) to help such agencies to identify, track, and improve their forensics detection capabilities with respect to covered synthetic drugs.

(b) PRIORITY.—The Secretary of State shall prioritize assistance under subsection (a) among those countries described in subsection (c) in which such assistance would have the most impact in reducing illicit use of covered synthetic drugs in the United States.

(c) COUNTRIES DESCRIBED.—The foreign countries described in this subsection are—

(1) countries that are producers of covered synthetic drugs;

(2) countries whose pharmaceutical and chemical industries are known to be exploited for development or procurement of precursors of covered synthetic drugs; or

(3) major drug-transit countries as defined by the President.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$4,000,000 for each of the fiscal years 2022 through 2026. Such amounts shall be in addition to amounts otherwise available for such purposes.

SEC. 04. EXCHANGE PROGRAM FOR GOVERNMENTAL AND NONGOVERNMENTAL PERSONNEL TO PROVIDE EDUCATIONAL AND PROFESSIONAL DEVELOPMENT ON DEMAND REDUCTION MATTERS RELATING TO ILLICIT USE OF NARCOTICS AND OTHER DRUGS.

(a) IN GENERAL.—The Secretary of State shall establish or continue and strengthen, as appropriate, an exchange program for governmental and nongovernmental personnel in the United States and in foreign countries

to provide educational and professional development on demand reduction matters relating to the illicit use of narcotics and other drugs.

(b) PROGRAM REQUIREMENTS.—The program required by subsection (a)—

(1) shall be limited to individuals who have expertise and experience in matters described in subsection (a);

(2) in the case of inbound exchanges, may be carried out as part of exchange programs and international visitor programs administered by the Bureau of Educational and Cultural Affairs of the Department of State, including the International Visitor Leadership Program, in consultation or coordination with the Bureau of International Narcotics and Law Enforcement Affairs; and

(3) shall include outbound exchanges for governmental or nongovernmental personnel in the United States.

(c) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$1,000,000 for each of fiscal years 2022 through 2026. Such amounts shall be in addition to amounts otherwise available for such purposes.

SEC. 05. AMENDMENTS TO INTERNATIONAL NARCOTICS CONTROL PROGRAM.

(a) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by inserting after paragraph (9) the following new paragraph:

“(10) SYNTHETIC OPIOIDS AND NEW PSYCHOACTIVE SUBSTANCES.—

“(A) SYNTHETIC OPIOIDS.—Information that contains an assessment of the countries significantly involved in the manufacture, production, or transshipment of synthetic opioids, including fentanyl and fentanyl analogues, to include the following:

“(i) The scale of legal domestic production and any available information on the number of manufacturers and producers of such opioids in such countries.

“(ii) Information on any law enforcement assessments of the scale of illegal production, including a description of the capacity of illegal laboratories to produce such opioids.

“(iii) The types of inputs used and a description of the primary methods of synthesis employed by illegal producers of such opioids.

“(iv) An assessment of the policies of such countries to regulate licit manufacture and interdict illicit manufacture, diversion, distribution, and shipment of such opioids and an assessment of the effectiveness of the policies’ implementation.

“(B) NEW PSYCHOACTIVE SUBSTANCES.—Information on, to the extent practicable, any policies of responding to new psychoactive substances (as such term is defined in section 07 of the FENTANYL Results Act), to include the following:

“(i) Which governments have articulated policies on scheduling of such substances.

“(ii) Any data on impacts of such policies and other responses to such substances.

“(iii) An assessment of any policies the United States could adopt to improve its response to new psychoactive substances.”

(b) DEFINITION OF MAJOR ILLICIT DRUG PRODUCING COUNTRY.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) by striking “means a country in which—” and inserting the following: “means—

“(A) a country in which—”;

(B) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and moving such clauses, as so redesignated, two ems to the right;

(C) in subparagraph (A)(iii), as redesignated by this paragraph, by striking the semicolon at the end and inserting “; or”; and

(D) by adding at the end the following new subparagraph:

“(B) a country which is a significant direct source of illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States;”; and

(2) by amending paragraph (5) to read as follows:

“(5) the term ‘major drug-transit country’ means a country through which are transported illicit narcotic or psychotropic drugs or other controlled substances significantly affecting the United States.”.

SEC. 06. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should direct the United States Representative to the United Nations to use the voice and vote of the United States at the United Nations to advocate for more transparent assessments of countries by the International Narcotics Control Board; and

(2) bilateral, plurilateral, and multilateral international cooperation is essential to combating the trafficking of covered synthetic drugs.

SEC. 07. DEFINITIONS.

In this subtitle:

(1) The term “covered synthetic drug” means—

(A) a synthetic controlled substance (as defined in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6))), including fentanyl or a fentanyl analogue; or

(B) a new psychoactive substance.

(2) The term “new psychoactive substance” means a substance of abuse, or any preparation thereof, that—

(A) is not—

(i) included in any schedule as a controlled substance under the Controlled Substances Act (21 U.S.C. 801 et seq.); or

(ii) controlled by the Single Convention on Narcotic Drugs, done at New York March 30, 1961, or the Convention on Psychotropic Substances, done at Vienna February 21, 1971;

(B) is new or has reemerged on the illicit market; and

(C) poses a threat to the public health and safety.

SA 4130. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 VII, add the following:

Subtitle D—Documentation and Testing of Exposure to Perfluoroalkyl and Polyfluoroalkyl Substances

SEC. 761. INCLUSION OF EXPOSURE TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES AS PART OF PERIODIC HEALTH ASSESSMENTS.

(a) PERIODIC HEALTH ASSESSMENT.—The Secretary of Defense shall ensure that any periodic health assessment provided to a member of the Armed Forces includes an evaluation of whether the member has been—

(1) based or stationed at a military installation identified by the Department of De-

fense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

(2) exposed to such substances, including by evaluating any information in the health record of the member.

(b) SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(D) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

“(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

“(ii) exposed to such substances, including by assessing any information in the health record of the member.”.

(c) DEPLOYMENT ASSESSMENTS.—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(E) An assessment of whether the member was—

“(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

“(ii) exposed to such substances, including by assessing any information in the health record of the member.”.

SEC. 762. PROVISION OF BLOOD TESTING FOR MEMBERS OF THE ARMED FORCES, FORMER MEMBERS OF THE ARMED FORCES, AND THEIR FAMILIES TO DETERMINE EXPOSURE TO PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

(a) MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—If a covered evaluation of a member of the Armed Forces results in a positive determination of potential exposure to perfluoroalkyl substances or polyfluoroalkyl substances, the Secretary of Defense shall provide to that member, during that covered evaluation, blood testing to determine and document potential exposure to such substances.

(2) INCLUSION IN HEALTH RECORD.—The results of blood testing of a member of the Armed Forces conducted under paragraph (1) shall be included in the health record of the member.

(b) FORMER MEMBERS OF THE ARMED FORCES AND FAMILY MEMBERS.—The Secretary shall pay for blood testing to determine and document potential exposure to perfluoroalkyl substances or polyfluoroalkyl substances for any covered individual, at the election of the individual, either through the TRICARE program for individuals otherwise eligible for such program or through the use of vouchers to obtain such testing.

(c) DEFINITIONS.—In this section:

(1) COVERED EVALUATION.—The term “covered evaluation” means—

(A) a periodic health assessment conducted in accordance with section 761(a);

(B) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by section 761(b); and

(C) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by section 761(c).

(2) COVERED INDIVIDUAL.—The term “covered individual” means a former member of

the Armed Forces or a family member of a member or former member of the Armed Forces who lived at a location (or the surrounding area of such a location) identified by the Department of Defense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the individual lived at that location (or surrounding area).

(3) **TRICARE PROGRAM.**—The term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

SEC. 763. DOCUMENTATION OF EXPOSURE TO PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.

(a) **SHARING OF INFORMATION.**—The Secretary of Defense and the Secretary of Veterans Affairs shall enter into a memorandum of understanding providing for the sharing by the Department of Defense with the Department of Veterans Affairs of the results of covered evaluations regarding the exposure by a member of the Armed Forces to perfluoroalkyl substances or polyfluoroalkyl substances.

(b) **REGISTRY.**—

(1) **ESTABLISHMENT.**—The Secretary of Defense shall establish a registry of members of the Armed Forces who have been exposed to, or are suspected to have been exposed to, perfluoroalkyl substances or polyfluoroalkyl substances.

(2) **INCLUSION IN REGISTRY.**—The Secretary shall include a member of the Armed Forces in the registry established under paragraph (1) if a covered evaluation of the member establishes that the member—

(A) was based or stationed at a location identified by the Department of Defense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the location; or

(B) was exposed to such substances.

(3) **BLOOD TESTING.**—The results of any blood test conducted under section 4(a) shall be included in the registry established under paragraph (1) for any member of the Armed Forces included in the registry.

(4) **ELECTION.**—A member of the Armed Forces may elect not to be included in the registry established under paragraph (1).

(c) **PROVISION OF INFORMATION.**—The Secretary of Defense shall provide to a member of the Armed Forces more information on perfluoroalkyl substances and polyfluoroalkyl substances and the potential impact of exposure to such substances if a covered evaluation of such member establishes that the member—

(1) was based or stationed at a location identified by the Department of Defense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the location; or

(2) was exposed to such substances.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to preclude eligibility of a veteran for benefits under the laws administered by the Secretary of Veterans Affairs by reason of the exposure of the veteran to perfluoroalkyl substances or polyfluoroalkyl substances not being recorded in a covered evaluation.

(e) **COVERED EVALUATION DEFINED.**—In this section, the term “covered evaluation” means—

(1) a periodic health assessment conducted in accordance with section 761(a);

(2) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by section 761(b); and

(3) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by section 761(c).

SA 4131. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed 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 title X, insert the following:

Subtitle — Homeland Procurement Reform Act

SEC. — 01. SHORT TITLE.

This subtitle may be cited as the “Homeland Procurement Reform Act” or the “HOPR Act”.

SEC. — 02. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS ACCORDING TO CERTAIN CRITERIA.

(a) **IN GENERAL.**—Subtitle D of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 391 et seq.) is amended by adding at the end the following:

“SEC. 836. REQUIREMENTS TO BUY CERTAIN ITEMS RELATED TO NATIONAL SECURITY INTERESTS.

“(a) **DEFINITIONS.**—In this section:

“(1) **COVERED ITEM.**—The term ‘covered item’ means any of the following:

“(A) Footwear provided as part of a uniform.

“(B) Uniforms.

“(C) Holsters and tactical pouches.

“(D) Patches, insignia, and embellishments.

“(E) Chemical, biological, radiological, and nuclear protective gear.

“(F) Body armor components intended to provide ballistic protection for an individual, consisting of 1 or more of the following:

“(i) Soft ballistic panels.

“(ii) Hard ballistic plates.

“(iii) Concealed armor carriers worn under a uniform.

“(iv) External armor carriers worn over a uniform.

“(G) Any other item as determined appropriate by the Secretary.

“(2) **FRONTLINE OPERATIONAL COMPONENT.**—The term ‘frontline operational component’ means any of the following organizations of the Department:

“(A) U.S. Customs and Border Protection.

“(B) U.S. Immigration and Customs Enforcement.

“(C) The United States Secret Service.

“(D) The Transportation Security Administration.

“(E) The Coast Guard.

“(F) The Federal Protective Service.

“(G) The Federal Emergency Management Agency.

“(H) The Federal Law Enforcement Training Centers.

“(I) The Cybersecurity and Infrastructure Security Agency.

“(b) **REQUIREMENTS.**—

“(1) **IN GENERAL.**—The Secretary shall ensure that any procurement of a covered item for a frontline operational component meets the following criteria:

“(A) To the maximum extent possible, not less than one-third of funds obligated in a specific fiscal year for the procurement of such covered items shall be covered items

that are manufactured in the United States by entities that qualify as small business concerns, as defined in section 3 of the Small Business Act (15 U.S.C. 632).

“(B) Each contractor with respect to the procurement of such a covered item, including the end-item manufacturer of such a covered item—

“(i) is an entity registered with the System for Award Management (or successor system) administered by the General Services Administration; and

“(ii) is in compliance with ISO 9001:2015 of the International Organization for Standardization (or successor standard) or a standard determined appropriate by the Secretary to ensure the quality of products and adherence to applicable statutory and regulatory requirements.

“(C) Each supplier of such a covered item with an insignia (such as any patch, badge, or emblem) and each supplier of such an insignia, if such covered item with such insignia or such insignia, as the case may be, is not produced, applied, or assembled in the United States, shall—

“(i) store such covered item with such insignia or such insignia in a locked area;

“(ii) report any pilferage or theft of such covered item with such insignia or such insignia occurring at any stage before delivery of such covered item with such insignia or such insignia; and

“(iii) destroy any such defective or unusable covered item with insignia or insignia in a manner established by the Secretary, and maintain records, for three years after the creation of such records, of such destruction that include the date of such destruction, a description of the covered item with insignia or insignia destroyed, the quantity of the covered item with insignia or insignia destroyed, and the method of destruction.

“(2) **WAIVER.**—

“(A) **IN GENERAL.**—In the case of a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) or a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), the Secretary may waive a requirement in subparagraph (A), (B) or (C) of paragraph (1) if the Secretary determines there is an insufficient supply of a covered item that meets the requirement.

“(B) **NOTICE.**—Not later than 60 days after the date on which the Secretary determines a waiver under subparagraph (A) is necessary, the Secretary shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives notice of such determination, which shall include—

“(i) identification of the national emergency or major disaster declared by the President;

“(ii) identification of the covered item for which the Secretary intends to issue the waiver; and

“(iii) a description of the demand for the covered item and corresponding lack of supply from contractors able to meet the criteria described in subparagraph (B) or (C) of paragraph (1).

“(c) **PRICING.**—The Secretary shall ensure that covered items are purchased at a fair and reasonable price, consistent with the procedures and guidelines specified in the Federal Acquisition Regulation.

“(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, the Secretary shall provide to the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate a briefing on instances in which vendors have failed to meet deadlines for delivery of covered items and corrective actions taken by the Department in response to such instances.

“(e) EFFECTIVE DATE.—This section applies with respect to a contract entered into by the Department or any frontline operational component on or after the date that is 180 days after the date of enactment of this section.”.

(b) STUDY.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a study of the adequacy of uniform allowances provided to employees of frontline operational components (as defined in section 836 of the Homeland Security Act of 2002, as added by subsection (a)).

(2) REQUIREMENTS.—The study conducted under paragraph (1) shall—

(A) be informed by a Department-wide survey of employees from across the Department of Homeland Security who receive uniform allowances that seeks to ascertain what, if any, improvements could be made to the current uniform allowances and what, if any, impacts current allowances have had on employee morale and retention;

(B) assess the adequacy of the most recent increase made to the uniform allowance for first year employees; and

(C) consider increasing by 50 percent, at minimum, the annual allowance for all other employees.

(c) ADDITIONAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall provide a report with recommendations on how the Department of Homeland Security could procure additional items from domestic sources and bolster the domestic supply chain for items related to national security to—

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

(B) the Committee on Homeland Security, the Committee on Oversight and Reform, and the Committee on Appropriations of the House of Representatives.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) a review of the compliance of the Department of Homeland Security with the requirements under section 604 of title VI of division A of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b) to buy certain items related to national security interests from sources in the United States; and

(B) an assessment of the capacity of the Department of Homeland Security to procure the following items from domestic sources:

(i) Personal protective equipment and other items necessary to respond to a pandemic such as that caused by COVID-19.

(ii) Helmets that provide ballistic protection and other head protection and components.

(iii) Rain gear, cold weather gear, and other environmental and flame resistant clothing.

(d) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 835 the following:

“Sec. 836. Requirements to buy certain items related to national security interests.”.

SA 4132. Mr. SCHUMER (for Mr. MENENDEZ) proposed an amendment to the bill S. 1064, to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ‘Reinforcing Nicaragua’s Adherence to Conditions for Electoral Reform Act of 2021’ or the ‘RENACER Act’.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Sense of Congress.

Sec. 3. Review of participation of Nicaragua in Dominican Republic-Central America-United States Free Trade Agreement.

Sec. 4. Restrictions on international financial institutions relating to Nicaragua.

Sec. 5. Targeted sanctions to advance democratic elections.

Sec. 6. Developing and implementing a coordinated sanctions strategy with diplomatic partners.

Sec. 7. Inclusion of Nicaragua in list of countries subject to certain sanctions relating to corruption.

Sec. 8. Classified report on the involvement of Ortega family members and Nicaraguan government officials in corruption.

Sec. 9. Classified report on the activities of the Russian Federation in Nicaragua.

Sec. 10. Report on certain purchases by and agreements entered into by Government of Nicaragua relating to military or intelligence sector of Nicaragua.

Sec. 11. Report on human rights abuses in Nicaragua.

Sec. 12. Supporting independent news media and freedom of information in Nicaragua.

Sec. 13. Amendment to short title of Public Law 115-335.

Sec. 14. Definition.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) ongoing efforts by the government of President Daniel Ortega in Nicaragua to suppress the voice and actions of political opponents through intimidation and unlawful detention, civil society, and independent news media violate the fundamental freedoms and basic human rights of the people of Nicaragua;

(2) Congress unequivocally condemns the politically motivated and unlawful detention of presidential candidates Cristiana Chamorro, Arturo Cruz, Felix Maradiaga, and Juan Sebastian Chamorro;

(3) Congress unequivocally condemns the passage of the Foreign Agents Regulation Law, the Special Cybercrimes Law, the Self-Determination Law, and the Consumer Protection Law by the National Assembly of Nicaragua, which represent clear attempts by the Ortega government to curtail the fundamental freedoms and basic human rights of the people of Nicaragua;

(4) Congress recognizes that free, fair, and transparent elections predicated on robust reform measures and the presence of domestic and international observers represent the best opportunity for the people of Nicaragua to restore democracy and reach a peaceful solution to the political and social crisis in Nicaragua;

(5) the United States recognizes the right of the people of Nicaragua to freely determine their own political future as vital to ensuring the sustainable restoration of democracy in their country;

(6) the United States should align the use of diplomatic engagement and all other foreign policy tools, including the use of targeted sanctions, in support of efforts by democratic political actors and civil society in Nicaragua to advance the necessary conditions for free, fair, and transparent elections in Nicaragua;

(7) the United States, in order to maximize the effectiveness of efforts described in paragraph (6), should—

(A) coordinate with diplomatic partners, including the Government of Canada, the European Union, and partners in Latin America and the Caribbean;

(B) advance diplomatic initiatives in consultation with the Organization of American States and the United Nations; and

(C) thoroughly investigate the assets and holdings of the Nicaraguan Armed Forces in the United States and consider appropriate actions to hold such forces accountable for gross violations of human rights; and

(8) pursuant to section 6(b) of the Nicaragua Investment Conditionality Act of 2018, the President should waive the application of restrictions under section 4 of that Act and the sanctions under section 5 of that Act if the Secretary of State certifies that the Government of Nicaragua is taking the steps identified in section 6(a) of that Act, including taking steps to “to hold free and fair elections overseen by credible domestic and international observers”.

SEC. 3. REVIEW OF PARTICIPATION OF NICARAGUA IN DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT.

(a) FINDINGS.—Congress makes the following findings:

(1) On November 27, 2018, the President signed Executive Order 13851 (50 U.S.C. 1701 note); relating to blocking property of certain persons contributing to the situation in Nicaragua, which stated that “the situation in Nicaragua, including the violent response by the Government of Nicaragua to the protests that began on April 18, 2018, and the Ortega regime’s systematic dismantling and undermining of democratic institutions and the rule of law, its use of indiscriminate violence and repressive tactics against civilians, as well as its corruption leading to the destabilization of Nicaragua’s economy, constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States”.

(2) Article 21.2 of the Dominican Republic-Central America-United States Free Trade Agreement approved by Congress under section 101(a)(1) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (19 U.S.C. 4011(a)(1)) states, “Nothing in this Agreement shall be construed . . . to preclude a

Party from applying measures that it considers necessary for the fulfillment of its obligations with respect to the maintenance or restoration of international peace or security, or the protection of its own essential security interests.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should review the continued participation of Nicaragua in the Dominican Republic-Central America-United States Free Trade Agreement if the Government of Nicaragua continues to tighten its authoritarian rule in an attempt to subvert democratic elections in November 2021 and undermine democracy and human rights in Nicaragua.

SEC. 4. RESTRICTIONS ON INTERNATIONAL FINANCIAL INSTITUTIONS RELATING TO NICARAGUA.

Section 4 of the Nicaragua Investment Conditionality Act of 2018 is amended—

(1) by redesignating subsections (a), (b), and (c) as subsections (b), (c), and (d), respectively;

(2) by inserting before subsection (b), as redesignated by paragraph (1), the following:

“(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Treasury should take all possible steps, including through the full implementation of the exceptions set forth in subsection (c), to ensure that the restrictions required under subsection (b) do not negatively impact the basic human needs of the people of Nicaragua.”;

(3) in subsection (c), as so redesignated, by striking “subsection (a)” and inserting “subsection (b)”;

(4) by striking subsection (d), as so redesignated, and inserting the following:

“(d) INCREASED OVERSIGHT.—

“(1) IN GENERAL.—The United States Executive Director at each international financial institution of the World Bank Group, the United States Executive Director at the Inter-American Development Bank, and the United States Executive Director at each other international financial institution, including the International Monetary Fund, shall take all practicable steps—

“(A) to increase scrutiny of any loan or financial or technical assistance provided for a project in Nicaragua; and

“(B) to ensure that the loan or assistance is administered through an entity with full technical, administrative, and financial independence from the Government of Nicaragua.

“(2) MECHANISMS FOR INCREASED SCRUTINY.—The United States Executive Director at each international financial institution described in paragraph (1) shall use the voice, vote, and influence of the United States to encourage that institution to increase oversight mechanisms for new and existing loans or financial or technical assistance provided for a project in Nicaragua.

“(e) INTERAGENCY CONSULTATION.—Before implementing the restrictions described in subsection (b), or before exercising an exception under subsection (c), the Secretary of the Treasury shall consult with the Secretary of State and with the Administrator of the United States Agency for International Development to ensure that all loans and financial or technical assistance to Nicaragua are consistent with United States foreign policy objectives as defined in section 3.

“(f) REPORT.—Not later than 180 days after the date of the enactment of the RENACER Act, and annually thereafter until the termination date specified in section 10, the Secretary of the Treasury, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a re-

port on the implementation of this section, which shall include—

“(1) summary of any loans and financial and technical assistance provided by international financial institutions for projects in Nicaragua;

“(2) a description of the implementation of the restrictions described in subsection (b);

“(3) an identification of the occasions in which the exceptions under subsection (c) are exercised and an assessment of how the loan or assistance provided with each such exception may address basic human needs or promote democracy in Nicaragua;

“(4) a description of the results of the increased oversight conducted under subsection (d); and

“(5) a description of international efforts to address the humanitarian needs of the people of Nicaragua.”.

SEC. 5. TARGETED SANCTIONS TO ADVANCE DEMOCRATIC ELECTIONS.

(a) COORDINATED STRATEGY.—

(1) IN GENERAL.—The Secretary of State and the Secretary of the Treasury, in consultation with the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), shall develop and implement a coordinated strategy to align diplomatic engagement efforts with the implementation of targeted sanctions in order to support efforts to facilitate the necessary conditions for free, fair, and transparent elections in Nicaragua.

(2) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until December 31, 2022, the Secretary of State and the Secretary of the Treasury shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on steps to be taken by the United States Government to develop and implement the coordinated strategy required by paragraph (1).

(b) TARGETED SANCTIONS PRIORITIZATION.—

(1) IN GENERAL.—Pursuant to the coordinated strategy required by subsection (a), the President shall prioritize the implementation of the targeted sanctions required under section 5 of the Nicaragua Investment Conditionality Act of 2018.

(2) TARGETS.—In carrying out paragraph (1), the President—

(A) shall examine whether foreign persons involved in directly or indirectly obstructing the establishment of conditions necessary for the realization of free, fair, and transparent elections in Nicaragua are subject to sanctions under section 5 of the Nicaragua Investment Conditionality Act of 2018; and

(B) should, in particular, examine whether the following persons have engaged in conduct subject to such sanctions:

(i) Officials in the government of President Daniel Ortega.

(ii) Family members of President Daniel Ortega.

(iii) High-ranking members of the National Nicaraguan Police.

(iv) High-ranking members of the Nicaraguan Armed Forces.

(v) Members of the Supreme Electoral Council of Nicaragua.

(vi) Officials of the Central Bank of Nicaragua.

(vii) Party members and elected officials from the Sandinista National Liberation Front and their family members.

(viii) Individuals or entities affiliated with businesses engaged in corrupt financial transactions with officials in the government of President Daniel Ortega, his party, or his family.

(ix) Individuals identified in the report required by section 8 as involved in significant acts of public corruption in Nicaragua.

SEC. 6. DEVELOPING AND IMPLEMENTING A COORDINATED SANCTIONS STRATEGY WITH DIPLOMATIC PARTNERS.

(a) FINDINGS.—Congress makes the following findings:

(1) On June 21, 2019, the Government of Canada, pursuant to its Special Economic Measures Act, designated 9 officials of the Government of Nicaragua for the imposition of sanctions in response to gross and systematic human rights violations in Nicaragua.

(2) On May 4, 2020, the European Union imposed sanctions with respect to 6 officials of the Government of Nicaragua identified as responsible for serious human rights violations and for the repression of civil society and democratic opposition in Nicaragua.

(3) On October 12, 2020, the European Union extended its authority to impose restrictive measures on “persons and entities responsible for serious human rights violations or abuses or for the repression of civil society and democratic opposition in Nicaragua, as well as persons and entities whose actions, policies or activities otherwise undermine democracy and the rule of law in Nicaragua, and persons associated with them”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should encourage the Government of Canada, the European Union and governments of members countries of the European Union, and governments of countries in Latin America and the Caribbean to use targeted sanctions with respect to persons involved in human rights violations and the obstruction of free, fair, and transparent elections in Nicaragua.

(c) COORDINATING INTERNATIONAL SANCTIONS.—The Secretary of State, working through the head of the Office of Sanctions Coordination established by section 1(h) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(h)), and in consultation with the Secretary of the Treasury, shall engage in diplomatic efforts with governments of countries that are partners of the United States, including the Government of Canada, governments of countries in the European Union, and governments of countries in Latin America and the Caribbean, to impose targeted sanctions with respect to the persons described in section 5(b) in order to advance democratic elections in Nicaragua.

(d) BRIEFING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until December 31, 2022, the Secretary of State, in consultation with the Secretary of the Treasury, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the implementation of this section.

SEC. 7. INCLUSION OF NICARAGUA IN LIST OF COUNTRIES SUBJECT TO CERTAIN SANCTIONS RELATING TO CORRUPTION.

Section 353 of title III of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116-260) is amended—

(1) in the section heading, by striking “AND HONDURAS” and inserting “, HONDURAS, AND NICARAGUA”; and

(2) by striking “and Honduras” each place it appears and inserting “, Honduras, and Nicaragua”.

SEC. 8. CLASSIFIED REPORT ON THE INVOLVEMENT OF ORTEGA FAMILY MEMBERS AND NICARAGUAN GOVERNMENT OFFICIALS IN CORRUPTION.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence, shall submit a classified report to

the appropriate congressional committees on significant acts of public corruption in Nicaragua that—

- (1) involve—
 - (A) the President of Nicaragua, Daniel Ortega;
 - (B) members of the family of Daniel Ortega; and
 - (C) senior officials of the Ortega government, including—
 - (i) members of the Supreme Electoral Council, the Nicaraguan Armed Forces, and the National Nicaraguan Police; and
 - (ii) elected officials from the Sandinista National Liberation Front party;
- (2) pose challenges for United States national security and regional stability;
- (3) impede the realization of free, fair, and transparent elections in Nicaragua; and
- (4) violate the fundamental freedoms of civil society and political opponents in Nicaragua.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term “appropriate congressional committees” means—

- (1) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and
- (2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 9. CLASSIFIED REPORT ON THE ACTIVITIES OF THE RUSSIAN FEDERATION IN NICARAGUA.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence, shall submit a classified report to the appropriate congressional committees on activities of the Government of the Russian Federation in Nicaragua, including—

- (1) cooperation between Russian and Nicaraguan military personnel, intelligence services, security forces, and law enforcement, and private Russian security contractors;
- (2) cooperation related to telecommunications and satellite navigation;
- (3) other political and economic cooperation, including with respect to banking, disinformation, and election interference; and
- (4) the threats and risks that such activities pose to United States national interests and national security.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term “appropriate congressional committees” means—

- (1) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and
- (2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 10. REPORT ON CERTAIN PURCHASES BY AND AGREEMENTS ENTERED INTO BY GOVERNMENT OF NICARAGUA RELATING TO MILITARY OR INTELLIGENCE SECTOR OF NICARAGUA.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence and the Director of the Defense Intelligence Agency, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes—

- (1) a list of—
 - (A) all equipment, technology, or infrastructure with respect to the military or intelligence sector of Nicaragua purchased, on or after January 1, 2011, by the Government of Nicaragua from an entity identified by the

Department of State under section 231(e) of the Countering America’s Adversaries Through Sanctions Act (22 U.S.C. 9525(e)); and

(B) all agreements with respect to the military or intelligence sector of Nicaragua entered into, on or after January 1, 2011, by the Government of Nicaragua with an entity described in subparagraph (A); and

(2) a description of and date for each purchase and agreement described in paragraph (1).

(b) **CONSIDERATION.**—The report required by subsection (a) shall be prepared after consideration of the content of the report of the Defense Intelligence Agency entitled, “Russia: Defense Cooperation with Cuba, Nicaragua, and Venezuela” and dated February 4, 2019.

(c) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. 11. REPORT ON HUMAN RIGHTS ABUSES IN NICARAGUA.

(a) **FINDINGS.**—Congress finds that, since the June 2018 initiation of “Operation Clean-up”, an effort of the government of Daniel Ortega to dismantle barricades constructed throughout Nicaragua during social demonstrations in April 2018, the Ortega government has increased its abuse of campesinos and members of indigenous communities, including arbitrary detentions, torture, and sexual violence as a form of intimidation.

(b) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that documents the perpetration of gross human rights violations by the Ortega government against the citizens of Nicaragua, including campesinos and indigenous communities in the interior of Nicaragua.

(c) **ELEMENTS.**—The report required by subsection (b) shall—

- (1) include a compilation of human rights violations committed by the Ortega government against the citizens of Nicaragua, with a focus on such violations committed since April 2018, including human rights abuses and extrajudicial killings in—
 - (A) the cities of Managua, Carazo, and Masaya between April and June of 2018; and
 - (B) the municipalities of Wiwili, El Cuá, San Jose de Bocay, and Santa Maria de Pantasma in the Department of Jinotega, Esquipulas in the Department of Rivas, and Bilwi in the North Caribbean Coast Autonomous Region between 2018 and 2021;
- (2) outline efforts by the Ortega government to intimidate and disrupt the activities of civil society organizations attempting to hold the government accountable for infringing on the fundamental rights and freedoms of the people of Nicaragua; and

(3) provide recommendations on how the United States, in collaboration with international partners and Nicaraguan civil society, should leverage bilateral and regional relationships to curtail the gross human rights violations perpetrated by the Ortega government and better support the victims of human rights violations in Nicaragua.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

- (1) the Committee on Foreign Relations of the Senate; and
- (2) the Committee on Foreign Affairs of the House of Representatives.

SEC. 12. SUPPORTING INDEPENDENT NEWS MEDIA AND FREEDOM OF INFORMATION IN NICARAGUA.

(a) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, the Adminis-

trator for the United States Agency for International Development, and the Chief Executive Officer of the United States Agency for Global Media, shall submit to Congress a report that includes—

(1) an evaluation of the governmental, political, and technological obstacles faced by the people of Nicaragua in their efforts to obtain accurate, objective, and comprehensive news and information about domestic and international affairs; and

(2) a list of all TV channels, radio stations, online news sites, and other media platforms operating in Nicaragua that are directly or indirectly owned or controlled by President Daniel Ortega, members of the Ortega family, or known allies of the Ortega government.

(b) **ELEMENTS.**—The report required by subsection (a) shall include—

(1) an assessment of the extent to which the current level and type of news and related programming and content provided by the Voice of America and other sources is addressing the informational needs of the people of Nicaragua;

(2) a description of existing United States efforts to strengthen freedom of the press and freedom of expression in Nicaragua, including recommendations to expand upon those efforts; and

(3) a strategy for strengthening independent broadcasting, information distribution, and media platforms in Nicaragua.

SEC. 13. AMENDMENT TO SHORT TITLE OF PUBLIC LAW 115-335.

Section 1(a) of the Nicaragua Human Rights and Anticorruption Act of 2018 (Public Law 115-335; 50 U.S.C. 1701 note) is amended to read as follows:

“(a) **SHORT TITLE.**—This Act may be cited as the ‘Nicaragua Investment Conditionality Act of 2018’ or the ‘NICA Act’.”

SEC. 14. DEFINITION.

In this Act, the term “Nicaragua Investment Conditionality Act of 2018” means the Public Law 115-335 (50 U.S.C. 1701 note), as amended by section 13.

REINFORCING NICARAGUA’S ADHERENCE TO CONDITIONS FOR ELECTORAL REFORM ACT OF 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. 1064 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 1064) to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes.

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

Mr. SCHUMER. Madam President, I ask unanimous consent that the substitute amendment at the desk be considered and agreed to.

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

The amendment (No. 4132) in the nature of a substitute was agreed to.

(Purpose: In the nature of a substitute.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. SCHUMER. Madam President, I ask unanimous consent that the bill, as amended, be considered read a third time.

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

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHUMER. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate on the bill, as amended?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1064), as amended, was passed.

Mr. SCHUMER. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

ORDERS FOR TUESDAY, NOVEMBER 2, 2021

Mr. SCHUMER. Finally, Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, November 2; 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 proceed to executive session to resume consideration of the Davidson nomination; further, that notwithstanding rule XXII, at 11 a.m., the Senate vote on cloture on the Davidson, Harris, and Coleman nominations in the order listed; and that following the cloture vote on the Coleman nomination, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings; further, that at 2:20 p.m., the Senate vote on the motion to invoke cloture on the Prieto and Nayak nominations, in the order listed; that at 5:15 p.m., the Senate vote on confirmation of the Davidson nomination if cloture has been invoked; and that upon disposition of the Davidson nomination, the Senate resume consideration of the Harris nomination.

Finally, if any nominations are confirmed during Tuesday's session, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

Mr. SCHUMER. For information of Senators, there will be three rollcall votes at 11 a.m., two rollcall votes at 2:20 p.m., and one rollcall vote at 5:15 p.m.

If there is no further business to come before the Senate, I ask that it stand adjourned under the previous

order following the remarks of Senator CRUZ.

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

The PRESIDING OFFICER. The Senator from Texas.

THE MIDDLE EAST

Mr. CRUZ. Madam President, I rise today to discuss the growing threats to American national security and to the security of our friends and allies in the Middle East.

Under President Obama and Vice President Biden, the policies put in place were a catastrophe for our allies in the Middle East and a boon to our enemies. They boosted the Muslim Brotherhood and criticized Arab governments that tried to crack down on religious extremists. They gave Palestinian groups tied to terrorism a veto over peace between our Israeli and Arab allies, and they elevated those groups.

They pushed the catastrophic Obama-Iran nuclear deal, which dismantled pressure on Iran and put the Ayatollah on a path towards a nuclear arsenal, while sending pallets of cash in the dead of night as ransom for hostages.

Of course, the Obama-Biden administration didn't tell the American people and didn't tell Congress what they were doing. Instead, they deliberately hid that information. They lied as long as they could about their policies, and they developed and built an echo chamber designed to drown out their critics.

I rise today because history is repeating itself, because I am deeply worried that President Biden and the Biden-Harris administration are returning to the very worst policies and the very worst tactics of the Obama years and that the consequences are going to be far worse.

Once again, the Biden-Harris administration is boosting the Muslim Brotherhood and other religious extremist groups in the Middle East. They are elevating the Palestinians at the expense of our Israeli and Arab allies, and they are dismantling pressure on Iran.

And, once again, they are hiding those details from Congress. They do not want Congress to know, and they do not want the American people to know. And, in some cases, unfortunately, they are outright lying.

I know that President Biden and his administration are refusing to answer, even lying about their Middle East policies, because I asked them. I asked them as part of questioning Barbara Leaf, the President's nominee to be the Assistant Secretary of State for Near East Affairs.

Over the next several minutes, I will discuss the answers I got back.

Ms. Leaf has been—and will continue to be—at the center of the Biden-Harris administration's Middle East policy. She was responsible for Middle East policy from the very beginning of this administration as the senior director

for Middle East and North African Affairs at the National Security Council. In her new position to which she has been nominated, she would be America's most senior diplomat for the Middle East.

I asked Ms. Leaf written questions about Biden's administration's policies in multiple areas of Middle East policy, as part of her testimony in front of the Senate Foreign Relations Committee. Her answers ranged from deliberately nonresponsive to simply false and, throughout, thoroughly, deeply distressing.

For example, right now, today, the Biden-Harris administration is withholding \$130 million of assistance for security and counterterrorism from our Egyptian allies, allegedly on human rights concerns. What we don't know is exactly why they are doing it and exactly what the Biden-Harris administration is asking for.

Under the Obama administration, the United States repeatedly, inexplicably boosted the Muslim Brotherhood, which openly advocated terrorism against the United States. Those extremists were boosted at the expense of moderate Arab allies, and they consistently misled the public about their goals.

Here, the only reason the American public found out in the first place about this \$130 million is because the Washington Post revealed it. The Biden-Harris administration didn't explain to the American people what they were doing. It was only the reporting of journalists that revealed it, and we still don't know enough. We don't know the details.

The Post reported that the administration is withholding the aid until Egypt addresses certain human rights concerns. We don't know what they are. They apparently include releasing 16 unnamed prisoners. We don't know who they are.

So I asked Ms. Leaf about these details. I asked about the 16 people. I asked for their names, their institutional affiliations, what they were charged with. I also asked if they were American citizens. And if they were not, I asked whether they were involved in organizations that push Islamic extremism or anti-Semitism.

Ms. Leaf is obviously very familiar with the case. She wrote back over 1,000 words of highly technical responses. Here is just a third of her answer. That is the part we could fit on the poster board. Lots of words, lots of numbers, but, as you can see, not a single detail that I requested was provided.

Of the 16 people the Biden-Harris administration is demanding that Egypt release, you will see not a single name—not a one. Congress doesn't get to know who those 16 people are. The American people don't get to know who those 16 people are. The answer from Ms. Leaf to the Senate Foreign Relations Committee is, to not put too fine a point on it, Go jump in a lake.

How many of those 16 are affiliated with terrorist organizations?

The answer from Ms. Leaf: Go jump in a lake.

How many of them are American citizens?

The answer from Ms. Leaf: Go jump in a lake.

Why is that? Why is that—that the Biden-Harris administration is extorting Egypt to release 16 prisoners, and yet they are embarrassed to say who those prisoners are?

Well, we do have some public hints about the sort of people that the White House and the congressional Democrats maybe tried to coerce our Egyptian allies into releasing. Buried inside a very recent Senate appropriations report, there is an instruction that seems very much like what we are seeing with these secret conditions. It came presumably from Senate Democrats, although we don't know who. No Senate Democrat has stood forward to own this language, but there is a Senate Democrat who authored this language. It says:

In making the certification required by subsection (a)(3)(A), the Secretary of State shall consider the cases of Ola Al-Qaradawi, Hosam Khalaf, Salah Soltan, Abdulrahman Tarek, and Mohamed El-Baqer. The Committee urges that humane treatment and fair trials be afforded these and other prisoners in Egypt.

So, apparently, for some unnamed Democrat who is unwilling to put his or her name to it, these names are people the United States should champion, and it suggests the sorts of people the Biden-Harris administration may be trying to extort Egypt into releasing.

Who are they?

Well, let's start with Salah Soltan. Who is Salah Soltan? He is a Muslim Brotherhood propagandist. He is a hate preacher. He is someone who goes on TV over and over again and preaches the most vicious sorts of libel against Jews.

Why are Senate Democrats trying to release vicious anti-Semites? If you go back to the appropriation language, why are they suggesting in the appropriation language that the United States should be fighting to release that anti-Semite and hate preacher?

We don't know because Senate Democrats aren't defending that position, and the administration refuses to answer.

Who are some of the other people on that list?

Well, you have Mohamed El-Baqer. He was a Salafist youth activist. He was part of the Revolutionary Youth who started the revolution, and he has been implicated in security violations.

How about Ola al-Qaradawi? She is the daughter of Yosef al-Qaradawi, who is one of the major voices for jihad inside the Muslim Brotherhood. The paper trail on her is deliberately opaque from both sides.

How about Hosam Khalaf? He is Ola al-Qaradawi's husband, and he has been allegedly connected to a Muslim Brotherhood offshoot.

How about Abdulrahman Tarek? Well, we don't know. His presence has not been accounted for publicly.

And yet these names mysteriously appear in a Senate appropriations report. When I asked Ms. Leaf about it, she provided 1,000 words and not a single name.

And I will tell you that, actually, the names on that list are not secrets from Congress. They have been provided to Congress in a classified form. So the Presiding Officer and I can go into a secure SCIF, and we can read it in the SCIF. We can read the names.

You know what we are not allowed to do?

Tell anyone what the names are.

Why is it that those names are classified?

They are classified because President Biden and Vice President HARRIS don't want the American people to know who it is they are trying to release.

There is no reasonable justification for those names to be classified. They are extorting our friend and ally, Egypt, to get 16 people released from jail, and they refuse to tell us who.

The American people have a right to know if the Biden administration is trying to pressure our allies to release Muslim Brotherhood extremists; if the Biden administration is trying to get our allies to release anti-Semites; and, if they are, to hear a justification for why. But Ms. Leaf, instead, simply defies the Senate and refuses to answer.

Let's turn now to Israel.

During the Trump administration, there was a decision to stand shoulder to shoulder with Israel, which led to an historic flowering of peace across the region. The name and framework for those peace agreements was the Abraham Accords.

This was something that the Obama administration said would never happen and something, unfortunately, tragically, that they were actively hostile to. The Obama administration insisted that Israel would have to make massive concessions to the Palestinians on their sovereignty—on the security of Israel—before there could ever be peace deals between the Israelis and their Arab neighbors.

When asked whether there could ever be peace like the Abraham Accords without a prior deal with the Palestinians, then-Secretary of State John Kerry said: "There will be no separate peace between Israel and the Arab world. . . . No, no, no, and no."

No ambiguity to what they thought—they don't want peace without massive concessions from Israel to the Palestinians.

Well, turned out President Obama and Secretary Kerry were tragically wrong, as they were on so many issues, and President Trump demonstrated that to the world. And, sadly, President Biden and Vice President HARRIS have never forgiven our Israeli allies and our Arab allies for that—for demonstrating that with strong, resolute clarity from the United States' un-

equivocal support of Israel, that peace could be the result. That was an outcome anathema to the foreign policy objectives of the current administration. As a result, there are many in the Biden administration that are enormously, deeply, seethingly hostile to the Abraham Accords.

At the beginning of the Biden administration, the State Department even issued internal guidance prohibiting the use of the phrase "Abraham Accords." Those words were verboten. You may not say those words. The instructions were instead to call them the "normalization agreements."

George Orwell is, no doubt, looking down from Heaven and smiling at the power of language to be redefined. There are no Abraham Accords. Now, they are normalization agreements.

Once again, the only reason that the public knows about this is because journalists revealed it. This time, it was the "Washington Free Beacon," but the details have never been clarified.

After those public reports, the Biden administration was forced to at least partially reverse that policy. They insisted they fully support the accords that must never be named. But it is not clear how true or how broad that reversal has been.

On September 13, U.S. Ambassador to the U.N., Thomas-Greenfield, gave a speech about the Abraham Accords in which she stubbornly refused to utter the words "Abraham Accords." Instead, following, apparently, the State Department guidance, she simply used the bland term "normalization agreements."

On October 13, Secretary Blinken met with Foreign Minister Lapid, and the spokesperson issued a formal readout from that meeting. Once again, the formal readout from the State Department carefully eschewed any mention of the Abraham Accords and used the bland term "regional normalization efforts."

This is conscious. This is deliberate. This is a pattern. It is a classic example of where congressional oversight is called for.

Madam President, many Senate Democrats claim to support the Abraham Accords. Now, I would note, I was at the White House for the signing of the Abraham Accords. Not a single Senate Democrat showed up for that historic peace agreement—none. Presumably because of partisan loathing of President Trump. But, nonetheless, congressional Democrats say they support the accords today. If that is true, we need to see congressional oversight.

So I asked Ms. Leaf for the specific guidance that was issued to the State Department. Give Congress—give the Senate—the written guidance prohibiting reference to the Abraham Accords. We know about it from public reports in the media. She and the State Department refused. They refused to provide that guidance to Congress. They refused to show it to the public. And, in doing it, it is not accidental.

She refuses to answer this question because they want to hide it from the American people, just like the names of the 16 prisoners they are demanding that Egypt release. Presumably, if the American people knew those names, knew the affiliations, knew the backgrounds, they would be outraged. Likewise, if the American people read the written guidance issued by this State Department, prohibiting uttering of the words "Abraham Accords," then the charade so many Democrats try to play in supporting those accords would be that much harder to maintain.

A third example, turning to Iran, perhaps more than anything else, first and foremost, this administration wants to return to the catastrophic Obama-Biden-Iran nuclear deal and to dismantle meaningful sanctions against the theocratic regime in Iran. From the earliest hours of the administration, the effort began to do exactly that.

As part of that push, the administration has quietly, and sometimes secretly, reduced pressure on Iran and released frozen Iranian funds. But the Ayatollah wants to see just how much he can get, and he may not think that President Biden will ever do anything meaningful. If the United States isn't going to impose pressure on Iran, there is no reason for the Ayatollah to return to the deal at all. He doesn't need to take "yes" for an answer for a deal because he is getting everything anyway.

And so since very early in the administration, the Biden-Harris officials have contemplated what has been called a "less for less" agreement in which they would reduce some pressure on Iran for something less than full compliance. You will only nuke some of us.

Once again, we only know about the existence of these considerations from public reports. In February and again over the summer, Reuters reported on administration officials contemplating these deals, the so-called "less for less" deals. We here in Congress know a little more but not much.

Congress and the public deserve to know what is being contemplated to reduce pressure on the Iranian regime, the world's leading state sponsor of terrorism and a regime that seeks—and, I believe, may well be willing—to use nuclear weapons to murder millions of Americans and millions of our allies.

I believe that if the Ayatollah had the ability to murder millions of Americans or millions of Israelis in the blink of an eye, the odds are far too high that this theocratic zealot, who glories in death and suicide, would be willing to do so.

And so I asked Ms. Leaf for the details of such agreements. Here is what she said in response:

There have been no such arrangements, deals, or agreements contemplated to reduce pressure on Iran.

That statement is false. It is categorically, directly, unequivocally

false. It is false testimony in writing to the Senate Foreign Relations Committee. Ms. Leaf knows it is false, and the State Department handlers who transmitted her written answer to the Senate know that it is false.

What is the Biden administration trying to hide? What deep details don't they want us to know?

This isn't just about policy disagreements, although I disagree vehemently with many of this administration's policies. I understand some people, some Democrats, will disagree. But even more fundamentally, this is about transparency and oversight. On that, there should be no disagreement.

And these questions are ones that go to the very core of this administration's Middle East foreign policy and of American national security. What extremists are President Biden and Vice President HARRIS trying to empower? Whom do they view as allies worth supporting in the region? What deals are being contemplated with the Iranian regime?

I asked Ms. Leaf for these details. She has, after all, been working right in the center of Middle East issues for this administration. She and the Biden-Harris administration are refusing to answer. The public has a right to know.

Let me also point out that President Biden, in recent days, said publicly that if Iran enters into a new nuclear deal, the United States would stay bound by it in perpetuity as long as Iran didn't renege on that deal. I want to be absolutely clear on something: President Biden has zero constitutional authority to make that commitment.

The Ayatollah in Iran could be forgiven for misunderstanding that. The Ayatollah, after all, is a total dictator with the ability to line up anyone who disagrees and execute them on the spot. But, thankfully, the President of the United States does not enjoy such dictatorial powers.

Under our Constitution, there are two ways, and two ways only, that a President can make a binding commitment on the United States of America. The first is through passing a law that passes the Senate, passes the House, and is signed into law by the President. If President Biden wishes to do so with any Iran deal, he is welcome to do so.

The second and the way, traditionally, that foreign policies agreements are handled is through a treaty—a treaty that is submitted to the Senate and ratified by two-thirds of the Senate. The chances that the Biden-Harris whatever disastrous nuclear deal they work out with Iran, the chances that that would be ratified by two-thirds of the Senate I can quantify exactly. There is 0.00 percent.

President Biden knows that. He knows that because the Senate has been unequivocal that this deal is disastrous and harmful for American national security, harmful for Israel, and harmful for our allies. And so, instead, President Biden makes an empty promise that he cannot commit.

In that, he is following in the footsteps of President Obama. President Obama made a similar promise, and President Obama knew it was a lie when he said it, and President Biden knows it is a lie when he says it.

History demonstrated that President Obama told a falsehood because the next Republican President, Donald J. Trump, ripped the Obama-Iran deal to shreds and withdrew from the deal, which was the right decision. I urged President Trump to do that.

Our allies and our enemies should mark my words on this: Regardless of whatever empty promises President Biden makes, he lacks constitutional authority to bind a subsequent administration. And I believe it is 100 percent certain that the next Republican President who is sworn into office will once again rip to shreds any disastrous deal negotiated with the Ayatollah and Iran.

So President Biden has 3 more years to try to give away the store, to try to send billions of dollars, perhaps on pallets in the dead of night like Barack Obama did, to fund theocratic terrorists who want to murder Americans and murder Israelis. But the Ayatollah needs to know, Europe needs to know, our friends need to know, our enemies need to know that President Biden's promises are empty words that will expire the instant his Presidency is over.

We don't have a dictator in this country. We have a constitutional republic. If President Biden wants to bind subsequent administrations, he can negotiate a treaty, submit a treaty to the Senate, and get it ratified. But he doesn't have the votes, and so instead he makes empty promises.

If President Biden and Vice President HARRIS were proud of the policies they are pursuing in the Middle East, they would give the American people the list of the 16 prisoners they are trying to force Egypt to release.

We know that multiple of the names Senate Democrats have put in the appropriations language are affiliated with the Muslim Brotherhood. We know one is an anti-Semitic hate preacher. And we suspect that the administration knows full well that if it released those names, it couldn't defend them to the American people. It is counting on darkness and secrecy to hide their conduct.

I believe the Senate—both Republicans and Democrats—have an obligation to the American people to shine a light. If you are going to extort our allies to release prisoners, tell us now: Are they affiliated with the Muslim Brotherhood? Are they anti-Semites? Are they a national security threat to the United States or our allies? The American people deserve to know.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:55 p.m., adjourned until Tuesday, November 2, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 154 AND 601:

To be admiral

ADM. CHRISTOPHER W. GRADY

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANTHONY W. PEREZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DUSTIN R. MEREDITH

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

GABRIELLE L. MURRAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL R. RUIZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

NICHOLAS J. BECK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

PETER A. DOBLAR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

FRANCIS E. IGO IV

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KEN M. WOODS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be lieutenant colonel

KATHARINE M. E. ADAMS
CHRISTOPHER K. ANDERSON
DEIRDRE K. BAKER
BRANDON R. BERGMANN
RICHARD J. CONNAROE II
GRETCHEN L. DAVENPORT
DONEL J. DAVIS
SHESSY T. DAVIS

KATHERINE T. DENEHY
JACK D. EINHORN
SEAN P. FITZGIBBON
DAVID L. FORD
MATTHEW L. FORST
SAMUEL GABREMARIAM
ROBERT L. GADDY
MATTHEW C. GALLAGHER
MARK E. GARDNER
EMILY E. GEISINGER
DANIEL M. GOLDBERG
TERRY J. GRIDER
BRAD T. WILLIM
JOHN B. HABERLAND
TYLER J. HEIMANN
LATISHA IRWIN
JOSEPH E. JORGENSEN
JANAE M. LEPRI
CYNTHIA MARSHALL
ROBERTO C. MARTENS
EVAN R. MATTHEWS
BRUCE L. MAYEAUX
MATTHEW T. MILLER
ANTHONY M. OSBORNE
ANGEL M. OVERGAARD
AUTUMN R. PORTER
SETH B. RITZMAN
KURT M. ROWLAND
ROBERT W. RUNYANS
CRAIG M. SCROGHAM
CHRISTOPHER S. SEXTON
RICHARD J. SLEESMAN
ANDREW D. SMITH
KATHERINE M. SPENCER
HEIDI M. STEELE
RICHARD THOMAS
LAURA B. WEST
HANS P. ZELLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ALEJANDRO L. BUNIAG, JR.
JASON J. COUGHENOUR
MICHAEL W. WEAVER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ERICA A. WHEATLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JAMISON S. NIELSEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

ROBERT P. LEWIS
SCOT W. MCCOSH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JADER A. MORALES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MOISES SALINAS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ERIC A. WALRAVEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DANIEL T. CELOTTO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JASON A. RETTER

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 605:

To be lieutenant commander

MITCHELL I. BELL
LARRY W. BUCKNER II
JOHN P. CHANATRY
ANNA J. ELZEFTAWY
CARLOS A. GAFFAN
JOSEPH M. GALLETDESTAURIN
SEAN A. GARFOLA
CHRISTINA A. GATTI
SETH T. GLEASON
BRADLI A. HOWARD
DAVID I. JOHNSON
JOSHUA A. KHOL, JR.
MATTHEW J. LANOUÉ
CHRISTOPHER W. MASTERS
TALAABE K. MEYERS
CHEKOTE A. NADEN
WILLIAM J. QUINN
MICHAEL W. QUINLAN
PETER A. ROMER
SALVATORE SANNUTO
NATHAN R. STAATS
ROBERT W. STEELE II
MICHAEL T. SULLIVAN
LUKE C. TALBOT
RICHARD M. TEMPLETON
JOEL D. P. THOMAS
ANDREW H. THOMPSON
JAMES T. VANDENPLAS, JR.
KARA VANSICE
ALICIA J. VETTER
DEREK P. VONDISTERLO
DAVID J. WOODS
PATRICK Z. X. YU

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MATTHEW C. DENNIS

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

CHRISTINA N. GILLETTE
D S. ROGERS

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203(A):

To be captain

MONIQUE M. ROEBUCK
SUSANA E. LEE
RUSSELL D. MAYER

CONFIRMATIONS

Executive nominations confirmed by the Senate November 1, 2021:

THE JUDICIARY

TOBY J. HEYTENS, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT.
BETH ROBINSON, OF VERMONT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

EXTENSIONS OF REMARKS

LITTLE MISS OCEAN CITY
PAGEANT: SISTER SUCCESSION

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, the COVID-19 pandemic put a halt to most of the traditions that we South Jerseyans enjoy, but now we're back, we're on track, and we're moving forward. The Little Miss Ocean City Pageant was able to make its long-awaited comeback this summer, and in typical South Jersey fashion, history was made. Prior to the pandemic, Antonella Di Antonio was crowned Little Miss Ocean City, but this year, in perfect comeback fashion, Antonella had the privilege of crowning her successor, her younger sister, Arianna. This isn't the first time that sisters won the coveted Little Miss Ocean City title, however, this is the first time, in the history of the O.C pageant that one sister crowned the other. I want to congratulate both of them for making history, both in their community and in South Jersey as well. Congratulations to Arianna Di Antonio for being crowned this year's Little Miss Ocean City, a stellar accomplishment of which she should be proud. God Bless both of them and all the contestants of the Little Miss Ocean City Pageant, and God Bless America.

RECOGNIZING SPECIALIST KEN
TAYLOR, RECIPIENT OF TEXAS'
THIRD CONGRESSIONAL DIS-
TRICT 2021 CONGRESSIONAL VET-
ERAN COMMENDATION

HON. VAN TAYLOR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. TAYLOR. Madam Speaker, today, it is my privilege to honor fifteen distinguished military veterans from Texas' Third Congressional District who answered the call to serve their Nation honorably, both in uniform and following their return to civilian life. The recipients of the 2021 Congressional Veteran Commendation exemplify the time-honored qualities of patriotism, service before self, and bold leadership. Following their time in service, their efforts in our community have earned these fine individuals recognition as the recipients of this prestigious commendation. Their stories of sacrifice will encourage future generations to pursue a life dedicated to the very values we cherish as Americans: faith, freedom, and democracy. One such hero is Specialist Ken Taylor of Plano, Texas.

In 1968, Dallas native, Ken Taylor, began his journey of service by enlisting in the United States Army. Following completion of basic training at Fort Polk, Taylor would later be stationed at Fort Bragg and Fort Hood where he was attached to the 82nd Airborne Division and the 1st Armed Division Artillery.

For his service, Specialist Taylor received the National Defense Service Medal.

Upon returning to civilian life, Ken obtained a position as the sports editor for the Grand Prairie Daily News. Despite the rigors of his job, he would also concurrently attend Eastfield College utilizing GI Bill benefits to earn his Associate's degree. In 1972, Mr. Taylor founded the Traveling Classic Bowling Association, the world's largest league, in order to give bowlers the opportunity to bowl in a well-organized traveling league with financial incentives. Ken would later go on to found marketing company, Outback Secrets International prior to his retirement.

Today, Ken volunteers tirelessly on behalf of area veterans through his involvement in several organizations. Taylor assists individuals in navigating the complexities of applying for veterans benefits through his work as a service officer for American Legion Post 321. Additionally, he is an active member of the Collin County Veterans Coalition (CCVC), where he was appointed to the Legislative Committee. In his role with CCVC Ken has advocated for property tax relief for disabled veterans in the State Legislature.

Ken and his wife, Sharon, are the proud parents of son, Kevin. Specialist Ken Taylor demonstrates the qualities of a patriot who has selflessly served our nation and continues to give back within our community.

Today a grateful Nation thanks Specialist Taylor for his exceptional service and congratulates him on this recognition. May his steadfast example of leadership inspire others to live a life of service to a cause greater than themselves. It is my extreme honor to award him the 2021 Congressional Veteran Commendation for the Third District of Texas.

BRIAN BATZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize Brian Batz, an Adams 12 Board of Education member on his years of service to the Adams 12 School District.

Brian has been a Board Member of Adams 12 since 2015, and during his tenure, he served as Director of Ward 4. He previously served the Adams 12 community through the Thornton High School IB Parents Group as a board member. He also served as a flag football and soccer coach.

Brian's dedication to the Adams 12 community follows a history of him serving his community. He has served on the Thornton Citizen Police Academy, as a Thornton Water Ambassador, a IT/video/photo assistant to the Northglenn United Methodist Church, a board member for the Burgundy HOA community, and a Denver north photographer for the Rocky Mountain Cocker Rescue. In addition to his contributions to the community, he is a lov-

ing husband and devoted parent to three children.

His dedication to the Adams 12 School District and the larger community has been tremendous, and I extend gratitude for his service to the Adams 12 community and the great State of Colorado. I wish Brian Batz all the best in his future endeavors.

HONORING THE LIFE AND SERVICE
OF MR. JAMES CHARLIE LANE

HON. DIANA HARSHBARGER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mrs. HARSHBARGER. Madam Speaker, I rise to recognize the life and service of Mr. James Charlie Lane of White Pine, Tennessee. J.C. was born on April 30, 1920 and celebrated his 101st birthday on April 30, 2021.

He was a Veteran of WWII and served in the Navy from March 1941 to August 1946. From 1940 to March 1941, he was an employee of the Civilian Conservation Corps in both Unicoi and the Sugarlands in his birth county, Sevier County.

He volunteered and joined the Navy in March 1941 and was assigned to the USS *Albatross*, where he would qualify as an electrician and would eventually be promoted to electrician first class. Volunteering for a new ship that was commissioned, he became a "plank owner" on the *Wasp* by being one of the original crewmen. By 1944, the *Wasp's* battles would include the islands of Marcus, Wake, Saipan, Tinian, Guam, Iwo Jima, Okinawa, Leyte Gulf and the Japanese homeland. He arrived in Hawaii and then went to the Marshall Islands in May and saw his first action in the Marshall Islands as part of Admiral Halsey's fast carrier fleet at the Marianas. During his time in the Navy, he saw action in the European Theater, to the African Coast, to the Pacific Theater in the Philippines and the five-week long battle for Iwo Jima. His military service went on until almost a year after Armistice Day when Japan formally surrendered as his ship brought soldiers back from Italy and England. He retired as a Chief Petty Officer.

Upon returning to Tennessee, he settled in Sevier County for a short period, then upon getting a job at American Enka, he moved to White Pine in 1951. He retired from American Enka after thirty-six years.

J.C.'s legacy of love includes his marriage to his wife, Ruth, of forty-nine years until she passed in July 1992, and his children who are so proud of his service, Rita Lane Potter, and Betty Jo Lane Moore. He has three grandchildren and four great grandsons.

Madam Speaker, James Charlie Lane faithfully served his country under the most difficult situations possible, and all a WWII Veteran and member of the United States Navy, and I proudly honor his legacy and service to the United States of America.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

CHAD CALLAHAN—EAGLE SCOUT

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, last month, I had the pleasure of presenting Chad Callahan his Eagle Scout Court of Honor. Chad is a graduate of Ocean City High School and is currently studying physics at the University of South Carolina. Chad joined cub scouts in 2nd grade and has been active in the Scouts ever since. Chad's Eagle project was building benches for the local VFW to commemorate his grandfather along with all fallen soldiers. Not only did he commemorate our nation's greatest, but he also provided members a space to meet outside during the pandemic. This young man should be proud of his accomplishments and it was my honor to have the opportunity to recognize him for his service to the South Jersey community. God Bless Chad and God Bless America.

HONORING KENNETH FANNON

HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. GRIFFITH. Madam Speaker, I offer these remarks in honor of Kenneth Gene Fannon of Duffield in Scott County, Virginia, who passed away on October 10, 2021 at the age of 90. I had the pleasure of meeting Mr. Fannon. He was a veteran and a well-known community leader in Duffield.

Mr. Fannon was born in Lee County, Virginia on May 15, 1931. He was a graduate of Rye Cove High School and Whitney Business College. Mr. Fannon served in the United States Army as a Corporal during the Korean War. He later became the Commander of Chapter 250 of the Korean War Veteran's Association.

He was a trailblazer for community service activities and veterans' events in Scott County. Over the years, he also served as Scout Master and as a member of numerous local board of directors. He was often recognized for establishing Duffield Daze, Duffield's largest service event. He started it in 1981 as a way to give back to the community through a family-friendly affair that promoted town unity and local business support.

Every time I attended Duffield Daze, Mr. Fannon was there to welcome me. He often reached out to my office to advocate for veterans in the area. He greeted everyone with kindness and generosity. Mr. Fannon was a tireless volunteer that worked hard to make his community and country a better place. He was a staple of so many community endeavors. Mr. Fannon was esteemed by many and will be greatly missed.

Mr. Fannon was preceded in death by his parents, E.D. and Venus Fannon; brothers, Jack and Joe; and sister, Mary Allen. He is survived by his wife, Jean; son, Jack and wife Susan; daughter, Lori Green and husband Daniel; grandchildren, Ruston Fannon, Kevin Wade, and Leslie Guy; great-grandsons, Jackson Guy and Mason Wade; sister, June Fannon, and sister-in-law, Helen Lane. I offer

them my condolences on the loss of this good man.

RECOGNIZING SERGEANT GERALD SCHLOSSER, RECIPIENT OF TEXAS' THIRD CONGRESSIONAL DISTRICT 2021 CONGRESSIONAL VETERAN COMMENDATION

HON. VAN TAYLOR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. TAYLOR. Madam Speaker, today, it is my privilege to honor fifteen distinguished military veterans from Texas' Third Congressional District who answered the call to serve their Nation honorably, both in uniform and following their return to civilian life. The recipients of the 2021 Congressional Veteran Commendation exemplify the time-honored qualities of patriotism, service before self, and bold leadership. Following their time in service, their efforts in our community have earned these fine individuals recognition as the recipients of this prestigious commendation. Their stories of sacrifice will encourage future generations to pursue a life dedicated to the very values we cherish as Americans: faith, freedom, and democracy. One such hero is Sergeant Gerald Schlosser of Princeton, Texas.

Gerald Schlosser was born and raised in Jersey City, New Jersey, only about a mile from the World Trade Center. Growing up, Gerald was strongly influenced by his uncle, a firefighter for the New York/New Jersey Port Authority and a First Responder to the 9/11 attacks, who instilled in him a sense of duty and service. In 2003, while playing college baseball, Schlosser felt called to enlist in the United States Army. Following Basic Combat Training at Fort Benning, Schlosser was deployed to combat operations in the Global War on Terrorism. He would complete multiple combat deployments to the Middle East, holding positions including rifleman, team leader, and squad leader.

For his efforts, Sergeant Schlosser would earn the Afghanistan Campaign Medal with 2 Campaign Stars, Army Commendation Medal, Army Achievement Medal, Army Superior Unit Award, Army Good Conduct Medal, and the Global War on Terrorism Service Medal. Additionally, Schlosser was awarded a Purple Heart following the rocket ambush of his team's Humvee in Afghanistan during which time he rescued his fellow injured soldiers from the wreckage, sustaining multiple gunshot wounds from enemy fighters.

Following his retirement in 2013, Schlosser began a career as a firefighter, working his way up to Captain in the New Llano Fire Department. He went on to earn his paramedic license and board certification as a Tactical Combat Casualty Care Provider and instructor. His love for Tactical Medicine and desire to become a SWAT medic led him to the Police Academy and a position with the Cherokee County Sheriff's Office. Today, Officer Schlosser serves the City of Princeton as a patrol officer, Field Training Officer, Instructor, and Drug Recognition Expert. Sergeant Gerald Schlosser has served our nation and community with distinction and we are honored to recognize him with this award.

Today a grateful Nation thanks Sergeant Schlosser for his exceptional service and con-

gratulates him on this recognition. May his steadfast example of leadership inspire others to live a life of service to a cause greater than themselves. It is my extreme honor to award him the 2021 Congressional Veteran Commendation for the Third District of Texas.

MAYOR GARY GIBERSON

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, "thank you" are two words that will never be enough to say to a man like Mayor Giberson and his devotion to public service. Mayor Gary Giberson exemplifies what it means to be a public servant. Mayor Giberson began as a volunteer firefighter in 1953; the Scout Master of Troop 61 until 1989, and Mayor of Port Republic from 1985 until April 2021. 36 years as an elected official is certainly telling of a man's character, and even more, it's indicative of a respective constituency's pulse. Mayor Giberson truly did keep the Mayberry "feel" relevant, in the City of Port Republic. His tenure in office and the accolades that seemed to flow in naturally over the course of thirty-six years, has not, and will never go unnoticed. I thank Mayor Giberson for his unwavering dedication and devotion to public service and to the City of Port Republic. God Bless Mayor Giberson, and God Bless America.

TRIBUTE TO DON CHILDERS

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. ROGERS of Kentucky. Madam Speaker, I rise to wish my good friend, Don Childers from Letcher County, Kentucky a very Happy 90th Birthday.

Don has been a close friend over the years, becoming one of my earliest and strongest political allies in the coalfields of Kentucky's Appalachian region. He has led a remarkable career in the oil industry after starting from humble beginnings in Hellier, Kentucky.

Hard work and determination have defined his storied lifetime. Don put himself through college by driving a coal truck, earning \$13.05 per day. He earned an associate degree from Pikeville College in 1952 and a bachelor's degree in business from the University of Kentucky in 1954. That same year, Don was drafted into the U.S. Army and was stationed in Germany, leaving behind his wife and newborn daughter. After fulfilling the call of duty, he returned to Hellier High School in 1956, where he accepted a job as a teacher and basketball coach. Education, however, became the shortest term of his career.

Six weeks into his new job as a teacher and coach, Don was offered a job with Gulf Oil Corporation as a Territory Manager, spanning 22 counties in southeastern Kentucky. Working with some of the best operators in the region, Don quickly learned the ropes of the petroleum business, leading to speedy promotions within the company. Ten years after working for the Gulf Oil Corporation, Don

asked for the rare opportunity to purchase the Whitesburg operations, so he could raise his family at home in the mountains of Eastern Kentucky. The company accepted his offer and Childers Oil was born. Today, they employ over 1,000 people, including its full-service 24-hour convenience stores and affiliated companies.

The Childers Oil Company has always been a family venture with his wife, Peggy, leading kitchen recipes and retail operations. Their two daughters and son-in-law now play key roles in the company, and the third generation is coming on strong with a full understanding of their grandfather's business philosophy. This family-owned and operated business is also a wonderful steward of the communities they serve, partnering with numerous civic and charitable organizations every year, reinvesting in the region they love so much.

In addition to Don's work in the oil industry, he has tirelessly worked to bring additional jobs and opportunities to the region through his work on the Letcher County Planning Commission, which he established with a group of community leaders 17 years ago. They have patiently advocated for a federal corrections facility to be built in Letcher County to create hundreds of good-paying jobs in Eastern Kentucky. Knowing the additional opportunities that could arise with a new prison, Don also launched the Letcher County Airport Board to meet aviation needs in our mountainous terrain. He is a bold, visionary leader who has inspired many others to think out-of-the-box for innovative industry goals in Eastern Kentucky. Don is also a man of great faith, having dedicated more than 55 years as a member of the Whitesburg First Baptist Church.

I count it a great honor to celebrate Don Childers and his many accomplishments on his 90th birthday. I hope this year is filled with many more blessings for Don and his family.

HONORING THE LIFE OF RUBY DE
VERA

HON. JIMMY GOMEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. GOMEZ. Madam Speaker, it is with great sorrow that I share that the city of Los Angeles lost another angel earlier this year. Her name was Ruby de Vera and she was a community leader, an activist, and a fierce advocate in Northeast Los Angeles.

Ruby was a remarkable person who worked tirelessly as a champion in both City Hall and out in the community. She was a role model and a true public servant who epitomized the best qualities including courage, selflessness, and an unwavering commitment to justice.

Ruby's lifetime of dedication and service will be remembered and greatly missed by all whom she encountered and all those who were impacted by her leadership. May it bring comfort to her family, friends, and loved ones that so many are celebrating the life she led and praying for them at this time.

CHRISTIAN WOLFE—EAGLE SCOUT

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, ascending to the rank of Eagle Scout is an accomplishment unlike any other. Those involved with the Boy Scouts of America devote their lives to the organization's foundational principles of ethics and morals. They embody what it means to be "physically strong, mentally awake and morally straight." However, their drive and motivation extend far beyond the organization's principles and into the classroom and community. What Christian has accomplished is a culmination of hard work and perseverance. He and his family should be incredibly proud. Make no mistake, his accomplishment serves as a testament to his grandfather's influence in his life. Congratulations on this stellar achievement. God Bless Christian and God Bless America.

RECOGNIZING PRIVATE FIRST
CLASS MIKE RUMFIELD, RECIPIENT
OF TEXAS' THIRD CONGRES-
SIONAL DISTRICT 2021 CONGRES-
SIONAL VETERAN COMMENDA-
TION

HON. VAN TAYLOR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. TAYLOR. Madam Speaker, today, it is my privilege to honor fifteen distinguished military veterans from Texas' Third Congressional District who answered the call to serve their Nation honorably, both in uniform and following their return to civilian life. The recipients of the 2021 Congressional Veteran Commendation exemplify the timehonored qualities of patriotism, service before self, and bold leadership. Following their time in service, their efforts in our community have earned these fine individuals recognition as the recipients of this prestigious commendation. Their stories of sacrifice will encourage future generations to pursue a life dedicated to the very values we cherish as Americans: faith, freedom, and democracy. One such hero is Private First Class Mike Rumfield of McKinney, Texas.

Originally from Santa Ana, California, Private First Class Michael Rumfield proudly served in the United States Army for which he was awarded the Army Achievement Medal, Army Good Conduct Medal, Army Service Ribbon and Air Assault Badge.

Following his time in service, Mike began a dedicated 20-year career in law enforcement holding positions as a Corrections Officer, Corrections Sergeant, Field Training Officer, SWAT member and Team Leader, Deputy Sheriff, and his current role as Collin County Chief Deputy Constable for Precinct 4. As a Chief Deputy Constable, Rumfield is dedicated to serving the citizens of Collin County in a fair and impartial manner to execute all court orders and to promote a safe and secure environment with the highest level of integrity.

In 2016, along with his wife, Lailani, Rumfield founded the America's Defenders

Foundation which supports disabled veterans that have answered the call of duty to the United States and who have defended our nation's values and families. The organization also maintains an intense motivation to support our nation's law enforcement officers. Their annual Thin Blue Line Ball provides hundreds of law enforcement officers and their spouses an evening of entertainment while raising funds to support their efforts. Additionally, as past President of the Collin County Deputies Association, Mike advocated for Collin County public safety officers while supporting members in times of need.

Chief Deputy Constable Mike Rumfield continues to make a difference in the lives of those whom he serves, and we recognize him for his efforts to support our military, veterans, and first responders.

Today a grateful Nation thanks Private First Class Rumfield for his exceptional service and congratulates him on this recognition. May his steadfast example of leadership inspire others to live a life of service to a cause greater than themselves. It is my extreme honor to award him the 2021 Congressional Veteran Commendation for the Third District of Texas.

RECOGNIZING THE SERVICE AND
LEADERSHIP OF J.D. GROM, EX-
ECUTIVE DIRECTOR OF THE NEW
DEMOCRAT COALITION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. KIND. Madam Speaker, I rise today to recognize the service and leadership of J.D. Grom, Executive Director of the New Democrat Coalition.

J.D. began his tenure as Executive Director when I was Chair of the New Dems. I was immediately impressed by his work ethic, vision, and expertise—qualities that were obvious to everyone who had the opportunity to interact with J.D. over the years. I asked him to do a lot in terms of getting to know the members of the Coalition—what they care about and what's important to the districts they represent—and he stepped up, developing an exceptional understanding of the members and their priorities.

J.D. recently left Capitol Hill to join the Biden Administration in the Department of Commerce, and I know I speak for all members of the New Democrat Coalition when I say he'll be sorely missed.

New Dems have seen so much positive change and growth over the past eight years with J.D. at the helm. Made up of 95 members, New Dems play a critical role in Congress not only in advocating for pragmatic, pro-growth policies, but also in working to bridge the partisan divide and lower the temperature in Washington.

New Dems are focused on moving our nation forward by tackling some of our toughest challenges and delivering results for the American people. J.D.'s outstanding leadership has made these efforts possible.

After working for his hometown Representative, Melissa Bean of Illinois, the Department of Treasury, and four different New Dem Chairs, J.D. has demonstrated an outstanding commitment to service that will carry him far in

his new role. I want to thank J.D. for all his hard work as Executive Director of the New Democrat Coalition, and I wish him nothing but the best in all his future endeavors.

CONDEMNING RELIGIOUS
PERSECUTION IN BANGLADESH

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. GOSAR. Madam Speaker, I rise today to support of victims of violent religious persecution in Bangladesh. I have been informed that currently, about 14 million people are facing religious persecution solely for their Hindu beliefs. There is documented numerous attacks on Hindu temples, businesses and homes. People have been brutally killed and raped due to their religious beliefs. I strongly condemn the violent and immoral actions of those who harm others simply because they have a different religion.

Madam Speaker, the persecution of religious minorities will not end without strong action by the government, in this case Bangladesh. All governments are duty bound to protect their citizens and promote the freedom to worship. I call upon the government to make every effort to end the violence and protect religious minority populations within its borders. In order to protect its people, the government should restrict extremist groups that exert any violent influence over the country's political, social, legal, and religious affairs. Only then can peace and religious freedom be restored in Bangladesh.

The United States and Bangladesh have a friendship with deep ties among and between its people. Like Bangladesh, the United States has religious minorities. To truly flourish and prosper, the rights of all people to be secure in their property and their lives must be ensured. I encourage the government of Bangladesh and offer the full support of the United States in helping it protect its religious minorities. May God bless both our nations.

HONORING THE RETIREMENT OF
MARIAM C. NOLAND FROM THE
COMMUNITY FOUNDATION FOR
SOUTHEAST MICHIGAN

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mrs. DINGELL. Madam Speaker, I rise today to recognize Mariam C. Noland on the occasion of her retirement from the Community Foundation for Southeast Michigan after over thirty-five years of service as President. Her significant contributions to our southeast Michigan community are worthy of commendation.

A graduate of Harvard University and Case Western Reserve University, Ms. Noland was an experienced leader in the nonprofit and community foundation field before arriving in Michigan. Prior to being named as the founding President of the Community Foundation for Southeast Michigan in 1985, she worked at the Cleveland Foundation and the Saint Paul

Foundation, as well as at colleges in Ohio and North Carolina.

As President of the Community Foundation for Southeast Michigan, she helped create and fund countless programs that benefit our community. These include the GreenWays Initiative, the New Economy Initiative, the HOPE Fund, Southeast Michigan Healthy Youth, Healthy Seniors, and the Family Development Program. These programs uplift diverse populations, invest in environmental initiatives, promote community health, advance justice and policing reform, and help our local economy thrive. Her work to secure endowments in perpetuity for many of the Foundation's programs will help transform southeast Michigan, and the impact of her work will be felt for years to come. During her tenure, the Community Foundation's assets have grown to more than \$1.1 billion, placing the Foundation in the top 25 nationally.

Ms. Noland currently serves on the Board of Trustees at the Bipartisan Policy Center in Washington, D.C., the Detroit Riverfront Conservancy, and the Downtown Detroit Partnership. She is the recipient of the Special Lifetime Achievement Award for Leadership in Philanthropy, has been named Michiganian of the Year by the Detroit News, and has an award in her name at the Community Foundation—the Mariam C. Noland Award for Nonprofit Leadership that recognizes a nonprofit president or CEO in Southeast Michigan who is an exceptional leader in their organization and beyond. She resides in Grosse Pointe Farms with her husband James.

Madam Speaker, I ask my colleagues to join me in honoring Mariam C. Noland for an exemplary nearly four decades of dedicated service to the Community Foundation for Southeast Michigan. I join with Mariam's family, friends, and colleagues in extending my best wishes to her in retirement.

GLORIA EZZIE'S 100TH BIRTHDAY

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, birthdays are a celebration of a life well-lived, which we share with family and friends. This is especially true for Gloria. We celebrate her 100 years of life, surrounded by family, friends, 9 grandchildren, and 14 great-grandchildren. She has spent 54 wonderful years in beautiful Brigantine with husband, Michael, where she raised her family, and where she has been an active member of the community. It is an honor to be her Representative, and it is my honor to wish her the happiest of birthdays, with many more to come. I hope Gloria enjoys her 100th birthday, and go Phillies. God Bless Gloria, and God Bless America.

RECOGNIZING 1ST LIEUTENANT
GLEE PITNEY, RECIPIENT OF
TEXAS' THIRD CONGRESSIONAL
DISTRICT 2021 CONGRESSIONAL
VETERAN COMMENDATION

HON. VAN TAYLOR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. TAYLOR. Madam Speaker, today, it is my privilege to honor fifteen distinguished military veterans from Texas' Third Congressional District who answered the call to serve their Nation honorably, both in uniform and following their return to civilian life. The recipients of the 2021 Congressional Veteran Commendation exemplify the time-honored qualities of patriotism, service before self, and bold leadership. Following their time in service, their efforts in our community have earned these fine individuals recognition as the recipients of this prestigious commendation. Their stories of sacrifice will encourage future generations to pursue a life dedicated to the very values we cherish as Americans: faith, freedom, and democracy. One such hero is 1st Lieutenant Glee Pitney of Dallas, Texas.

Glee Pitney graduated from Bowling Green State University in 1954 whereupon he was commissioned as a Second Lieutenant of Artillery in the United States Army. The newly married Glee was soon assigned duty at Fort Sill, Oklahoma before being transferred with the Far East Command in South Korea. Pitney was assigned to the 11th Field Artillery Battalion and the 3rd Engineer Battalion as an assistant division fire marshal overseeing four fire stations.

For his service, Lieutenant Pitney was awarded the National Defense Service Medal.

Following his time in the military, Mr. Pitney returned to Ohio and entered the family trucking business until his retirement. In 1997, Glee relocated to Dallas where he became heavily involved in his community as a founding member of his homeowners association and as an active member of Volunteers in Patrol for which he received recognition from the Dallas Police Department.

In 2006, Glee and his wife moved to Highland Springs Retirement Community where he earned a reputation as an extraordinarily active community leader. His civic involvement includes serving as the first Chair and Vice-Chair of the General Services Committee, liaison to the Transportation Department, as a member of the Resident Advisory Council, and Chairman of Government Affairs Group. His commitment to our veterans remains strong as evidenced by his role as the founding Chairman of the Veterans Affairs Group, which today includes nearly 400 veterans, wives and widows. Mr. Pitney's efforts were instrumental in the creation of the Highland Springs Veterans Memorial Park and he is a strong supporter of the DFW Honor Flight where he has assisted almost fifty Highland Springs residents with travel to our Nation's Capitol.

Lieutenant Glee Pitney is a stellar example of a servant leader who embodies patriotism and a steadfast commitment to his community.

Today, a grateful Nation thanks Lieutenant Pitney for his exceptional service and congratulates him on this recognition. May his steadfast example of leadership inspire others to live a life of service to a cause greater than

themselves. It is my extreme honor to award him the 2021 Congressional Veteran Commendation for the Third District of Texas.

RECOGNIZING THE SESQUICENTENNIAL OF RURAL SHAD BAPTIST CHURCH

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. BABIN. Madam Speaker, I rise today to recognize the Sesquicentennial of Rural Shade Baptist Church, located in the community of Tarkington Prairie in Liberty County, Texas.

In 1870, a small group met in a brush arbor in Tarkington Prairie, symbolizing the beginning of a new church. The congregation was made up of hardworking, compassionate individuals determined to provide a robust and moral foundation for their community. On July 3, 1878, a deed was granted “for the purpose of the erection and occupancy of a Baptist Church and Masonic Hall . . .”. Later that year, a two-story building was completed. While the top floor was dedicated to the Masonic Lodge, the bottom floor served as the sanctuary of the Rural Shade Baptist Church.

In 1902, Rural Shade started a choral school, collected their first offerings for the Buckner Orphans’ Home, and took on a leadership role in forming the Tryon Evergreen Baptist Association. Five years later, they constructed a second building, costing \$1,470.00. Soon after, church members granted the trustees of Oakdale High School, the first high school in Tarkington Prairie, permission to use the old church building, while the members moved into their newly constructed second church building. Over the years, Rural Shade has completed several building projects and renovations, including adding a third church building in 1938, a baptistry in 1945, a fourth church building in 1962, a youth wing in 1993, and a fifth building in 2005, which also serves as the church’s current worship center. Remarkably, over the last 151 years, the church has remained on the same tract of land.

Early pastors were elected from the church’s men each year until 1898 when pastors were first called to stay for an indefinite period. In 1944, the church hired its first full-time pastor. Former Pastors of Rural Shade Baptist Church include: D. D. Forman, B.F. Ellis Jr., J.M.A. Black, D.W. Jackson, J.A. Lee, O.P. Chambers, H.C. Morrison, J.W. Thomas, E. Loose, J.B. Marshall, J.L. Watson, J.E. Mott, J.H.H. Ellis, B.S. Franklin, T.J. Fouts, J.F. High, Henry Jones, W.H. Jones, R.W. Smith, R.J. McGinty, D.P. McGowan, H.C. Philips, W.A. Smith, H.R. Pressley, Bert Mattingly, W.A. Curtis, H.R. Pressley, D.L. Sinclair, G.M. Coe, Earl Hahn, R.L. Self, LeRoy Cooper, C.D. Sowell, Dale Mingus, John Garrett, J.B. Grimes, Albert Foster, Earl Be Iver, and Byron Reeves. Since 2016, Brad Dancer has served as the church’s pastor.

Over the past two decades, Rural Shade Baptist Church has aided the community tremendously in response to natural disasters. In 2005, 2008, and 2016, individuals were sheltered and housed after the devastating

aftermaths of hurricanes Rita, Ike, and Harvey. During Hurricane Harvey, the church assisted with high water rescues, saving individuals from flooding homes and buildings. Throughout the COVID-19 pandemic, the church joined the Houston Food Bank and distributed \$3 million worth of food to local families in need. In fact, for his outstanding leadership and service to his community, Pastor Dancer was awarded the Citizen of the Year in 2020 by the Greater Cleveland Chamber of Commerce.

Madam Speaker, I would like to congratulate the Rural Shade Baptist Church on reaching their Sesquicentennial last year and their 151st anniversary this year. Over the past century and a half, the Lord has certainly used this historic church to demonstrate the love, kindness, and generosity of Jesus Christ to the good people of Southeast Texas. I am privileged to represent such a devoted and faithful place of worship in my district.

JOSHUA LEE—EAGLE SCOUT

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, the rank of Eagle Scout is the highest, and most prestigious in the Boy Scouts of America. Anyone involved in the organization will understand the determination, persistence, and hard work it takes to obtain the rank. Joshua has not only demonstrated his commitment to his troop, but also his community, school, and himself. He exemplifies what it means to be, “physically strong, mentally awake and morally straight.” Congratulations to Joshua on his extraordinary accomplishment. God Bless Joshua and God Bless America.

FUTURE OF RADAR

HON. TOM COLE

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. COLE. Madam Speaker, I rise today to highlight important research being conducted by the University of Oklahoma, which is advancing cutting-edge developments in the areas of Air Defense Artillery, air dominance, ocean surveillance, ISR, EW, counter-UAS, GMTI, and a host of others. The developments I refer to center most directly in the budding area of all-digital radar.

New capabilities associated with all-digital radar present an extraordinary opportunity for the United States to better utilize important data for national security purposes, be it weather data, flight control data, projectile data, targeting data or any other type, to our tactical and operational advantage—land or sea.

Madam Speaker, in the area of distributed radar and 360-degree, all-digital, phased array radars, there are extraordinary leap-ahead capabilities which cannot be ignored. By bringing to bear advances in digital signal processing,

artificial intelligence, and machine learning to the data streams that this new technology provides, the defense of the United States can be significantly advanced, providing leapfrog capabilities which vastly exceed those of our legacy radars.

Over time, all of the services have been engaged in developing capabilities in this area, albeit at a rate that does not always achieve the leap-ahead and transformational requirements that we now require strategically as we focus on defense from potential near-peer adversaries. While we currently maintain many advantages, technology advances quickly around the globe. It is critical we maintain our edge, and, in doing so, obtain the generational leap-ahead needed to secure it.

Madam Speaker, the Advanced Radar Research Center (ARRC) in Norman, Oklahoma, has conducted very significant research in this area. A component of the University of Oklahoma’s research enterprise, the ARRC has generated important technological advancements to each major service component in the area of 360-degree phased array radars. In fact, to help further this contribution, I am supporting a National Defense Authorization Act proposal this year, initiated in the Senate, which encourages the Army Research Lab to collaborate with academia in the development of distributed radars and multi-function sensors. This is an area where I believe there will be plenty of bipartisan and bicameral support.

Madam Speaker, Army Research Lab in many ways has stepped forward for the Army in this area. I am confident that, as the Army’s Combat Capabilities Development Command, Army Futures Command, and the ASA/ALT examine what can be accomplished in this area, they will quickly realize the high relevance of this technology to counter-UAS, Air Defense Artillery, and their EW enterprise. It has the potential to be one of the key transformational technologies that would allow the Army to leverage ground forces more effectively and to provide better defensive capabilities against airborne threats.

As the Department of Defense proceeds to develop technology in this area, we already see interest from the private sector. However, if we do not develop a joint approach to the development of this technology, it may result in it being stove-piped into systems without ever realizing the full extent of its capabilities. Furthermore, inability or unwillingness to coordinate research in this area could tax current supply chains and threaten the rate of development we are capable of in this area.

Additionally, application of this technology is not limited solely to the defense enterprise. Air traffic control, weather prediction and analysis, 5G frequency scanning dependent communications, and remote sensing could all benefit; NOAA is already engaged in related research. Therefore, over time, it may become beneficial to create a Joint Interagency Working Group on the development of distributed and all digital radar.

Madam Speaker, the future is bright for the development of these technologies in the United States. It is an area in which we can thrive. I look forward to working with my colleagues in the House and Senate to advance our common interests and our national defense by supporting the development of these technologies.

WENEFRETT WATSON'S
CENTENARIAN BIRTHDAY

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Ms. LEE of California. Madam Speaker, I rise today to recognize Mrs. Wenefrett Watson on her 100th birthday, and honor her decades of service in our East Bay community.

Mrs. Watson was born in Marshall, Texas on October 29, 1921, to Dr. Oliver Wendell Phillips and Mayme Cecelia Adam Phillips. She completed two bachelor's degrees during her undergraduate studies, one in English Literature from Bishop College and one in Library Sciences from the University of Southern California. She worked for the U.S. Department of Agriculture in Washington, D.C., where she met her husband, Dr. James A. Watson. The Watsons relocated to Oakland, California in the 1950s, where Mrs. Watson became active in the Oakland public schools.

Mrs. Watson has been an important civic leader in our Oakland community. She was involved in many local organizations, including the Oakland Museum Commission, the Oakland Symphony Board, and the Oakland Anti-Poverty Board. Mrs. Watson's civil involvement is also notable, including her work with the PTA in the Oakland schools, and later with membership of the Oakland Bay Area Links, a volunteer service organization of women committed to ensuring the economic and cultural livelihoods of African Americans. She was also passionate about civil rights, and became active with the NAACP, the Urban League, and eventually ran for City Council.

Mrs. Watson is a trailblazer in the Oakland business community, as a business owner and entrepreneur. She created and managed WenTravel and Cruise travel agency in the 1980s, holding contracts with the City of Oakland, County of Alameda, and the State of California. Mrs. Watson's work was exceptionally impactful as she offered young African American business owners' opportunities to follow in her footsteps. When she retired, she sought inspired and passionate young African American entrepreneurs who would carry on her business and her work in our Oakland community. Mrs. Watson remained active after retirement, inspiring other community leaders through her work in helping to start the Black Film Makers Hall of Fame. In 1997, she was honored by the Black Business Listings for her outreach and leadership.

Today, on behalf of California's 13th Congressional District, I commend Mrs. Wenefrett Watson for her lifelong work as a leader, activist, and entrepreneur, and warmly wish her a happy 100th birthday.

EASTERSEALS WORK CENTER

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, "Life, Liberty and the pursuit of happiness." These words are not to be taken lightly, and they are certainly not exclusive to one class. That is the beauty of our nation—that all individuals

are afforded the opportunity to better themselves and their place in society. Easterseals is an organization that adheres to that principle: independence. Easterseals, for generations, has given the most vulnerable and overlooked community a chance at independence through employment. The Easterseals organization has been an advocate for those with disabilities. It offers them the opportunity for success in areas of employment and in education. In a similar vein, Easterseals continues helping those individuals and families dealing with disabilities, helping them secure the same independence and freedom to pursue "Life, liberty and Happiness." God Bless, Easterseals, and all those who participate in the program, and God Bless America.

RECOGNIZING HOSPITAL CORPSMAN THIRD CLASS RAYMOND RICHARDSON, RECIPIENT OF TEXAS' THIRD CONGRESSIONAL DISTRICT 2021 CONGRESSIONAL VETERAN COMMENDATION

HON. VAN TAYLOR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. TAYLOR. Madam Speaker, today, it is my privilege to honor fifteen distinguished military veterans from Texas' Third Congressional District who answered the call to serve their Nation honorably, both in uniform and following their return to civilian life. The recipients of the 2021 Congressional Veteran Commendation exemplify the timehonored qualities of patriotism, service before self, and bold leadership. Following their time in service, their efforts in our community have earned these fine individuals recognition as the recipients of this prestigious commendation. Their stories of sacrifice will encourage future generations to pursue a life dedicated to the very values we cherish as Americans: faith, freedom, and democracy. One such hero is Raymond Richardson of McKinney, Texas.

In 1965, at the age of 17, Raymond Richardson joined the United States Navy where he was assigned to a Medivac Unit for the 1st Marine Air Wing in DaNang.

Hospital Corpsman Third Class Raymond Richardson was awarded the National Defense Service Medal, Vietnam Service Medal, and Vietnam Campaign Medal for his service.

In his civilian life, Mr. Richardson has been staunch advocate for our veterans within our community. During his tenure as McKinney VFW Commander, Raymond led several unique service initiatives benefiting both veterans and the citizens of Collin County. Impressively, he completed over 130 community service projects including raising relief for veterans healthcare and arranging hotel accommodations for stranded veterans. One special initiative includes his annual organization of a Christmas Party for the children of the Samaritan Inn where families are invited to the VFW to share a meal with Santa and Mrs. Clause prior to receiving gifts. Mr. Richardson also spearheads efforts to prepare and distribute care packages for military members overseas and local veterans in need in conjunction with the students of McKinney Christian Academy.

As a longtime and valued member of the VFW National Legislative Committee, Mr.

Richardson has advocated on a variety of veterans issues. He has served in a multitude of roles within the VFW earning numerous accolades including the Recruiter Award, Early Bird Award, the Kansas City Spree Award, and Past State Commanders Leadership Award.

Richardson is the proud father to three daughters and grandfather to eight. We commend him for his tireless efforts on behalf of our veterans and the citizens of Collin County.

Today a grateful Nation thanks Corpsman Richardson for his exceptional service and congratulates him on this recognition. May his steadfast example of leadership inspire others to live a life of service to a cause greater than themselves. It is my extreme honor to award him the 2021 Congressional Veteran Commendation for the Third District of Texas.

KATHY PLOMER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. PERLMUTTER. Madam Speaker, I rise today to recognize Kathy Plomer, an Adams 12 Board of Education member on years of service to the Adams 12 School District.

Kathy has been a Board Member of Adams 12 since 2013, and during her tenure, she served as Board President. She has a 16-year history of volunteerism and service to the in Adams 12 community. She was a classroom volunteer, PTO President, School Improvement Team member at four schools, District School Improvement Team leader, and a founding member of the Adams 12 Community Action Network (Adams 12 CAN).

Kathy's dedication to the Adams 12 community follows a history of service to her community. She has a Master's in Public Health from the University of Michigan and has worked in the field of public health for more than 25 years. She worked for Tri-County Health Department and runs her own consulting company. In addition to her service to the community, she is a loving wife and devoted parent to three children.

I wish Kathy Plomer all the best in her future endeavors, and I extend my gratitude for her service to the Adams 12 community and the great State of Colorado.

MARK FAVERZANI—EAGLE SCOUT

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, last month, I had the pleasure of presenting Mark Faverzani his Eagle Scout Court of Honor. Mark is a recent graduate of St Augustine Prep, and is now attending Villanova University. This past year, Mark earned the Congressional Gold Award for his distinguished achievements and contributions to the South Jersey community. Mark's Eagle project consisted of creating an outdoor rehearsal space for the Ocean City Theatre Company during the Covid-19 Pandemic, allowing them to have rehearsals and activities outdoors.

This young man should be proud of his accomplishments and it was my honor to have

the opportunity to recognize him for his service to the South Jersey community. God Bless Mark and God Bless America.

REMEMBERING HERMAN ZERGER

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. RYAN. Madam Speaker, I rise today in remembrance of Mr. Herman “Zerg” Zerger, Jr., of Woodsfield, Ohio. Herman Zerger passed away on Friday, October 22, 2021 at the Arbors of Woodsfield, Ohio.

He was born at Woodsfield, Ohio on January 5, 1924, a son of the late Herman and Sylvia Mowder Zerger. Herman was a 1942 graduate of Woodsfield High School, Woodsfield, Ohio and was also a retired owner and operator of Zerger’s Quarry for over 50 years. He served 10 years as a Special Duty Sheriff in Monroe County and was elected five consecutive terms as Center Township Trustee. He was a member of the First United Methodist Church, Woodsfield, Ohio. During WWII in 1942, he enlisted in the U.S. Army and served as a Platoon Sergeant with Rifle Co. I-141st Infantry, 36th Infantry Division. He fought 300 days on the front line in 31 battles in both Italy and France. He cast his first vote (for Franklin Delano Roosevelt) from a foxhole facing the Germans before being taken as a prisoner on February 3, 1945 by the SS troops.

He was one of the founding charter members of the V.F.W. Post 5303, Woodsfield, Ohio where he served as a trustee for 40 years and the 40 & 8 Grand Voiture of Ohio No. 363 where he served as Chaplain. He is a life member in Ohio Chapter No. 1 American Ex-Prisoner of War; Life Member of American Legion Post No. 87, Woodsfield, Ohio; former member of the Monroe County Democratic Central and Executive Committee where he served as the Monroe County Democratic Chairman for 45 years, being the longest serving county chair in Ohio; life-long Trustee of the Disabled American Veterans Chapter 8; charter member of the 141st Infantry Regiment 36th Division; life member of Veterans Battle of the Bulge, Buckeye Ohio Chapter No. 1; life member of the Combat Infantryman’s Association; Ohio Combat Infantryman’s Association; Akron Chapter C.I.B.; life member of the Texas 36th Infantryman’s Association; life member of Midwest Chapter 36th Division Association 141st Regiment Co. I; American Order of the French Croix de Guerre, Inc.; 5th Army Association; life member of American Ex-Prisoners of War No. 9114; life member of the Ohio Chapter No. 1 American Ex-Prisoners of War; charter member and former vice commander of Mid-Ohio Valley Chapter 15 Ex-Prisoners of War; charter member Mid-Ohio Valley Chapter No. 743 of the Purple Heart; recipient of the Bronze Star for action at Riquewihir, France; Diploma from the French Government National Association of the Cross of War, T.O.E. and Military Valor-Paris Citation ordered by the Army; and the Ohio Veterans Hall of Fame.

In addition to his parents, he was preceded in death by two sisters, Doris Williams and Ruth Roth; a stepson, Gary Russell and a step-daughter, Chris Russell Schenerlein.

Surviving are his companion, Clair Thompson of Stafford, Ohio; a niece, Dee (Mike)

Vargo of Woodsfield, Ohio; a nephew, Stephen (Erlene) Williams of Chickasha, Oklahoma; a step-daughter, Connie (Hank) Kaufman of Johnstown, Ohio; a great-niece, Alexis Vargo; three great-nephews, Christian Vargo, Brian Williams and Jeff Williams; a special cousin, Rick (Kitty) Zerger of Caldwell, Ohio; several step-grandchildren; special friends including, Joe (Robin) Bishop of Woodsfield, Ohio, John Marshall of Columbus, Ohio and Mark (Lorie) Easton of South Carolina.

I was blessed to have the friendship of an icon of military service and the state Democratic Party. I pray for peace for his family during this troubling time.

HONORING 2021 CALIFORNIA
TEACHER OF THE YEAR JIM
KLIPFEL

HON. MIKE GARCIA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. GARCIA of California. Madam Speaker, I rise today to commend and honor California’s 2021 Representative for Teacher of the Year, Mr. Jim Klipfel. A U.S. History teacher and Athletics coach from my alma mater of Saugus High School, Mr. Klipfel is the embodiment of academic passion, humility, and service to others. While his family, friends, and students would be the first to say that Mr. Klipfel is not one to embrace the spotlight, there is not a shadow of a doubt as to whether he truly deserves the honorific title of “Teacher of the Year”.

At Saugus High School, Mr. Klipfel has served as an athletic and academic mentor to generations of students, going above and beyond what is normally expected of an educator to impart the leaders of tomorrow with invaluable lessons and qualities to help them succeed and make the world a better place. He has always challenged students to think for themselves, reject the status quo, and “pull back the curtain” to expose the faults of existing systems in the hopes of improving them. He has poured his heart and soul into his profession and the success of those whose education he has been entrusted with. It is not a responsibility that he takes lightly. His friends, colleagues, and most of all his students bear witness every day to how much Mr. Klipfel gives of himself to ensure the success of his students. He does so with unbridled intelligence, kindness, and above all else, passion.

Recognizing the unique challenges that American high schoolers face today, Mr. Klipfel has prioritized students’ well-being and mental health while also pushing them to go beyond their comfort zone and realize their full potential. He achieves this by putting in the work to make himself available to any student who needs help and by walking them through mistakes in order to learn from them. He routinely holds after-hours study sessions to help students better prepare for tests, and never shies from lending a helping hand to those who may be in difficult situations outside the classroom. He always strives to teach his students lessons that will help them beyond academics, such as the value of charity, making the best out of difficult situations, and the importance of civic engagement.

In the face of numerous challenges over the past two years, Mr. Klipfel has proven to be a

resilient figure in the CA-25 community. After a school shooting in November of 2019, he helped his school rebuild and become stronger in the aftermath of tragedy. As the world transitioned to online learning and Zoom classes, Mr. Klipfel worked to keep students engaged and active in the classroom to ensure their continued academic success despite the odds facing them.

I am proud that such an exemplary teacher was selected to represent California’s 25th District and California at large on the national stage and honored for his service and accomplishments. Mr. Klipfel no doubt represents the best of what teachers can be, and the promise of the future when we invest ourselves into helping young people realize their full potential inside and outside of the classroom. California’s 25th district, our state, and our country are grateful for all Mr. Klipfel has given our community as he continues to inspire and educate the leaders of tomorrow.

TRIBUTE TO STEVEN BLANK

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Ms. ESHOO. Madam Speaker, I rise to honor Steve Blank, an entrepreneur who has inspired thousands of innovators to solve some of the world’s most pressing problems.

Steve Blank was born in New York City to immigrant parents and attended the University of Michigan for one semester. He then served his country for four years in the U.S. Air Force, repairing fighter planes in Thailand.

Steve Blank was fortunate to return to Silicon Valley in the exciting 1970s. He worked for 21 years in high tech, and founded many companies, including Zilog, MIPS Computers, Convergent Technologies, E.piphany (now Epiphany) and retired in 1999. In the mid-1990s, he created the Customer Development model that focused on distinguishing between companies that execute business models as opposed to startups that search for them, thus launching the LeanStartup movement.

In 2011, Mr. Blank created the LeanLaunchPad experiential entrepreneurship class at Stanford University, Columbia Business School, and UC Berkeley. The LeanLaunchPad changed the way entrepreneurship is taught by giving students hands-on experience in what it takes to start a company instead of having them write business plans. Also in 2011, the National Science Foundation adopted Mr. Blank’s LeanLaunchPad curriculum for its Innovation Corps (I-Corps), in order to help the nation’s leading scientists and engineers learn how to take their tech ideas from the lab to the marketplace. The NSF I-Corps is now the standard for how scientific research is commercialized in the U.S. It has been adopted by other federal research agencies (including NIH, DOE, HHS, and NSA), and has trained 1,900 teams, and launched over 1,000 startups.

In 2016, Mr. Blank, Joe Felter, and Pete Newell created Hacking for Defense (H4D) at Stanford University—the first in a series of mission-driven entrepreneurship courses to provide a new platform for national service and change the way critical national security problems are solved. H4D is supported by

Congress and taught at 48 universities in the U.S. and at universities in the United Kingdom and Australia. H4D also gave rise to several sister courses that are accelerating mission-driven entrepreneurship in other sectors and policy arenas. These courses include: Hacking for Diplomacy, Hacking for Oceans, Hacking for Cities, Hacking for Energy, Hacking for Homeland Security, Hacking for Recovery, and Hacking for Climate and Sustainability.

As a result of Mr. Blank's work, hundreds of students at universities across the U.S. are engaged right now in a new form of national service, helping to create a pipeline of innovation for our nation as they solve real problems at startup speed. As a result of their experience in a LeanLaunchPad or "Hacking for X" courses, many of these students are choosing careers in the public sector.

Steve Blank has written many books, teaches entrepreneurship at Stanford and other distinguished institutions, and has earned numerous accolades for his innovative work. He was listed as one of the Masters of Innovation by the Harvard Business Review and one of the 30 Most Influential People in Tech by Forbes. He won the 2013 Silicon Valley Visionary Forum award, and with his wife was honored with the 2013 Environmental Leadership Award. He has often been a commencement speaker and his speech at Philadelphia University was ranked one of 300 best commencement speeches in the last 300 years by NPR.

Madam Speaker, I ask the entire House of Representatives to join me in honoring Steve Blank on the occasion of the 10th Anniversary of the LeanLaunchPad and the 5th Anniversary of H4D. Steve Blank has made our students wiser, our environment cleaner and our country stronger. He is a national treasure.

FREEDOM ISN'T FREE

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, Veterans Day is approaching and although we recognize these selfless individuals annually, one day surely is not enough. Every year we honor these individuals and their sacrifices, but we don't always get to hear their stories. Here, in South Jersey, we have an incredible community of active military and veterans, as well as their families. Today we honor three individuals: Jerry Callahan, Marco Polo Smigliani, and Ronald Rease. Their stories have been depicted in Veronica Dudo's, Emmy-nominated story, Freedom Isn't Free. These men put their lives on the line for our country in three wars. These men, all from South Jersey, are Purple Heart recipients after they were wounded in battle protecting our great Nation. As a district, and a Nation, we owe unconditional reverence to the three of them for their sacrifices to this country. I thank the gentlemen, it is an honor to be their Congressman.

RECOGNIZING JAMES A. SULLIVAN, WORLD WAR II VETERAN AND AMERICAN HERO

HON. BRIAN J. MAST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. MAST. Madam Speaker, I rise today to recognize Mr. James A. Sullivan, a veteran of World War II, a true American hero and a pillar of our North Hutchinson Island community.

For nearly a century, Mr. Sullivan has committed to the betterment of his community. At the young age of seventeen, before he had even graduated from high school, he answered the call to serve his nation. In fact, he sent his sister in his place to accept his diploma and enlisted in the U.S. Navy with his parents' signature.

During his time with the U.S. Navy, Mr. Sullivan rose to the rank of Third-Class Petty Officer Radioman. He was assigned to the elite contingent stationed on Merchant Marine ships that transported critical supplies to the U.S. military across the Pacific throughout World War II. This was a dangerous role: despite its name, the U.S. Navy Armed Guard had little defensive equipment and sustained one of the highest casualty rates of any military division.

Following his time in the Navy, he earned a degree from Bunker Hill Community College, and felt a continued call to service. He joined the Thin Blue Line and served for nearly four decades as a police officer in Medford, Massachusetts.

Along with his beloved wife, Theresa, he is the cornerstone of a loving family who is continually inspired by his example of service, patriotism and love.

To quantify Mr. Sullivan's impact is nearly impossible. His determination and dedication are inspiring to all those he meets. I can say, without a doubt, that our Nation is a better place because of his leadership.

Our Nation has a proud history of military service, and the many men and women who have worn the uniform deserve to be held in the highest regard. All Americans owe a great debt of gratitude to their fellow citizens, like Mr. James A. Sullivan, who have valiantly served, and particularly as we recognize Veterans Day, I would like to convey my sincerest appreciation to him.

IN RECOGNITION OF SARA CASASSA, 2022 NEW HAMPSHIRE TEACHER OF THE YEAR

HON. CHRIS PAPPAS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. PAPPAS. Madam Speaker, I rise to congratulate Sara Casassa on being named New Hampshire's 2022 Teacher of the Year. Serving her community as a teacher for the past three decades, Sara has made a lasting impact on the lives of students and families across the New Hampshire public school system.

Sara arrived at Barnard School in 2009 as a language arts teacher while also having knowledge as a webmaster and technology integrator. Sara's compassion and selflessness

have given her the ability to cultivate an effective learning environment both virtually and in the classroom. It is without doubt that Sara has been an asset for students inside and outside the classroom. Moreover, her easy-going personality and sense of humor has made her beloved amongst the South Hampton community.

As the proud product of Manchester public schools, I know firsthand that access to a high-quality education is the cornerstone of our democracy, our economy, and our future. Sara's dedication to her profession, to providing a robust and engaging education experience to her students will no doubt lead to countless open doors for her students down the road. Sara is an example of what an exceptional educator and leader looks like.

On behalf of my constituents in New Hampshire's First Congressional District, I want to congratulate Sara for her achievement and thank her for her decades of service to our community. Sara has demonstrated a deep dedication to teaching and inspiring our future leaders. This is a well-deserved honor.

CHASE MAZUR—EAGLE SCOUT

HON. JEFFERSON VAN DREW

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 1, 2021

Mr. VAN DREW. Madam Speaker, the Boy Scouts of America is a youth organization that instills moral and ethical principles in young people. Ascending the ranks in this youth organization is no easy feat, but for those who reach the pinnacle, it is a mighty accomplishment. The rank of Eagle Scout is the highest in the BSA and does not come easy. Chase has accomplished an incredible goal, of which he and his family should be proud. He has exemplified what it means to be a leader in his community; a leader within his troop and organization; and leader in the classroom. I congratulate Chase on his incredible accomplishment. God Bless Chase and God Bless America.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, November 2, 2021 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED
NOVEMBER 3

9:30 a.m.

Committee on Banking, Housing, and Urban Affairs

Business meeting to consider the nominations of Judith DelZoppo Pryor, of Ohio, to be First Vice President of the Export-Import Bank of the United States, Owen Edward Herrstadt, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States, and Matthew S. Axelrod, of Maryland, to be an Assistant Secretary of Commerce.

SD-534

Committee on Finance

Business meeting to consider the nomination of Chris Magnus, of Arizona, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

SD-215

Committee on Foreign Relations

Business meeting to consider the nominations of Lisa A. Carty, of Maryland, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations, Barbara A. Leaf, of Virginia, to be an Assistant Secretary (Near Eastern Affairs), Elizabeth Anne Noseworthy Fitzsimmons, of Delaware, to be Ambassador to the Togolese Republic, David R. Gilmour, of the District of Columbia, to be Ambassador to the Republic of Equatorial Guinea, Patricia Mahoney, of Virginia, to be Ambassador to the Central African Republic, Peter Hendrick Vrooman, of New York, to be Ambassador to the Republic of Mozambique, Peter D. Haas, of Virginia, to be Ambassador to the People's Republic of Bangladesh, and Julie Chung, of California, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, all of the Department of State, and Atul Atmaram Gawande, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development.

SD-G50

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine implementation of aviation safety reform.

SR-253

Committee on Environment and Public Works

To hold hearings to examine programs at the Economic Development Administration.

SD-406

Committee on Foreign Relations

To receive a closed briefing on U.S. cybersecurity policy.

SVC-217

Committee on the Judiciary

To hold hearings to examine the nominations of Gabriel P. Sanchez, of California, to be United States Circuit Judge for the Ninth Circuit, Samantha D. Elliott, to be United States District Judge for the District of New Hampshire, Linda Lopez, and Jinsook Ohta, both to be a United States District Judge for the Southern District of California, Katherine Marie Menendez, to

be United States District Judge for the District of Minnesota, and David Herrera Urias, to be United States District Judge for the District of New Mexico.

SD-226

10:30 a.m.

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 587, to amend the Inspector General Act of 1978 to provide that the President or certain agency heads may remove the Inspector General, or place an Inspector General on non-duty status, only if certain conditions are satisfied, S. 1794, to amend the Inspector General Act of 1978 to provide testimonial subpoena authority, S. 2273, to authorize Inspectors General to continue operations during a lapse in appropriations, S. 2991, to establish a Department of Homeland Security Center for Countering Human Trafficking, S. 3035, to establish the Artificial Intelligence Hygiene Working Group, S. 2993, to amend the Homeland Security Act of 2002 to establish in the Cybersecurity and Infrastructure Security Agency the National Cyber Exercise Program, S. 2491, to amend the Homeland Security Act of 2002 to establish the National Cyber Resilience Assistance Fund, to improve the ability of the Federal Government to assist in enhancing critical infrastructure cyber resilience, to improve security in the national cyber ecosystem, to address Systemically Important Critical Infrastructure, S. 3099, to amend title 44, United States Code, to establish the Federal Risk and Authorization Management Program within the General Services Administration, S. 2540, to make technical corrections to title XXII of the Homeland Security Act of 2002, S. 2274, to authorize the Director of the Cybersecurity and Infrastructure Security Agency to establish an apprenticeship program and to establish a pilot program on cybersecurity training for veterans and members of the Armed Forces transitioning to civilian life, S. 2322, to require a pilot program on the participation of non-asset-based third-party logistics providers in the Customs-Trade Partnership Against Terrorism, S. 2793, to authorize the Administrator of General Services to establish an enhanced use lease pilot program, S. 2541, to authorize the reclassification of the tactical enforcement officers (commonly known as the "Shadow Wolves") in the Homeland Security Investigations tactical patrol unit operating on the lands of the Tohono O'odham Nation as special agents, S. 1941, to direct the Director of the Office of Management and Budget to standardize the use of core-based statistical area designations across Federal programs, to allow between 120 and 180 days for public comment on any proposed change to such designations, and to report on the scientific basis and estimated impact to Federal programs for any proposed change to such designations, S. 2838, to require the Director of the Government Publishing Office to establish and maintain an online portal accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, S. 419, to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers, S. 442, to amend title 40, United States Code, to require the Administrator of General

Services to procure the most life-cycle cost effective and energy efficient lighting products and to issue guidance on the efficiency, effectiveness, and economy of those products, S. 2483, to require the Director of the Cybersecurity and Infrastructure Security Agency to establish cybersecurity guidance for small organizations, S. 2989, to amend the Homeland Security Act of 2002 to enhance the Blue Campaign of the Department of Homeland Security, S. 138, to waive certain pay limitations for Department of Agriculture and Department of the Interior employees engaged in emergency wildland fire suppression activities, H.R. 2662, to amend the Inspector General Act of 1978, H.R. 4426, to amend the Homeland Security Act of 2002 to ensure that the needs of children are considered in homeland security planning, H.R. 3263, to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a medical countermeasures program, H.R. 2617, to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, H.R. 4363, to establish a daily public reporting requirement for covered contract awards of the Department of Homeland Security, H.R. 3419, to designate the facility of the United States Postal Service located at 66 Meserole Avenue in Brooklyn, New York, as the "Joseph R. Lentol Post Office", H.R. 2044, to designate the facility of the United States Postal Service located at 17 East Main Street in Herington, Kansas, as the "Captain Emil J. Kapaun Post Office Building", and the nominations of Ernest W. DuBester, of Virginia, and Susan Tsui Grundmann, of Virginia, both to be Member, and Kurt Thomas Rumsfeld, of Maryland, to be General Counsel, all of the Federal Labor Relations Authority.

SD-342

2:30 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine upholding Organization for Security and Co-operation in Europe commitments in Hungary and Poland.

SD-419

3 p.m.

Committee on Veterans' Affairs

To hold hearings to examine Department of Veterans Affairs and Department of Defense collaboration, focusing on improving outcomes for servicemembers and veterans.

SR-418

NOVEMBER 4

9 a.m.

Committee on the Judiciary

Business meeting to consider S. 2342, to amend title 9 of the United States Code with respect to arbitration of disputes involving sexual assault and sexual harassment, S. 2629, to establish cybercrime reporting mechanisms, and the nominations of Holly A. Thomas, of California, to be United States Circuit Judge for the Ninth Circuit, Mary Katherine Dimke, to be United States District Judge for the Eastern District of Washington, Maame Ewusi-Mensah Frimpong, to be United States District Judge for the Central District of California, Charlotte N. Sweeney, to be United States District Judge for the District of Colorado, Jennifer L. Thurston, to be United States District

Judge for the Eastern District of California, Hernan D. Vera, to be United States District Judge for the Central District of California, and Clare E. Connors, to be United States Attorney for the District of Hawaii, Zachary A. Cunha, to be United States Attorney for the District of Rhode Island, Nikolas P. Kerest, to be United States Attorney for the District of Vermont, Cole Finegan, to be United States Attorney for the District of Colorado, and Kenneth L. Parker, to be United States Attorney for the Southern District of Ohio, all of the Department of Justice.

SH-216

9:30 a.m.

Committee on Small Business and Entrepreneurship

Business meeting to consider S. 1617, to modify the requirements for the Administrator of the Small Business Administration relating to declaring a disaster in a rural area, S. 1621, to re-

authorize and limit the pre-disaster mitigation program of the Small Business Administration, the nomination of Dilawar Syed, of California, to be Deputy Administrator of the Small Business Administration, and other pending calendar business.

SR-428A

10 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the potential non-electric applications of civilian nuclear energy.

SD-366

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine the road ahead for the COVID-19 response, focusing on next steps.

SD-G50

11 a.m.

Committee on Foreign Relations

Business meeting to consider pending calendar business.

SD-106

NOVEMBER 16

10 a.m.

Committee on the Judiciary

To hold an oversight hearing to examine the Department of Homeland Security.

SD-106

POSTPONEMENTS

NOVEMBER 4

10:15 a.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Michael Kubayanda, of Ohio, to be a Commissioner of the Postal Regulatory Commission.

SD-342/VTC

Daily Digest

HIGHLIGHTS

See *Résumé of Congressional Activity*.

Senate

Chamber Action

Routine Proceedings, pages S7523–S7575

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 3123–3128, S. Res. 435, and S. Con. Res. 18. **Page S7539**

Measures Reported:

S. 2429, to amend chapter 38 of title 31, United States Code, relating to civil remedies, with amendments. **Page S7538**

Measures Passed:

RENACER Act: Committee on Foreign Relations was discharged from further consideration of S. 1064, to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S7571–72**

Schumer (for Menendez) Amendment No. 4132, in the nature of a substitute. **Pages S7571–72**

Measures Considered:

John R. Lewis Voting Rights Advancement Act—Cloture: Senate began consideration of the motion to proceed to consideration of S. 4, to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act. **Page S7535**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Rajesh D. Nayak, of Maryland, to be an Assistant Secretary of Labor. **Page S7535**

Prior to the consideration of the motion to proceed to consideration of the bill, Senate took the following action:

D1208

Senate agreed to the motion to proceed to Legislative Session. **Page S7535**

Message from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13067 of November 3, 1997, with respect to Sudan, received during adjournment of the Senate on October 29, 2021; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–15)

Pages S7537–38

Davidson Nomination—Agreement: Senate resumed consideration of the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury. **Pages S7525–34**

A unanimous-consent agreement was reached providing for further consideration of the nomination, at approximately 10 a.m., on Tuesday, November 2, 2021; that notwithstanding Rule XXII, at 11:00 a.m., Senate vote on the motions to invoke cloture on the nominations of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury, Benjamin Harris, of Virginia, to be an Assistant Secretary of the Treasury, and Isobel Coleman, of New York, to be a Deputy Administrator of the United States Agency for International Development, in the order listed; that at 2:20 p.m., Senate vote on the motions to invoke cloture on the nominations of Jeffrey M. Prieto, of California, to be an Assistant Administrator of the Environmental Protection Agency, and Rajesh D. Nayak, of Maryland, to be an Assistant Secretary of Labor, in the order listed; that at 5:15 p.m., Senate vote on confirmation of the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury; and that upon disposition of the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury, Senate continue consideration of the

nomination of Benjamin Harris, of Virginia, to be an Assistant Secretary of the Treasury. **Page S7572**

Nominations Confirmed: Senate confirmed the following nominations:

By 51 yeas to 45 nays (Vote No. EX. 449), Beth Robinson, of Vermont, to be United States Circuit Judge for the Second Circuit. **Page S7534**

By 53 yeas to 43 nays (Vote No. EX. 450), Toby J. Heytens, of Virginia, to be United States Circuit Judge for the Fourth Circuit. **Pages S7534–35**

Nominations Received: Senate received the following nominations:

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy, Space Force. **Page S7575**

Messages from the House: **Page S7538**

Executive Communications: **Page S7538**

Additional Cosponsors: **Pages S7539–40**

Statements on Introduced Bills/Resolutions:

Pages S7540–41

Additional Statements:

Pages S7536–37

Amendments Submitted:

Pages S7541–71

Record Votes: Two record votes were taken today. (Total—450) **Pages S7534–35**

Adjournment: Senate convened at 3 p.m. and adjourned at 7:55 p.m., until 10 a.m. on Tuesday, November 2, 2021. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7572.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 5791–5808; and 5 resolutions, H. Con. Res. 57; and H. Res. 758–761 were introduced. **Pages H6069–70**

Additional Cosponsors: **Pages H6071–72**

Reports Filed: Reports were filed today as follows:

H.R. 390, to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee as the “Odell Horton Federal Building” (H. Rept. 117–157);

H.R. 1339, to require the Secretary of Transportation to establish an advanced air mobility interagency working group, and for other purposes, with an amendment (H. Rept. 117–158);

H.R. 2220, to amend title 40, United States Code, to modify the treatment of certain bargain-price options to purchase at less than fair market value, and for other purposes (H. Rept. 117–159);

H.R. 3709, to direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessments and make necessary improvements to processes in the Federal Emergency Management Agency, and for other purposes (H. Rept. 117–160);

H.R. 4660, to designate the Federal Building and United States Courthouse located at 1125 Chapline Street in Wheeling, West Virginia, as the “Frederick

P. Stamp, Jr. Federal Building and United States Courthouse” (H. Rept. 117–161);

H.R. 4679, to designate the Federal building located at 1200 New Jersey Avenue Southeast in Washington, DC, as the “Norman Yoshio Mineta Federal Building” (H. Rept. 117–162);

H.R. 1975, to take certain land located in San Diego County, California, into trust for the benefit of the Pala Band of Mission Indians, and for other purposes (H. Rept. 117–163);

H.R. 2088, to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians, and for other purposes (H. Rept. 117–164);

H.R. 3616, to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Bear River National Heritage Area, and for other purposes (H. Rept. 117–165);

H.R. 4881, to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona, and for other purposes (H. Rept. 117–166);

H.R. 5589, to direct the Secretary of Agriculture to carry out a program to award grants to eligible entities to carry out projects with the potential to reduce or sequester greenhouse emissions that convert and valorize tree nut harvest by-products into multiple higher value biocarbon products, and for

other purposes, with an amendment (H. Rept. 117-167);

H.R. 5221, to amend the Indian Health Care Improvement Act to establish an urban Indian organization confer policy for the Department of Health and Human Services (H. Rept. 117-168, Part 1); and

H.R. 2043, to amend title 5, United States Code, to require the Director of the Office of Personnel Management to establish and maintain a public directory of the individuals occupying Government policy and supporting positions, and for other purposes, with an amendment (H. Rept. 117-169, Part 1).

Page H6069

Speaker: Read a letter from the Speaker wherein she appointed Representative Davids (KS) to act as Speaker pro tempore for today.

Page H6037

Recess: The House recessed at 12:07 p.m. and reconvened at 2 p.m.

Page H6038

Recess: The House recessed at 2:06 p.m. and reconvened at 4 p.m.

Page H6039

Suspensions: The House agreed to suspend the rules and pass the following measures:

Catawba Indian Nation Lands Act: H.R. 1619, to clarify the status of gaming conducted by the Catawba Indian Nation, by a $\frac{2}{3}$ yeas-and-nays vote of 361 yeas to 55 nays with three answering "present", Roll No. 340; and

Pages H6039-41, H6053-54

Lumbee Recognition Act: H.R. 2758, to provide for the recognition of the Lumbee Tribe of North Carolina, by a $\frac{2}{3}$ yeas-and-nays vote of 357 yeas to 59 nays with one answering "present", Roll No. 341.

Pages H6041-43, H6054

Committee Resignation: Read a letter from Representative Sessions wherein he resigned from the Committee on Science, Space, and Technology.

Page H6052

Communication from the Committee on Ethics: Read a communication from the Committee on Ethics regarding a fine imposed upon Representative Greene (GA) pursuant to H. Res. 38, for which she did not file an appeal.

Pages H6052-53

Communication from the Committee on Ethics: Read a communication from the Committee on Ethics regarding a fine imposed upon Representative Clyde pursuant to H. Res. 38, for which he did not file an appeal.

Page H6053

Recess: The House recessed at 5:31 p.m. and reconvened at 6:31 p.m.

Page H6053

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed.

Pala Band of Mission Indians Land Transfer Act of 2021: H.R. 1975, to take certain land located in San Diego County, California, into trust for the benefit of the Pala Band of Mission Indians;

Pages H6043-44

Urban Indian Health Confer Act: H.R. 5221, to amend the Indian Health Care Improvement Act to establish an urban Indian organization confer policy for the Department of Health and Human Services;

Pages H6044-46

Bear River National Heritage Area Study Act: H.R. 3616, to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating certain land as the Bear River National Heritage Area;

Pages H6046-48

Authorizing the Seminole Tribe of Florida to lease or transfer certain land: S. 108, to authorize the Seminole Tribe of Florida to lease or transfer certain land;

Page H6048

Old Pascua Community Land Acquisition Act: H.R. 4881, to direct the Secretary of the Interior to take into trust for the Pascua Yaqui Tribe of Arizona certain land in Pima County, Arizona; and

Pages H6048-50

Eastern Band of Cherokee Historic Lands Reacquisition Act: H.R. 2088, amended, to take certain Federal lands in Tennessee into trust for the benefit of the Eastern Band of Cherokee Indians.

Pages H6050-52

Discharge Petition: Representative Long presented to the Clerk a motion to discharge the Committee on Armed Services from the consideration of the bill, H.R. 3860, to prohibit any requirement that a member of the Armed Forces receive a vaccination against COVID-19 (Discharge Petition No. 8).

Presidential Message: Read a message from the President wherein he notified Congress that the national emergency declared with respect to Sudan is to continue in effect beyond November 3, 2021—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 117-69).

Pages H6038-39

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H6038.

Quorum Calls—Votes: Two yeas-and-nays votes developed during the proceedings of today and appear on pages H6053-54 and H6054.

Adjournment: The House met at 12 noon and adjourned at 9:44 p.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 2, 2021

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Food and Nutrition, Specialty Crops, Organics, and Research, to hold hearings to examine the state of nutrition in America 2021, 10 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Libor transition, focusing on protecting consumers and investors, 10 a.m., SD-538.

Committee on Energy and Natural Resources: business meeting to consider the nominations of Geraldine Richmond, of Oregon, to be Under Secretary for Science, Brad John Crabtree, of North Dakota, to be an Assistant Secretary (Fossil Energy and Carbon Management), and Asmeret Asefaw Berhe, of California, to be Director of the Office of Science, all of the Department of Energy, M. Camille Calimlim Touton, of Nevada, to be Commissioner of Reclamation, Laura Daniel-Davis, of Virginia, to be an Assistant Secretary, and Charles F. Sams III, of Oregon, to be Director of the National Park Service, all of the Department of the Interior, Willie L. Phillips, Jr., of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission, and Sara C. Bronin, of Connecticut, to be Chairman of the Advisory Council on Historic Preservation, 10 a.m., SD-366.

Committee on Foreign Relations: to hold hearings to examine the nominations of Thomas Barrett, of Wisconsin, to be Ambassador to the Grand Duchy of Luxembourg, Jamie L. Harpootlian, of South Carolina, to be Ambassador to the Republic of Slovenia, Scott Miller, of Colorado, to be Ambassador to the Swiss Confederation, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein, and Erik D. Ramanathan, of Massachusetts, to be Ambassador to the Kingdom of Sweden, all of the Department of State, and other pending nominations, 10 a.m., VTC.

Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development, to hold hearings to examine training the Department of State's workforce for the 21st century diplomacy, 2:30 p.m., SD-G50/VTC.

Committee on the Judiciary: to hold hearings to examine cleaning up online marketplaces, focusing on protecting against stolen, counterfeit, and unsafe goods, 10 a.m., SD-226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH-219.

House

Committee on Financial Services, Task Force on Financial Technology, hearing entitled "Buy Now, Pay More Later? Investigating Risks and Benefits of BNPL and Other Emerging Fintech Cash Flow Products", 10 a.m., 2128 Rayburn and Webex.

Committee on Homeland Security, Subcommittee on Emergency Preparedness, Response, and Recovery, hearing entitled "20 Years After 9/11: Examining Emergency Communications Part 2", 10 a.m., Webex.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing entitled "The General Services Administration's Priorities for 2021 and Beyond", 10 a.m., 2167 Rayburn and Zoom.

Committee on Veterans' Affairs, Subcommittee on Technology Modernization, hearing entitled "Next Steps: Examining Plans for the Continuation of the Department of Veterans Affairs Electronic Health Record Modernization Program", 10 a.m., Zoom.

CONGRESSIONAL PROGRAM AHEAD

Week of November 2 through November 5,
2021

Senate Chamber

On *Tuesday*, Senate will continue consideration of the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury, and vote on the motions to invoke cloture on the nominations of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury, Benjamin Harris, of Virginia, to be an Assistant Secretary of the Treasury, and Isobel Coleman, of New York, to be a Deputy Administrator of the United States Agency for International Development, at 11:00 a.m.

At 2:20 p.m., Senate will vote on the motions to invoke cloture on the nominations of Jeffrey M. Prieto, of California, to be an Assistant Administrator of the Environmental Protection Agency, and Rajesh D. Nayak, of Maryland, to be an Assistant Secretary of Labor.

At 5:15 p.m., Senate will vote on confirmation of the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury, if cloture has been invoked on the nomination.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: November 2, Subcommittee on Food and Nutrition, Specialty Crops, Organics, and Research, to hold hearings to examine the state of nutrition in America 2021, 10 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: November 2, to hold hearings to examine the Libor transition, focusing on protecting consumers and investors, 10 a.m., SD-538.

November 3, Full Committee, business meeting to consider the nominations of Judith DelZoppo Pryor, of Ohio, to be First Vice President of the Export-Import Bank of the United States, Owen Edward Herrstadt, of Maryland, to be a Member of the Board of Directors of the Export-Import Bank of the United States, and Matthew S. Axelrod, of Maryland, to be an Assistant Secretary of Commerce, 9:30 a.m., SD-534.

Committee on Commerce, Science, and Transportation: November 3, to hold hearings to examine implementation of aviation safety reform, 10 a.m., SR-253.

Committee on Energy and Natural Resources: November 2, business meeting to consider the nominations of Geraldine Richmond, of Oregon, to be Under Secretary for Science, Brad John Crabtree, of North Dakota, to be an Assistant Secretary (Fossil Energy and Carbon Management), and Asmeret Asefaw Berhe, of California, to be Director of the Office of Science, all of the Department of Energy, M. Camille Calimlim Touton, of Nevada, to be Commissioner of Reclamation, Laura Daniel-Davis, of Virginia, to be an Assistant Secretary, and Charles F. Sams III, of Oregon, to be Director of the National Park Service, all of the Department of the Interior, Willie L. Phillips, Jr., of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission, and Sara C. Bronin, of Connecticut, to be Chairman of the Advisory Council on Historic Preservation, 10 a.m., SD-366.

November 4, Full Committee, to hold hearings to examine the potential non-electric applications of civilian nuclear energy, 10 a.m., SD-366.

Committee on Environment and Public Works: November 3, to hold hearings to examine programs at the Economic Development Administration, 10 a.m., SD-406.

Committee on Finance: November 3, business meeting to consider the nomination of Chris Magnus, of Arizona, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security, 9:30 a.m., SD-215.

Committee on Foreign Relations: November 2, to hold hearings to examine the nominations of Thomas Barrett, of Wisconsin, to be Ambassador to the Grand Duchy of Luxembourg, Jamie L. Harpootlian, of South Carolina, to be Ambassador to the Republic of Slovenia, Scott Miller, of Colorado, to be Ambassador to the Swiss Confederation, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein, and Erik D. Ramanathan, of Massachusetts, to be Ambassador to the Kingdom of Sweden, all of the Department of State, and other pending nominations, 10 a.m., VTC.

November 2, Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development, to hold hearings to examine training the Department of State's workforce for the 21st century diplomacy, 2:30 p.m., SD-G50/VTC.

November 3, Full Committee, business meeting to consider the nominations of Lisa A. Carty, of Maryland, to be Representative of the United States of America on

the Economic and Social Council of the United Nations, with the rank of Ambassador, and to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during her tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations, Barbara A. Leaf, of Virginia, to be an Assistant Secretary (Near Eastern Affairs), Elizabeth Anne Noseworthy Fitzsimmons, of Delaware, to be Ambassador to the Togolese Republic, David R. Gilmour, of the District of Columbia, to be Ambassador to the Republic of Equatorial Guinea, Patricia Mahoney, of Virginia, to be Ambassador to the Central African Republic, Peter Hendrick Vrooman, of New York, to be Ambassador to the Republic of Mozambique, Peter D. Haas, of Virginia, to be Ambassador to the People's Republic of Bangladesh, and Julie Chung, of California, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, all of the Department of State, and Atul Atmaram Gawande, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development, 9:30 a.m., SD-G50.

November 3, Full Committee, to receive a closed briefing on U.S. cybersecurity policy, 10 a.m., SVC-217.

November 4, Full Committee, business meeting to consider pending calendar business, 11 a.m., SD-106.

Committee on Health, Education, Labor, and Pensions: November 4, to hold hearings to examine the road ahead for the COVID-19 response, focusing on next steps, 10 a.m., SD-G50.

Committee on Homeland Security and Governmental Affairs: November 3, business meeting to consider S. 587, to amend the Inspector General Act of 1978 to provide that the President or certain agency heads may remove the Inspector General, or place an Inspector General on non-duty status, only if certain conditions are satisfied, S. 1794, to amend the Inspector General Act of 1978 to provide testimonial subpoena authority, S. 2273, to authorize Inspectors General to continue operations during a lapse in appropriations, S. 2991, to establish a Department of Homeland Security Center for Countering Human Trafficking, S. 3035, to establish the Artificial Intelligence Hygiene Working Group, S. 2993, to amend the Homeland Security Act of 2002 to establish in the Cybersecurity and Infrastructure Security Agency the National Cyber Exercise Program, S. 2491, to amend the Homeland Security Act of 2002 to establish the National Cyber Resilience Assistance Fund, to improve the ability of the Federal Government to assist in enhancing critical infrastructure cyber resilience, to improve security in the national cyber ecosystem, to address Systemically Important Critical Infrastructure, S. 3099, to amend title 44, United States Code, to establish the Federal Risk and Authorization Management Program within the General Services Administration, S. 2540, to make technical corrections to title XXII of the Homeland Security Act of 2002, S. 2274, to authorize the Director of the Cybersecurity and Infrastructure Security Agency to establish an apprenticeship program and to establish a pilot program on cybersecurity training for veterans and members of the

Armed Forces transitioning to civilian life, S. 2322, to require a pilot program on the participation of non-asset-based third-party logistics providers in the Customs-Trade Partnership Against Terrorism, S. 2793, to authorize the Administrator of General Services to establish an enhanced use lease pilot program, S. 2541, to authorize the reclassification of the tactical enforcement officers (commonly known as the “Shadow Wolves”) in the Homeland Security Investigations tactical patrol unit operating on the lands of the Tohono O’odham Nation as special agents, S. 1941, to direct the Director of the Office of Management and Budget to standardize the use of core-based statistical area designations across Federal programs, to allow between 120 and 180 days for public comment on any proposed change to such designations, and to report on the scientific basis and estimated impact to Federal programs for any proposed change to such designations, S. 2838, to require the Director of the Government Publishing Office to establish and maintain an online portal accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, S. 419, to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers, S. 442, to amend title 40, United States Code, to require the Administrator of General Services to procure the most life-cycle cost effective and energy efficient lighting products and to issue guidance on the efficiency, effectiveness, and economy of those products, S. 2483, to require the Director of the Cybersecurity and Infrastructure Security Agency to establish cybersecurity guidance for small organizations, S. 2989, to amend the Homeland Security Act of 2002 to enhance the Blue Campaign of the Department of Homeland Security, S. 138, to waive certain pay limitations for Department of Agriculture and Department of the Interior employees engaged in emergency wildland fire suppression activities, H.R. 2662, to amend the Inspector General Act of 1978, H.R. 4426, to amend the Homeland Security Act of 2002 to ensure that the needs of children are considered in homeland security planning, H.R. 3263, to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security a medical countermeasures program, H.R. 2617, to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, H.R. 4363, to establish a daily public reporting requirement for covered contract awards of the Department of Homeland Security, H.R. 3419, to designate the facility of the United States Postal Service located at 66 Meserole Avenue in Brooklyn, New York, as the “Joseph R. Lentol Post Office”, H.R. 2044, to designate the facility of the United States Postal Service located at 17 East Main Street in Herington, Kansas, as the “Captain Emil J. Kapaun Post Office Building”, and the nominations of Ernest W. DuBester, of Virginia, and Susan Tsui Grundmann, of Virginia, both to be Member, and Kurt Thomas Rumsfeld, of Maryland, to be General Counsel, all of the Federal Labor Relations Authority, 10:30 a.m., SD–342.

Committee on the Judiciary: November 2, to hold hearings to examine cleaning up online marketplaces, focus-

ing on protecting against stolen, counterfeit, and unsafe goods, 10 a.m., SD–226.

November 3, Full Committee, to hold hearings to examine the nominations of Gabriel P. Sanchez, of California, to be United States Circuit Judge for the Ninth Circuit, Samantha D. Elliott, to be United States District Judge for the District of New Hampshire, Linda Lopez, and Jinsook Ohta, both to be a United States District Judge for the Southern District of California, Katherine Marie Menendez, to be United States District Judge for the District of Minnesota, and David Herrera Urias, to be United States District Judge for the District of New Mexico, 10 a.m., SD–226.

November 4, Full Committee, business meeting to consider S. 2342, to amend title 9 of the United States Code with respect to arbitration of disputes involving sexual assault and sexual harassment, S. 2629, to establish cybercrime reporting mechanisms, and the nominations of Holly A. Thomas, of California, to be United States Circuit Judge for the Ninth Circuit, Mary Katherine Dimke, to be United States District Judge for the Eastern District of Washington, Maame Ewusi-Mensah Frimpong, to be United States District Judge for the Central District of California, Charlotte N. Sweeney, to be United States District Judge for the District of Colorado, Jennifer L. Thurston, to be United States District Judge for the Eastern District of California, Hernan D. Vera, to be United States District Judge for the Central District of California, and Clare E. Connors, to be United States Attorney for the District of Hawaii, Zachary A. Cunha, to be United States Attorney for the District of Rhode Island, Nikolas P. Kerest, to be United States Attorney for the District of Vermont, Cole Finegan, to be United States Attorney for the District of Colorado, and Kenneth L. Parker, to be United States Attorney for the Southern District of Ohio, all of the Department of Justice, 9 a.m., SH–216.

Committee on Small Business and Entrepreneurship: November 4, business meeting to consider S. 1617, to modify the requirements for the Administrator of the Small Business Administration relating to declaring a disaster in a rural area, S. 1621, to reauthorize and limit the pre-disaster mitigation program of the Small Business Administration, the nomination of Dilawar Syed, of California, to be Deputy Administrator of the Small Business Administration, and other pending calendar business, 9:30 a.m., SR–428A.

Committee on Veterans’ Affairs: November 3, to hold hearings to examine Department of Veterans Affairs and Department of Defense collaboration, focusing on improving outcomes for servicemembers and veterans, 3 p.m., SR–418.

Select Committee on Intelligence: November 2, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Agriculture, November 3, Full Committee, hearing entitled “The Immediate Challenges to our Nation’s Food Supply Chain”, 10 a.m., 1300 Longworth and Zoom.

Committee on Education and Labor, November 3, Subcommittee on Civil Rights and Human Services, hearing entitled “A Call to Action: Modernizing the Community Services Block Grant”, 10:15 a.m., Zoom.

November 4, Subcommittee on Health, Employment, Labor, and Pensions, hearing entitled “Closing the Courthouse Doors: The Injustice of Forced Arbitration Agreements”, 10:15 a.m., Zoom.

Committee on Energy and Commerce, November 3, Subcommittee on Communications and Technology, markup on H.R. 1218, the “Data Mapping to Save Moms’ Lives Act”; and H.R. 2501, the “Spectrum Coordination Act”, 10:30 a.m., 2123 Rayburn and Webex.

Committee on Financial Services, November 3, Subcommittee on Consumer Protection and Financial Institutions, hearing entitled “Cyber Threats: Keeping Consumer Data and the Financial System Secure”, 10 a.m., 2128 Rayburn and Webex.

November 4, Subcommittee on National Security, International Development and Monetary Policy, hearing entitled “From Timber to Tungsten: How the Exploitation of Natural Resources Funds Rogue Organizations and Regimes”, 10 a.m., 2128 Rayburn and Webex.

Committee on Foreign Affairs, November 3, Full Committee, hearing entitled “Assessing Progress and Challenges in State Department Management, Operations, and Reforms”, 10 a.m., 2172 Rayburn and Webex.

Committee on Homeland Security, November 3, Full Committee, hearing entitled “Evolving the U.S. Approach to Cybersecurity: Raising the Bar Today to Meet the Threats of Tomorrow”, 10 a.m., 310 Cannon and Webex.

Committee on the Judiciary, November 3, Full Committee, continue markup on H.R. 4777, the “Nondebtor Release Prohibition Act of 2021”; H.R. 963, the “FAIR Act”; H.R. 5677, to make technical amendments to titles 2, 50, and 52, United States Code; H.R. 5679, to make technical amendments to titles 7, 20, and 43, United States Code; H.R. 5695, to make technical amendments to title 25, United States Code; and H.R. 5705, to make technical amendments to title 34, United States Code, 10 a.m., 2141 Rayburn and Zoom.

November 4, Full Committee, hearing entitled “The Texas Abortion Ban and its Devastating Impact on Communities and Families”, 10 a.m., 2141 Rayburn and Zoom.

Committee on Natural Resources, November 4, Subcommittee on Water, Oceans, and Wildlife, hearing on H. Res. 320, recognizing the critical importance of access

to reliable, clean drinking water for Native Americans and Alaska Natives and confirming the responsibility of the Federal Government to ensure such water access; H.R. 4832, the “Open Access Evapotranspiration Data Act”; H.R. 5001, the “Upper Colorado and San Juan River Basins Recovery Act”; and H.R. 5345, the “Saline Lake Ecosystems in the Great Basin States Program Act of 2021”, 10 a.m., Webex.

Committee on Oversight and Reform, November 4, Full Committee, markup on H.R. 5477, the “Federal Agency Climate Planning, Resilience, and Enhanced Preparedness Act”; H.R. 4688, the “Federal Agency Customer Experience Act”; legislation on the State and Local Digital Services Act; H.R. 4778, the “District of Columbia Courts Vacancy Reduction Act”; and several postal naming measures, 2 p.m., 2154 Rayburn and Zoom.

Committee on Small Business, November 3, Full Committee, hearing entitled “Entrepreneurship in the New Economy”, 10 a.m., 2360 Rayburn and Zoom.

November 4, Subcommittee on Innovation, Entrepreneurship, and Workforce Development, hearing entitled “The Community College Pipeline to Small Businesses”, 10 a.m., 2360 Rayburn and Zoom.

Committee on Transportation and Infrastructure, November 4, Full Committee, hearing entitled “The Evolving Cybersecurity Landscape: Industry Perspectives on Securing the Nation’s Infrastructure”, 10 a.m., 2167 Rayburn and Zoom.

Permanent Select Committee on Intelligence, November 3, Subcommittee on Counterterrorism, Counterintelligence, and Counterproliferation, hearing entitled “Countering Domestic Terrorism”, 9:30 a.m., 2359 Rayburn.

Select Committee on the Modernization of Congress, November 4, Full Committee, hearing entitled “Article One: Strengthening Congressional Oversight Capacity”, 9 a.m., 210 Cannon and Zoom.

Select Committee on Economic Disparity and Fairness in Growth, November 3, Full Committee, hearing entitled “Our Changing Economy: The Economic Effects of Technological Innovation, Automation and the Future of Work”, 10 a.m., CVC–200.

Joint Meetings

Commission on Security and Cooperation in Europe: November 3, to hold hearings to examine upholding Organization for Security and Co-operation in Europe commitments in Hungary and Poland, 2:30 p.m., SD–419.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED SEVENTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through October 31, 2021

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session	160	137	..
Time in session	896 hrs., 59'	560 hrs., 18'	..
Congressional Record:			
Pages of proceedings	S7521	H6036	..
Extensions of Remarks .....	..	E1168	..
Public bills enacted into law	25	30	..
Private bills enacted into law .....	..	..	..
Bills in conference .....	..	..	..
Measures passed, total	361	394	755
Senate bills	77	21	..
House bills	36	267	..
Senate joint resolutions	3	3	..
House joint resolutions	1	2	..
Senate concurrent resolutions	4	4	..
House concurrent resolutions	5	7	..
Simple resolutions	235	90	..
Measures reported, total	*123	146	269
Senate bills	80	..	..
House bills	4	112	..
Senate joint resolutions	1	..	..
House joint resolutions .....	..	1	..
Senate concurrent resolutions .....	..	..	..
House concurrent resolutions .....	..	..	..
Simple resolutions	38	33	..
Special reports	8	10	..
Conference reports .....	..	..	..
Measures pending on calendar	95	35	..
Measures introduced, total	3,593	6,653	10,246
Bills	3,114	5,779	..
Joint resolutions	28	61	..
Concurrent resolutions	17	56	..
Simple resolutions	434	757	..
Quorum calls	4	1	..
Yea-and-nay votes	448	338	..
Recorded votes .....	..	..	..
Bills vetoed .....	..	..	..
Vetoes overridden .....	..	..	..

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through October 31, 2021

Civilian nominees, totaling 637, disposed of as follows:	
Confirmed	224
Unconfirmed	367
Withdrawn	46
Other Civilian nominees, totaling 2,483, disposed of as follows:	
Confirmed	1,471
Unconfirmed	1,012
Air Force nominees, totaling 5,730, disposed of as follows:	
Confirmed	5,523
Unconfirmed	207
Army nominees, totaling 8,492, disposed of as follows:	
Confirmed	6,406
Unconfirmed	2,085
Withdrawn	1
Navy nominees, totaling 4,369, disposed of as follows:	
Confirmed	4,365
Unconfirmed	3
Withdrawn	1
Marine Corps nominees, totaling 584, disposed of as follows:	
Confirmed	581
Unconfirmed	3
Space Force nominees, totaling 1,893, disposed of as follows:	
Confirmed	1,072
Unconfirmed	2
Withdrawn	819
<i>Summary</i>	
Total nominees carried over from the First Session	0
Total nominees received this Session	24,188
Total confirmed	19,642
Total unconfirmed	3,679
Total withdrawn	867
Total returned to the White House	0

*These figures include all measures reported, even if there was no accompanying report. A total of 44 written reports have been filed in the Senate, 156 reports have been filed in the House.

Next Meeting of the SENATE
10 a.m., Tuesday, November 2

Senate Chamber

Program for Tuesday: Senate will continue consideration of the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury, and vote on the motions to invoke cloture on the nominations of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury, Benjamin Harris, of Virginia, to be an Assistant Secretary of the Treasury, and Isobel Coleman, of New York, to be a Deputy Administrator of the United States Agency for International Development, at 11 a.m.

At 2:20 p.m., Senate will vote on the motions to invoke cloture on the nominations of Jeffrey M. Prieto, of California, to be an Assistant Administrator of the Environmental Protection Agency, and Rajesh D. Nayak, of Maryland, to be an Assistant Secretary of Labor.

At 5:15 p.m., Senate will vote on confirmation of the nomination of Jonathan Davidson, of Maryland, to be Deputy Under Secretary of the Treasury, if cloture has been invoked on the nomination.

(Senate will recess following the vote on the motion to invoke cloture on the nomination of Isobel Coleman, of New York, to be a Deputy Administrator of the United States Agency for International Development, until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Tuesday, November 2

House Chamber

Program for Tuesday: Consideration of measures under suspension of the Rules.

Extensions of Remarks, as inserted in this issue

HOUSE

Babin, Brian, Tex., E1173
Cole, Tom, Okla., E1173
Dingell, Debbie, Mich., E1172
Eshoo, Anna G., Calif., E1175
Garcia, Mike, Calif., E1175

Gomez, Jimmy, Calif., E1171
Gosar, Paul A., Ariz., E1172
Griffith, H. Morgan, Va., E1170
Harshbarger, Diana, Tenn., E1169
Kind, Ron, Wisc., E1171
Lee, Barbara, Calif., E1174
Mast, Brian J., Fla., E1176

Pappas, Chris, N.H., E1176
Perlmutter, Ed, Colo., E1169, E1174
Rogers, Harold, Ky., E1170
Ryan, Tim, Ohio, E1175
Taylor, Van, Tex., E1169, E1170, E1171, E1172, E1174
Van Drew, Jefferson, N.J., E1169, E1170, E1170, E1171, E1171, E1173, E1174, E1174, E1176, E1176



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