

actual public works projects or whether infrastructure was only ever intended as a wrapping paper for unrelated gifts to the far left.

Remember what happened when Republicans went to President Biden, offering a bipartisan compromise path on COVID relief. They were informed the Democrats were not interested in working together. So our country needs the administration to find a smarter approach.

FOREIGN POLICY

Madam President, now, on one final matter, the last few months have given the world a glimpse at what is driving the foreign policy decisions under the Biden administration. First came a rush to rejoin a climate agreement that does not effectively hold our competitors to their own commitments.

Then, just weeks ago, there was the announcement of a total abandonment of Afghanistan that will squander our leverage to promote a diplomatic end to the civil war, put innocent Afghans at risk, roll out a red carpet for the Taliban, and embolden the terrorists.

Even this administration's own intelligence chiefs and our military commanders are concerned about how we will stay a step ahead of terrorists in the region without access provided by our U.S. footprint.

Late last week, we got a further peek at the incredible wishful thinking behind this policy. As reported in the New York Times, some Biden officials suggest the Taliban "might govern less harshly . . . in order to win recognition and financial support."

The Secretary of State—America's top diplomat—seems to think it is that simple. He expressed hope that "civilian and economic assistance" could "advance a just and durable peace . . . and a brighter future for the Afghan people."

The Deputy National Security Advisor was more dismissive of the Afghan people's plight, morally equating our Afghan partners and the Taliban as just "two Afghan parties" in a conflict.

I do not believe Afghan women and girls are jumping for joy at the prospect of a Taliban takeover. In fact, as one of the New York Times headlines put it, "Afghan Women Fear the Worst"—"Afghan Women Fear the Worst."

I certainly do not believe the Taliban will abandon their brutal fundamentalist ways just to secure recognition from the Western powers that they despise.

Speaking of women's rights, over the weekend, the United Nations chose to further degrade its legitimacy by inviting Iran, of all countries, to join its Commission on the Status of Women. The U.N. chose to further degrade its legitimacy by inviting Iran to join its Commission on the Status of Women.

Yes, you heard that right. The panel claiming principal international authority over the empowerment of women will now include a nation whose police are empowered to beat and as-

sault women for improper veiling—a nation that turns a blind eye to pervasive domestic violence, forced marriage, and rape.

And it is not just the U.N. that seems to be going soft on Tehran. The Biden administration seems willing—if not desperate—to provide sanctions relief up front, squandering leverage, just to reenter President Obama's flawed nuclear deal.

This sanctions relief would benefit a regime that is being run by the extremist Islamic Revolutionary Guards. That is what Iran's own Foreign Minister admitted in leaked documents. That is who is running the show—the same terrorists who were used by Soleimani to spread violence across the region, before the prior administration removed him permanently.

Republicans are not opposed to nuclear diplomacy, but we know that preemptive concessions will not secure a better deal or make America or our allies more secure.

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

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

WORLD INTELLECTUAL PROPERTY DAY

Mr. LEAHY. Madam President, as we finally, finally begin to turn the corner on the coronavirus pandemic, we have the hard work of rebuilding our economy.

One of the core engines of the American economy is intellectual property. From the smallest startup to the largest multinational company, intellectual property is central to creating jobs, boosting economic output, and protecting consumers. So it is appropriate that, today, we celebrate World Intellectual Property Day, which recognizes the important role that intellectual property plays in promoting innovation, creativity, and economic growth.

This year's World IP Day theme celebrates the contributions of small- and medium-sized businesses to the global marketplace. Why? Well, these small enterprises make up 90 percent of the world's businesses. Whether through protecting their brands with trademarks or their inventions with patents, intellectual property allows these small companies to grow and succeed; yet, here at home, far too many Americans with an entrepreneurial spirit find key elements of the intellectual property system out of their reach.

Last week, the Senate Judiciary Subcommittee on Intellectual Property—and I am privileged to chair that—held an important hearing to find ways to boost access in the patent system. We know that women and people of color are chronically underrepresented in the patent system, which results in a serious loss to our economy.

I am particularly proud that this hearing featured testimony from Georgia Grace Edwards, a Middlebury College graduate and entrepreneur, who realized that, after spending a summer in Alaska and 8 to 12 hours at a time on ice, she was at a serious disadvantage when it came to answering nature's call during her treks. Like so many innovators before her, Georgia Grace got to work in designing a new zipper—in sense, it was such a great thing—that could be incorporated into a variety of women's pants.

Now, while she was ultimately able to successfully navigate the patent system and secure protection for her idea, here is the problem. She faced a number of barriers along the way: the high cost of obtaining a patent, particularly from legal fees; a lack of knowledge about how the patent system works; and the lack of representation of women throughout the system.

Ten years ago, Congress enacted the Leahy-Smith America Invents Act, which put structures in place to help access the patent system and bring up a far more diverse set of inventors into the innovation economy, and at our hearing, we heard specific ideas for building on the success of the Leahy-Smith America Invents Act.

As the President awaits nominating the next Director of the U.S. Patent and Trademark Office, I want him to choose a nominee who shares a commitment to increasing access. It is not just the huge companies that need it; it is the small inventors.

It is important that the next Director of the U.S. Patent and Trademark Office respect the law, including the statutory bounds set by Congress. You know, the last administration took steps to undermine the Leahy-Smith Act. They acted outside those statutory bounds.

I have always sought to curb the potential for poor-quality patents to be abused. That drove much of the work we did 10 years ago. So I look forward to supporting a nominee for PTO Director who shares my view that it is important to weed out poor-quality patents, avoid the potential for abuse, but at the same time reinforce the protection provided to high-quality patents.

We must also work to ensure that hard-working small business owners and creators who rely on copyright protections to make a living are able to protect their works online.

While I appreciate the steps that some online platforms are taking to address the persistent problem of online infringement, much like the issue of diversity in the patent system, more work needs to be done.

Last month, I joined with Senator TLLIS and other members of the IP Subcommittee, and we sent a letter to major online platforms outlining specific voluntary measures they could adapt to crack down on online infringement. I hope that on World IP Day, the leaders of these online platforms will take a moment to consider the plight

of the individual songwriter or photographer or the independent film producer and give serious thought to steps they can take to ensure that creators can adequately protect their works online. You know, for these small and independent creators, nothing short of their livelihoods is at stake.

Finally, I want to recognize the important work our IP system does to protect consumers. The trademark system helps to guide consumers in finding which products are legitimate but also which are not.

Unfortunately, fraudsters are relentless in exploiting opportunities to fool consumers into buying counterfeit products, and that has been especially dangerous during the global pandemic. Just last month, authorities seized more than 65,000 counterfeit 3M N95 masks—not like the real one I am holding. But that is just the tip of the iceberg. As the chairman of the Senate Appropriations Committee, I am committed to ensuring that Customs and Border Patrol has the resources it needs to respond to the ever-evolving counterfeiting threat. A diverse, accessible, and effective intellectual property system that rewards creativity and innovation is essential to our Nation's continued prosperity, and I look forward to working with Ranking Member TILLIS and the other members of the IP Subcommittee, as well as with the Appropriations Committee, to both celebrate the achievements of American inventors and ensure that their contributions are being protected.

CONGRESSIONAL SPENDING

Madam President, I rise today to address the need for Congress to restore one of its constitutional powers, the power of the purse.

My family arrived in Vermont in the 19th century to work in the granite quarries in Barre. Later, my parents ran a printing business right across from the Vermont State House in Montpelier where I grew up.

I stayed in Vermont for college, only traveling 45 minutes up the road to Saint Michael's College where I received an excellent education. After earning my law degree at Georgetown, I returned home to Vermont to serve as the State's attorney for Chittenden County.

As Vermont's senior Senator, serving the last 46 years, I speak with community leaders, dairy farmers, small business owners, and Vermonters across the State every day. My staff in Vermont and DC dedicate themselves to doing the same. Before the pandemic, Marcelle and I would stop to chat with people in the grocery store, at the gas station, or in our favorite bakery in my hometown of Middlesex. We miss being able to do this during these times of social distancing, and are looking forward to the day when we can return to those in-person chats and visits.

Needless to say, I am a lifelong Vermonter, and I know my State very

well. I have a deep understanding of Vermont's communities, Vermonters, and their needs.

But for the past decade, I have had to fight for them here in Washington with my hands tied behind my back. Every Member of this Chamber has their hands tied, because we ceded the power of the purse to unelected bureaucrats here in Washington when we instituted a ban on congressionally directed spending. As a result, instead of being able to direct even a fraction of the tax dollars we collect from our hard working constituents back into their communities, we turned these decisions over to the executive branch.

These unelected officials are dedicated public servants to be sure, but they cannot possibly understand the needs of our communities to the extent that Senators do. To them, a new community center is nothing more than a line item on a spreadsheet. To us, we know the potential such a community center can unlock because we have spoken to the organizers who want to build it. We have heard their plans for new programs to provide children with afterschool opportunities, offer job training programs to the recently unemployed, or provide a social space for the community to gather.

A grant for the historic preservation of a rural downtown is just one of thousands of applications that may be considered by employees at the National Park Service. But I know what that money can do in the hands of dedicated community advocates, someone like my late, dear friend Paul Bruhn at the Preservation Trust of Vermont. Paul saw the potential of historic preservation of rural downtown spaces to support small businesses and preserve the fabric of Vermont, but there is no reason the National Park Service employees would know what a visionary he was or how much just a little bit of Federal support could be stretched to help revitalize a community.

Senators of this Chamber were forced to push for these worthwhile efforts by advocating to unelected officials to support projects in towns these officials have never visited run by passionate community leaders they have never met.

The practice previously referred to as "earmarking" was not without abuse, and some particularly high profile examples of that abuse. But today, 65 percent of Congress was elected after the ban in 2011 and only know the practice for its ugly headlines, not the great benefit it can bring to our communities and our society.

We can still see the benefit from projects previously funded through congressionally directed spending in communities around the country and in successful national programs today. The research that led to the Human Genome Project unlocking our genetic code was originally funded through congressionally directed spending. The WIC program was as well. In Vermont, congressionally directed spending has

helped build affordable housing, rehabilitate our downtowns, and promote community and economic development throughout the State.

This is not a new concept. Congress passed the first bill containing an earmark in 1790, 231 years ago. The Cape Henry lighthouse guided boats to safety for almost 100 years, and it stands today. It is the fourth oldest lighthouse in the United States, and has been listed on the U.S. National Register of Historic Places and designated as a National Historic Landmark. It is a destination for tourists still today.

Many of my colleagues on the other side of the aisle have pointed to congressionally directed spending as the source of our country's increasing national debt, but this is not the case. This spending rarely exceeded 1 percent of all discretionary spending, and discretionary spending is only one-third of all Federal spending. So, approximately 1 percent of one-third of all Federal spending was congressionally directed. As noted by the New York Times, this is little more than a rounding error when considering the entire Federal budget of the United States of America.

Congressionally directed spending was never a source of new money that was tacked onto appropriations bills. These projects had to fit under our budgetary caps, caps that were agreed to on a bipartisan basis. After more than a decade, it is clear that banning congressionally directed spending did not decrease Federal spending or our national debt, and that is because it was not the cause of our debt. All the ban did was remove a very effective tool for Members to advance important projects in their States.

The late and former chairman of the Senate Appropriations Committee, Senator Robert C. Byrd, once said that the subject of congressionally directed spending "broaches the most serious of Constitutional questions . . . [w]ho shall control expenditures from the public treasuries—the unaccountable bureaucrats in the Executive Branch or the representatives of the people?"

Article I, section 9 of the Constitution says: "No money shall be drawn from the Treasury, but in consequence of Appropriations made by law." Congress holds the power of the purse. By banning the practice of congressionally directed spending, Congress ceded this power to the executive branch, and I believe it has hurt our ability to pass appropriations bills into law.

Vice Chairman SHELBY and I work hard to incorporate the recommendations and priorities of all 100 Senators into our annual appropriations bills. We have worked hard to return the appropriations process to regular order, and we are making progress. Passing our annual appropriations bills is one of the most important jobs we do. The funding these bills provide impacts every corner of every State, from highway dollars to healthcare centers. But without the ability to influence where