

SEC. 7. SUBPOENA POWER.

Section 806 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10225) is amended—

(1) by inserting “Attorney General, the” before the “Bureau of Justice Assistance”;

(2) by striking “may appoint” and inserting “may appoint (to be assigned or employed on an interim or as-needed basis) such hearing examiners (who shall, if so designated by the Attorney General, be understood to be comprised within the meaning of “special government employee” under section 202 of title 18, United States Code)”;

(3) by striking “under this chapter. The” and inserting “or other law. The Attorney General, the”; and

(4) by inserting “conduct examinations” after “examine witnesses.”.

SEC. 8. EFFECTIVE DATE; APPLICABILITY.

(a) IN GENERAL.—Except as otherwise provided in this section, the amendments made by this Act shall take effect on the date of enactment of this Act.

(b) APPLICABILITY.—

(1) CERTAIN INJURIES.—The amendments made to paragraphs (2) and (7) of section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284) shall apply with respect to injuries occurring on or after January 1, 2008.

(2) MATTERS PENDING.—Except as provided in paragraph (1), the amendments made by this Act shall apply to any matter pending, before the Bureau or otherwise, on the date of enactment of this Act, or filed (consistent with pre-existing effective dates) or accruing after that date.

(c) EFFECTIVE DATE FOR WTC RESPONDERS.—

(1) CERTAIN NEW CLAIMS.—Not later than two years after the effective date of this Act, a WTC responder may file a claim, under section 1201(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(b)), that is predicated on a personal injury sustained in the line of duty by such responder as a result of the September 11, 2001, attacks, where—

(A) no claim under such section 1201(b) so predicated has previously been filed; or

(B) a claim under such section 1201(b) so predicated had previously been denied, in a final agency determination, on the basis (in whole or in part) that the claimant was not totally disabled.

(2) CLAIMS FOR A DECEASED WTC RESPONDER.—Not later than two years after the effective date of this Act, a claim may be filed, constructively under section 1201(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(a)), where a WTC responder who otherwise could have filed a claim pursuant to paragraph (1) has died before such effective date (or dies not later than 365 days after such effective date), or where a WTC responder has filed such a claim but dies while it is pending before the Bureau: Provided, That—

(A) no claim under such section 1201(a) otherwise shall have been filed, or determined, in a final agency determination; and

(B) if it is determined, in a final agency determination, that a claim under such paragraph (1) would have been payable had the WTC responder not died, then the WTC responder shall irrebuttably be presumed (solely for purposes of determining to whom benefits otherwise pursuant to such paragraph (1) may be payable under the claim filed constructively under such section 1201(a)) to have died as the direct and proximate result of the injury on which the claim under such paragraph (1) would have been predicated.

(3) DIFFERENCE IN BENEFIT PAY.—In the event that a claim under section 1201(b) of title I of the Omnibus Crime Control and

Safe Streets Act of 1968 (34 U.S.C. 10281(b)) and predicated on an injury sustained in the line of duty by a WTC responder as a result of the September 11, 2001, attacks was approved, in a final agency determination, before the effective date of this Act, the Bureau shall, upon application filed (not later than three years after such effective date of this Act) by the payee (or payees) indicated in subparagraphs (A) or (B), pay a bonus in the amount of the difference (if any) between the amount that was paid pursuant to such determination and the amount that would have been payable had the amendments made by this Act, other than those indicated in subsection (b)(1), been in effect on the date of such determination—

(A) to the WTC responder, if living on the date the application is determined, in a final agency determination; or

(B) if the WTC responder is not living on the date indicated in subparagraph (A), to the individual (or individuals), if living on such date, to whom benefits would have been payable on such date under section 1201(a) of such title I (34 U.S.C. 10281(a)) had the application been, instead, a claim under such section 1201(a).

(4) SPECIAL LIMITED RULE OF CONSTRUCTION.—A claim filed pursuant to paragraph (1) or

(2) shall be determined as though the date of catastrophic injury of the public safety officer were the date of enactment of this Act, for purposes of determining the amount that may be payable.

PROVIDING FOR THE APPOINTMENT OF BARBARA BARRETT AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be discharged from further consideration of H.J. Res. 27 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 27) providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Ms. CORTEZ MASTO. I ask unanimous consent that the joint resolution be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The joint resolution (H.J. Res. 27) was ordered to a third reading, was read the third time, and passed.

EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2021 AS MENTAL HEALTH AWARENESS MONTH

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from fur-

ther consideration of S. Res. 254 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 254) expressing support for the designation of May 2021 as “Mental Health Awareness Month”.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 254) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 27, 2021, under “Submitted Resolutions.”)

ORDERS FOR MONDAY, JUNE 14, 2021

Ms. CORTEZ MASTO. Mr. President, I ask unanimous consent that when the Senate complete its business today, it adjourn until 3 p.m., Monday, June 14; 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 the Senate be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each; further that at 5 p.m., the Senate proceed to executive session to resume consideration of the Jackson nomination; that all postcloture time expire at 5:30 p.m.; further that the cloture motions filed during today’s session ripen following disposition of the Jackson nomination; finally, that if any nominations are confirmed, the motions 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.

ADJOURNMENT UNTIL MONDAY, JUNE 14, 2021, AT 3 P.M.

Ms. CORTEZ MASTO. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

Thereupon, the Senate, at 4:10 p.m., adjourned until Monday, June 14, 2021, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 10, 2021:

DEPARTMENT OF COMMERCE

LESLIE B. KIERNAN, OF MARYLAND, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ADRIANNE TODMAN, OF THE VIRGIN ISLANDS, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

DEPARTMENT OF TRANSPORTATION

NURIA I. FERNANDEZ, OF CALIFORNIA, TO BE FEDERAL TRANSIT ADMINISTRATOR.

THE JUDICIARY

ZAHID N. QURAIISHI, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.