

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 30 minutes each.

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

CONFIRMATION OF DEBRA ANNE HAALAND

• Ms. HIRONO. Madam President, I rise in support of the historic nomination of DEB HAALAND to serve as the next Secretary of the Interior. When confirmed, Congresswoman HAALAND will be the first Native American to serve in a Cabinet position.

DEB HAALAND's nomination to become Secretary of the Interior means so much to the future of this country.

For the historically underrepresented and mistreated indigenous communities of these United States, it means that their experiences and perspectives will be valued and represented at the highest ranks of our Federal Government. This important milestone and this reflection of their stories cannot be overstated.

It means that young Americans and perhaps especially young people in indigenous communities, who put themselves through school, take out student loans, raise children, and run a business, will see their struggles in this nominee and realize that they, too, can work their way to high-ranking government positions.

DEB HAALAND's confirmation means that our country will, after 4 years of neglect and catering to the fossil fuel industry, work again to ensure that our natural resources are conserved for the next generation.

It means that the Federal Government will take swift, meaningful actions to address climate change.

It means that trust and relationships between local communities, Tribes, and the Federal Government will be restored and strengthened.

My Republican colleagues have gone to great lengths to smear Congresswoman HAALAND as an extremist. They point to the commonsense policies and positions that she took while representing her constituents as "radical" and framing her as "outside the mainstream." They are adamantly opposed to President Biden's environmental agenda and, regardless of what DEB HAALAND says in response to their concerns, oppose her because they simply oppose the President's agenda.

If you took them for their word, you would believe that fossil fuels would disappear overnight. You would believe that workers in that industry would immediately lose their jobs, that our

energy grids would become unreliable, that the sky would be falling.

What they don't talk about is how the Department of the Interior is putting a pause on new, not existing, oil and gas leases. A pause.

They don't mention how DEB HAALAND, during her confirmation hearing, repeatedly assured them that the administration will not abandon workers and families in the fossil fuel industry as we transition to clean energy.

They ignored and discounted her repeated commitments to working with Senators and stakeholders in their respective States on issues that they care about.

They don't talk about the impacts of climate change on American communities, how climate change is an environmental justice issue, or the benefits of expanding our country's clean energy production.

Instead, their message is simple—if the nominee is not beholden to the fossil fuel industry, they won't support them.

Yes, President Biden's environmental agenda is bold. His commitments to addressing climate change, which he identified as a crisis, are strong.

We as a country cannot afford to continue with the fossil fuel extracting, carbon emitting status quo.

We cannot keep burying our heads in the sand and kicking the can down the road, expecting our children and grandchildren to clean up our messes.

President Biden committed to tackling some of the greatest challenges of our lifetime, and he named climate change as one of the four great crises of our time.

Major changes will need to happen including our old ways of thinking. We need to be bold, innovative, and think outside the box.

As our country takes on these issues, challenges and opportunities are inevitable. By having DEB HAALAND at the helm of Interior, I know that our local communities from Hawaii, to Alaska, to Maine, and everywhere in between, will have a Secretary willing to listen, a Secretary who will take the time to understand their issues.

Our country can successfully transition from overreliance on fossil fuels, increase our clean energy production, protect our environment, and make real progress on climate change by working together.

Mr. President, a family emergency has kept me from being in attendance for today's vote. If I were present, I would have voted to confirm DEB HAALAND as Secretary of the Interior. It is not only a historic vote but one of hope. I urge my colleagues to join me in my support.●

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Ms. HIRONO. Madam President, I was necessarily absent for a vote on

March 15, 2021, so I could return to Hawaii to tend to a family matter.

On March 15, had I been present, I would have voted yea on the confirmation of DEBRA ANNE HAALAND to be Secretary of the Interior, rollcall vote 119.●

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-24 concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Germany for defense articles and services estimated to cost \$1.77 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. 21-24

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Germany.

(ii) Total Estimated Value:
Major Defense Equipment* \$1.10 billion.
Other \$.67 billion.
Total \$1.77 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
Five (5) P-8A Patrol Aircraft.

Nine (9) Multifunctional Information Distribution System Joint Tactical Radio Systems 5 (MIDS JTRS 5).

Twelve (12) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigation Systems (EGIs).

Non-MDE: Also included are commercial engines; Tactical Open Mission Software (TOMS); Electro-Optical (EO) and Infrared MX-20HD; AN/AAQ-2(V) I Acoustic System; AN/APY-10 radar; ALQ-240 Electronic Support Measures; NexGen Missile Warning Sensors; AN/PRC-117G Manpack radios include

MPE-S type II with SAASM 3.7; Global Positioning Systems (GPS) 524D Precise Positioning System (PPS) for APY-10 Radar; AN/ALQ-213 Electronic Counter Measures; AN/ALE-47 Counter Measures Dispensing Systems; AN/UPX IFF Interrogators; APX-123A(C) IFF Digital Transponders; KIV-78 IFF Mode 5 Cryptographic Appliques; CCM-701A Cryptographic Core Modules; KY-100M, KY-58, KYV-5 for HF-121C radios; AN/PYQ-10 V3 Simple Key Loaders (SKL) with KOV-21 Cryptographic Appliques; aircraft spares; spare engine; support equipment; operational support systems; training; training devices; maintenance trainer/classrooms; publications; software; engineering technical assistance (ETA); logistics technical assistance (LTA); Country Liaison Officer (CLO) support; Contractor Engineering Technical Services (CETS); repair and return (RoR); transportation; aircraft ferry; and other associated training and support; and other related elements of logistics and program support.

(iv) Military Department: Navy (GY-P-SCO).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: March 12, 2021.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Germany—P-8A Aircraft and Associated Support

The Government of Germany has requested to buy five (5) P-8A Patrol Aircraft; nine (9) Multifunctional Distribution System Joint Tactical Radio Systems 5 (MIDS JTRS 5); and twelve (12) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigations Systems (EGIs). Also included are commercial engines; Tactical Open Mission Software (TOMS); Electro-Optical (EO) and Infrared MX-20HD; AN/AAQ-2(V) 1 Acoustic System; AN/APY-10 radar; ALQ-240 Electronic Support Measures; NexGen Missile Warning Sensors; AN/PRC-117G Manpack radios include MPE-S type II with SAASM 3.7; Global Positioning Systems (GPS) 524D Precise Positioning System (PPS) for APY-10 Radar; AN/ALQ-213 Electronic Counter Measures; AN/ALE-47 Counter Measures Dispensing Systems; AN/UPX IFF Interrogators; APX-123A(C) IFF Digital Transponders; KIV-78 IFF Mode 5 Cryptographic Appliques; CCM-701A Cryptographic Core Modules; KY-100M, KY-58, KYV-5 for HF-121C radios; AN/PYQ-10 V3 Simple Key Loaders (SKL) with KOV-21 Cryptographic Appliques; aircraft spares; spare engine; support equipment; operational support systems; training; training devices; maintenance trainer/classrooms; publications; software; engineering technical assistance (ETA); logistics technical assistance (LTA); Country Liaison Officer (CLO) support; Contractor Engineering Technical Services (CETS); repair and return (RoR); transportation; aircraft ferry; and other associated training and support; and other related elements of logistics and program support. The total estimated program cost is \$1.77 billion.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO Ally which is an important force for political and economic stability in Europe.

The proposed sale will improve Germany's capability to meet current and future threats by providing critical capabilities to coalition maritime operations. Germany currently operates the Lockheed P-3C Orion,

but that aircraft is reaching end-of-life and will retire in 2024. Germany plans to replace it with the P-8A Poseidon. The proposed sale will allow Germany to modernize and sustain its Maritime Surveillance Aircraft (MSA) capability for the next 30 years. Germany will have no difficulty transitioning its MSA force to P-8 and absorbing these aircraft into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be The Boeing Company, Seattle, WA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of the proposed sale will require the assignment of four (4) U.S. Government and four (4) contractor representatives to Germany for a duration of two (2) years to support equipment familiarization, training and supply support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 21-24

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The P-8A aircraft is a militarized version of the Boeing 737-800 Next Generation (NG) commercial aircraft. The P-8A is replacing the P-3C as the Navy's long-range anti-submarine warfare (ASW), anti-surface warfare (ASuW), intelligence, surveillance and reconnaissance (ISR) aircraft capable of broad-area, maritime, and littoral operations.

2. Multifunctional Information Distribution System—Joint Tactical Radio System (MIDS JTRS) 5, is an advanced Link-16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and vice, among air, ground, and sea elements.

3. The Embedded Global Positioning System (EGI)-Inertial Navigation System (INS)/LN-251 is a sensor that combines Global Positioning System (GPS) and inertial sensor inputs to provide accurate location information for navigation and targeting.

4. Tactical Open Mission Software (TOMS). Functions include environment planning, tactical aids, weapons planning aids, and data correlation. TOMS includes an algorithm for track fusion which automatically correlates tracks produced by on board and off board sensors.

5. Electro-Optical (EO) and Infrared (IR) MX-20HD. The EO/IR system processes visible EO and IR spectrum (IR Focal Plane Array (FPA) and Turret Stabilization) to detect and image objects.

6. AN/AAQ-2(V)1 Acoustic System. The Acoustic sensor system is integrated within the mission system as the primary sensor for the aircraft ASW missions. The system has multi-static active (MAC) 64 sonobuoy processing capability and acoustic sensor prediction tools.

7. AN/APY-10 Radar. The aircraft radar is a direct derivative of the legacy AN/APS 137(V) installed in the P-3C. The radar capabilities include GPS selective availability anti-spoofing monitoring (SAASM), SAR and ISAR imagery resolutions, and periscope detection mode.

8. ALQ-240 Electronic Support Measures (ESM). This system provides real time capability for the automatic detection, location, measurement, and analysis of RF-signals and modes. Real time results are compared with a library of known emitters to perform emitter classification.

9. Electronic Warfare Self Protection (EWSP). The P-8A Electronic Warfare Self Protection (EWSP) suite consists of the ALQ-213 Electronic Warfare Management System (EWMS), ALE-47 Countermeasures Dispensing System (CMDs) and the NexGEN Missile Warning Sensors (MWS). EWSP includes threat information.

10. AN/PRC-117G Radio, Manpack. The AN/PRC-117G is a tactical radio that extends communications Beyond-Line-Of-Sight (BLOS) with abilities for simultaneous SATCOM voice and data transmission. Situational Awareness is enhanced by an embedded Selective Availability Anti-Spoofing Module (SAASM) 3.7 GPS receiver.

11. GPS 524D Precise Positioning System (PPS) with Selective Availability Anti-Spoofing Module (SAASM) for APY-10 Radar. The radar Receiver Exciter Processor (REP) contains GPS SAASM Mode III hardware. The APY-10 radar hardware and software are unclassified. APY-10 Radar provides the following capabilities: Synthetic Aperture Radar/Inverse Synthetic Aperture Radar (SAR/ISAR) resolution, Geo-Location, Periscope Detection Mode, Track Generation, Track While Scan, Color Weather Radar, and IFF Interface.

12. AN/UPX IFF Interrogator. The Identification Friend or Foe (IFF) AN/UPX-43 Interrogator system provides operators with the capability for timely and accurate display of both civil and military air traffic.

13. AN/APX-123A(C) IFF Transponder Digital. The Identification Friend or Foe (IFF) AN/APX-123A transponder is capable of both Mode 5 and Mode S secure modes and provides own ship positional information.

14. KIV-78 IFF Mode 5 Cryptographic Applique. The KIV-78 is Type 1 NSA-certified COMSEC for IFF (Identification Friend or Foe). KIV-78 provides cryptographic and time-of-day services, concurrent Mode 5 operations as well as concurrent interrogator/transponder operations. KIV-78 IFF system deployed to identify cooperative, friendly systems.

15. CCM-701A Cryptographic Core Module. Common Data Link is used for line of sight secure transmission of video imagery to Ground Terminals, and Ships.

16. KY-100M, KY-58, KYV-5 for HF-121CD Radio. The KY-100M is a narrowband/wideband terminal that interoperates with TACTERM (CV-3591/KYV-5), MINTERM (KY-99A), VINSON (KY-57, KY-58) and SINGGARS. A self-contained terminal including COMSEC, KY-100M provides for secure voice and data communications in tactical airborne/ground environments. The KY-100M is based on the KY-99A architecture with enhanced interface capability. It includes KY-99A's operational modes, and KY-58's operational modes.

17. AN/PYQ-10 V3 Simple Key Loader (SKL) with KOV-21 Cryptographic Applique. The Simple Key Loader (SKL) is a ruggedized, portable, hand-held fill device, for securely receiving, storing, and transferring data between compatible cryptographic and communications equipment. Provides streamlined management of COMSEC key, Electronic Protection (EP) data, and Signal Operating Instructions (SOI). Cryptographic functions are performed by an embedded KOV-21 card.

18. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

19. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

20. A determination has been made that Germany can provide substantially the same degree of protection for the technology being released as the U.S. Government. This potential sale is necessary in furtherance of the U.S. foreign policy and national security objectives as outlined in the Policy Justification.

21. All defense articles and services listed in this transmittal have been authorized for release and export to Germany.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, 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.)

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-618. 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 "National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table" (RIN0906-AB24) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Health, Education, Labor, and Pensions.

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. GRASSLEY (for himself, Mr. LEAHY, and Mrs. FEINSTEIN):

S. 742. A bill to modify the exemption for trade secrets and commercial or financial information in the Freedom of Information Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAPO (for himself, Mr. GRASSLEY, Mr. CORNYN, Mr. PORTMAN, Mr. SCOTT of South Carolina, Mr. LANKFORD, Mr. DAINES, Mr. YOUNG, Mr. RISCH, and Mr. THUNE):

S. 743. A bill to amend title VI of the Social Security Act to remove the prohibition on States and territories against lowering their taxes; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. CASSIDY, Mr. BROWN, and Mr. CASEY):

S. 744. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to disclose hazing incidents, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. LUJÁN, Mr. SCHATZ, Mr. MARKEY, Ms.

ROSEN, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. DURBIN, Mr. WARNER, Mr. BOOKER, Ms. WARREN, Ms. CORTEZ MASTO, and Mr. WYDEN):

S. 745. A bill to make high-speed broadband internet service accessible and affordable to all Americans, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PORTMAN (for himself, Ms. SINEMA, Ms. ERNST, Mrs. FEINSTEIN, Mr. WICKER, and Mr. YOUNG):

S. 746. A bill to amend section 232 of the Trade Expansion Act of 1962 to require the Secretary of Defense to initiate investigations and to provide for congressional disapproval of certain actions, and for other purposes; to the Committee on Finance.

By Mr. PADILLA (for himself and Ms. WARREN):

S. 747. A bill to amend the Immigration and Nationality Act to provide for the adjustment of status of essential workers, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. 748. A bill to provide for an extension of the temporary suspension of Medicare sequestration during the COVID-19 public health emergency; to the Committee on Finance.

By Ms. HASSAN (for herself, Mr. YOUNG, Ms. CORTEZ MASTO, Mr. PORTMAN, and Mr. SASSE):

S. 749. A bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. KING, Ms. WARREN, and Mrs. GILLIBRAND):

S. 750. A bill to amend the Internal Revenue Code of 1986 to require that return information from tax-exempt organizations be made available in a searchable format and to provide the disclosure of the identity of contributors to certain tax-exempt organizations; to the Committee on Finance.

By Mr. TESTER:

S. 751. A bill to establish a 5-year ban on individuals appointed to Executive Schedule positions and Members of Congress engaging in lobbying activities at the Federal level; to the Committee on the Judiciary.

By Mr. TESTER:

S.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate corporations, limited liability companies, and other corporate entities established by the laws of any State, the United States, or any foreign state; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. PORTMAN (for himself and Ms. HIRONO):

S. Res. 109. A resolution designating April 2021 as "National Native Plant Month"; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mr. MANCHIN):

S. Res. 110. A resolution designating April 5, 2021, as "Gold Star Wives Day"; considered and agreed to.

By Mr. BURR (for himself and Mr. MANCHIN):

S. Res. 111. A resolution designating March 29, 2021, as "Vietnam Veterans Day"; considered and agreed to.

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

S. Res. 112. A resolution to provide for the printing of the Senate Manual for the One Hundred Seventeenth Congress; considered and agreed to.

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

S. Res. 113. A resolution authorizing the printing of a collection of the rules of the committees of the Senate; considered and agreed to.

By Mr. COONS (for himself and Mr. INHOFE):

S. Res. 114. A resolution commending the United States African Development Foundation on the occasion of its 40th anniversary for creating pathways to prosperity for underserved communities on the African continent through community-led development; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 134

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 134, a bill to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.

S. 196

At the request of Ms. KLOBUCHAR, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 196, a bill to require the Secretary of Energy to establish an energy efficiency materials pilot program.

S. 212

At the request of Mr. BOOZMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 212, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 215

At the request of Mr. TESTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to require certain tax-exempt organizations to include on annual returns the names and addresses of substantial contributors, and for other purposes.

S. 306

At the request of Mr. VAN HOLLEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 306, a bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements, and for other purposes.

S. 321

At the request of Mr. MORAN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Missouri (Mr. BLUNT), the Senator from Iowa (Ms. ERNST), the Senator from North Dakota (Mr. HOEVEN), the Senator from Virginia (Mr. KAINE), the Senator from Florida (Mr. SCOTT), the Senator from Minnesota (Ms. SMITH) and the Senator from Mississippi (Mr.