

living in my home State. Thanks to the ACA, they are now covered. That measure was called the Affordable Care Act for a reason: It is estimated to have saved every family in America about \$4,000 in health insurance premiums.

I don't think any of us could have predicted 11 years ago just how important the protections it guaranteed to Americans would become. Then came the coronavirus. In the year since the pandemic was declared, the virus has claimed more than half a million American lives. That is more than the number of American lives lost in World War I, World War II, and the Vietnam war combined.

We grieve with every family who has suffered a loss, and we know there are millions more Americans who have been affected by the virus. Thirty million of our family members, friends, colleagues, and neighbors have been diagnosed with COVID-19. That is 30 million Americans who are now living with a preexisting condition. We have heard stories about the so-called long-haulers, individuals who report they are still having health problems months after their original diagnosis. They are struggling with shortness of breath, trouble sleeping, severe fatigue, and other symptoms that NIH Director Dr. Francis Collins has deemed a "significant public health concern."

These Americans have enough to worry about as it is with their recovery; could you imagine if they also had to worry about being able to qualify for health coverage? In a world without the ACA, they would have. Before the ACA was the law of the land, people could be denied health coverage or charged significantly higher premiums for having diabetes or asthma—even acne.

Could you imagine if this pandemic hit before we passed that law? The tens of millions of Americans who would have to wonder how they were going to pay for their care, their children's care, in the middle of a pandemic?

Thanks to the ACA, they are covered. It has been a lifeline for millions of Americans, like Michelle Crifasi, one of my neighbors in Springfield, IL. Recently, Michelle wrote to me about what the ACA has meant for her and her family. For much of her life, Michelle was burdened with an unknown illness, until she was finally diagnosed with common variable immune deficiency in her mid-thirties. It is a rare condition that limits the immune system's ability to fight infection. The diagnosis was bittersweet. While she could finally begin to understand and treat her condition, she later learned that she had passed it down to her daughter. Her husband also developed it after undergoing cancer treatment.

The good news is that Michelle and her family have health insurance through her employer, and because of the Affordable Care Act, this employer-

based health plan can no longer deny Michelle health coverage or charge her higher premiums because she has a preexisting condition. Her insurer can no longer impose annual or lifetime caps on her care. It can't cut her off right when she needs healthcare the most. Michelle's daughter, Meredith, a junior at the University of Illinois-Springfield, is able to stay on her parents' plan until age 26. Because of the ACA, Michelle's health plan must cover her family's prescription drug costs.

Without insurance coverage, treating common variable immune deficiency can cost patients more than \$100,000 a year. Put simply, these protections were not in place before the Affordable Care Act, and Michelle and her family are alive today because of these protections. This family's story is proof that the ACA is one of the greatest legislative accomplishments in modern American history, and it is also proof that there is a lot more we can do to protect people like her and her family.

While Michelle is grateful for the ACA, she recently told me that "I feel there is more work to be done." And she is right, which is why we fought, as part of the American Rescue Plan, to expand health insurance subsidies and eligibility for plans covered under the ACA. These provisions will ensure that no enrollee spends more than 8.5 percent of their income on health insurance premiums. The typical 60-year-old couple in Illinois could see their premiums reduced by \$1,300.

The ARP also increases eligibility for premium subsidies to working-class American families earning more than 400 percent of the Federal poverty level.

Outside of the ARP, the Biden-Harris administration has taken other steps to bolster the ACA, like creating a special open enrollment period and ensuring that the DOJ defends the law in the case before the Supreme Court. All of this is welcome news, and I look forward to working with the Biden-Harris administration to accomplish even more. That is why we not only celebrate the historic passage of the ACA but all of the lives it has saved as well.

After years of unrelenting, unjustified attacks on this critical piece of legislation, we are finally in a position to build on it. I am ready to work with the Biden-Harris administration to create a public option, lower prescription drug prices, and address racial and ethnic disparities in our healthcare system.

After 11 years since its passage, I am proud to declare: The ACA is here to stay.

And here in Congress, we will continue working to perfect it.

#### NOTICE OF A TIE VOTE, UNDER S. RES. 27

Mr. REED. Mr. President, I ask unanimous consent to print the following letter in the CONGRESSIONAL RECORD.

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

*The Secretary of the Senate:*

PN79-6, the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy, having been referred to the Committee on Armed Services, the Committee, with a quorum present, has voted on the nomination as follows—

On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 13 ayes to 13 noes; and

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote, and ask that this notice be printed in the RECORD pursuant to the resolution.

#### ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. 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. 21-31 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost \$36 million. 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. 21-31

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: Republic of Korea

(ii) Total Estimated Value:  
Major Defense Equipment \* \$33 million.  
Other \$3 million.  
Total \$36 million.

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

Major Defense Equipment (MDE):

Two hundred eighty-eight (288) AGM-114R Hellfire Missiles

Non-MDE: Also included are AGM-114R spare parts; U.S. Government and contractor engineering, technical, and logistics support services; repair and return; storage; and other related elements of logistical and program support.

(iv) Military Department: Army (KS-B-ZIG).

(v) Prior Related Cases, if any: KS-B-ZHW.

(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 19, 2021.

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

#### POLICY JUSTIFICATION

##### Korea-AGM-114R Hellfire Missiles

The Republic of Korea (ROK) has requested to buy two hundred eighty-eight (288) AGM-114R Hellfire missiles. Also included are AGM-114R spare parts; U.S. Government and contractor engineering, technical, and logistics support services; repair and return; storage; and other related elements of logistical and program support. The estimated total cost is \$36 million.

This proposed sale will support the foreign policy and national security objectives of the United States by meeting the legitimate security and defense needs of one of the closest allies in the INDOPACOM Theater. The ROK is one of the major political and economic powers in East Asia and the Western Pacific and a key partner of the United States in ensuring peace and stability in that region. It is vital to U.S. national interests to assist the ROK in developing and maintaining a strong and ready self-defense capability.

The ROK intends to use these Hellfire missiles to supplement its existing missile capability and current weapon inventory for its AH-64E aircraft. The proposed sale will improve the ROK's capability to meet current and future threats and ensure interoperability with other AGM-114R Hellfire missile users in the region. The Republic of Korea will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor will be Lockheed Martin Corporation, Orlando, FL. The purchaser typically requests offsets. Any offset agreements will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Republic of Korea.

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

#### TRANSMITTAL NO. 21-31

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

##### Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AGM-114R is used against heavy and light armored targets, thin skinned vehicles, urban structures, bunkers, caves and personnel. The missile is Inertial Measurement Unit (IMU) based, with a variable delay fuse, improved safety and reliability.

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

3. If a technologically advanced adversary were to obtain knowledge of the specific

hardware or software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

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

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS RULES OF PROCEDURE

Mr. CARPER. Mr. President, the Committee on Environment and Public Works has adopted rules governing its procedures for the 117th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that a copy of the committee rules be printed in the RECORD.

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS JURISDICTION

##### (PURSUANT TO RULE XXV, STANDING RULES OF THE SENATE)

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

(h)(1) Committee on Environment and Public Works, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Air pollution.
2. Construction and maintenance of highways.
3. Environmental aspects of Outer Continental Shelf lands.
4. Environmental effects of toxic substances, other than pesticides.
5. Environmental policy.
6. Environmental research and development.
7. Fisheries and wildlife.
8. Flood control and improvement of rivers and harbors, including environmental aspects of deepwater ports.
9. Noise pollution.
10. Nonmilitary environmental regulation and control of nuclear energy.
11. Ocean dumping.
12. Public buildings and improved grounds for the United States generally, including Federal buildings in the District of Columbia.
13. Public works, bridges, and dams.
14. Regional economic development.
15. Solid waste disposal and recycling.
16. Water pollution.
17. Water resources.

(2) Such committee shall also study and review, on a comprehensive basis, matters relating to environmental protection and resource utilization and conservation, and report thereon from time to time.

##### RULES OF PROCEDURE

##### RULE 1. COMMITTEE MEETINGS IN GENERAL

(a) Regular Meeting Days: For purposes of complying with paragraph 3 of Senate Rule

XXVI, the regular meeting day of the committee is the first and third Thursday of each month at 10:00 a.m. If there is no business before the committee, the regular meeting shall be omitted.

(b) Additional Meetings: The chair may call additional meetings, after consulting with the ranking minority member. Subcommittee chairs may call meetings, with the concurrence of the chair, after consulting with the ranking minority members of the subcommittee and the committee.

(c) Presiding Officer:

(1) The chair shall preside at all meetings of the committee. If the chair is not present, the ranking member shall preside. If neither the chair nor the ranking member is present, the responsibility for presiding shall alternate between the parties, beginning with the chair's party and based on seniority.

(2) Subcommittee chairs shall preside at all meetings of their subcommittees. If the subcommittee chair is not present, the ranking majority member of the subcommittee shall preside.

(3) Notwithstanding the rule prescribed by paragraphs (1) and (2), any member of the committee may preside at a hearing.

(d) Open Meetings: Meetings of the committee and subcommittees, including hearings and business meetings, are open to the public. A portion of a meeting may be closed to the public if the committee determines by roll call vote of a majority of the members present that the matters to be discussed or the testimony to be taken—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) relate solely to matters of committee staff personnel or internal staff management or procedure; or

(3) constitute any other grounds for closure under paragraph 5(b) of Senate Rule XXVI.

(e) Broadcasting:

(1) Public meetings of the committee or a subcommittee may be televised, broadcast, or recorded by a member of the Senate press gallery or an employee of the Senate.

(2) Any member of the Senate Press Gallery or employee of the Senate wishing to televise, broadcast, or record a committee meeting must notify the staff director or the staff director's designee by 5:00 p.m. the day before the meeting.

(3) During public meetings, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of committee members or staff on the dais, or with the orderly process of the meeting.

##### RULE 2. QUORUMS

(a) Business Meetings: At committee business meetings, and for the purpose of approving the issuance of a subpoena or approving a committee resolution, six members of the committee, at least three of whom are members of the minority party, constitute a quorum, except as provided in subsection (d).

(b) Subcommittee Meetings: At subcommittee business meetings, a majority of the subcommittee members, at least one of whom is a member of the minority party, constitutes a quorum for conducting business.

(c) Continuing Quorum: Once a quorum as prescribed in subsections (a) and (b) has been established, the committee or subcommittee may continue to conduct business.

(d) Reporting: No measure or matter may be reported to the Senate by the committee unless a majority of committee members cast votes in person.

(e) Hearings: One member constitutes a quorum for conducting a hearing.