

as 20 percent, in many cases more like 30 percent, and I am told, in some cases, even more than that.

Ultimately, we drive up infrastructure costs when we make the projects Federal. It doesn't need to be this way, because most of these are not Federal projects. That is why my amendment also addresses two key regulatory challenges in our infrastructure context.

One, it reforms the NEPA process to ensure projects are given certain timelines and not stalled out by frivolous lawsuits. It reforms NEPA so that our infrastructure money actually goes to NEPA rather than resulting in endless delays brought about by NEPA and NEPA-related litigation.

Two, it repeals the Davis-Bacon wage requirements that artificially increase the labor costs beyond what the market demands—labor costs that are especially important and hard felt right now given the labor shortage.

The Senate has a choice today. You can choose to pay less and build more. You can offer Americans a tax cut—a tax cut that will affect poor and middle-class Americans most acutely, most immediately, most directly—and it will also simultaneously provide long-term solvency to the highway trust fund and lower the costs of our Nation's infrastructure projects.

Or, alternatively, if you don't want to vote for this, you can choose our current path, which is to continue to saddle the American people with debt, more inflation, financial insolvency, and more inevitable taxes. You can also vote against it and choose to continue the current practice of allowing for endless, needless, pointless delays in our infrastructure projects that really harm Americans.

Look, at the end of the day, we just want more of our tax dollars going into funding steel and concrete to go into the ground so that America's moms and dads can spend less time stuck in gridlock traffic and more time with their families. The choice seems very clear to me.

I urge all of my colleagues to vote for this amendment to build more and pay less.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Madam President, I ask unanimous consent to address the Senate for 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. CAPITO. Madam President, I have great respect for my colleague from Utah, but I am in firm opposition to his amendment.

It would completely undo months of hard work, bipartisan hard work. The two major bipartisan infrastructure bills that Chairman CARPER and I and the EPW Committee passed unanimously would be totally undone here. The bipartisan gang spent months carefully and considerably negotiating this agreement with the White House. All of these meaningful investments

that I talked about yesterday would be gone: the new bridge program—gone; supplemental funding for the Appalachian Development Highway System—gone; broadband funding needed to help close the digital divide—gone.

We have come too far to throw all of this bipartisan work away on this substitute. Time is of the essence. Let's give our States the certainty that they need.

By the way, there is permitting reform in this bill, right here, as we look at it. Let's get this across the finish line. So I would urge my colleagues to vote no on this amendment.

Thank you.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I, too, rise in opposition to Senator LEE's amendment.

This amendment does not reform the Federal-aid highway system as we know it; it dismantles it. It eliminates the Federal funding that each of our States relies on to build, repair, and to maintain our Federal highways. It would strike the entire surface reauthorization in this bill before us and replace it with an interstate highway-only bill with top-line funding of less than \$20 billion over 5 years.

At a time when we already have some 45,000 structurally deficient bridges in our Nation, this amendment would leave American travelers at risk due to serious disinvestment.

Senators have come together, Democrats and Republicans, to bring this infrastructure bill to the floor because we recognize that States are in need of serious investment to rebuild our crumbling infrastructure.

This is not a partisan issue. On the Environment and Public Works Committee, where Senator CAPITO and I lead, we voted unanimously to advance a highway bill out of committee on a unanimous vote—20 to nothing. That bill increases the top-line funding for our highway Federal programs by 34 percent to a little over \$300 billion—the highest amount of highway funding ever authorized by this Congress—and it is much needed.

Senator LEE's amendment would go in the exact opposite direction, unfortunately. It would reduce the funding in our bill to less than \$20 billion. That is a cut of about 95 percent.

The PRESIDING OFFICER. The Senator's time has expired.

#### VOTE ON AMENDMENT NO. 2255

The question is on agreeing to Lee amendment No. 2255.

Mr. LEE. Madam 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 senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and

the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 20, nays 78, as follows:

[Rollcall Vote No. 295 Leg.]

#### YEAS—20

Barrasso	Daines	Lee
Blackburn	Ernst	Lummis
Boozman	Grassley	Paul
Braun	Hagerty	Rubio
Cornyn	Johnson	Sasse
Cotton	Kennedy	Scott (FL)
Cruz	Lankford	

#### NAYS—78

Baldwin	Hickenlooper	Romney
Bennet	Hirono	Rosen
Blumenthal	Hoeven	Rounds
Blunt	Hyde-Smith	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Burr	King	Scott (SC)
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Shelby
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Cassidy	Marshall	Sullivan
Collins	McConnell	Tester
Coons	Menendez	Thune
Cortez Masto	Merkley	Tillis
Cramer	Moran	Toomey
Crapo	Murkowski	Tuberville
Duckworth	Murphy	Van Hollen
Durbin	Murray	Warner
Feinstein	Ossoff	Warnock
Fischer	Padilla	Warren
Gillibrand	Peters	Whitehouse
Hassan	Portman	Wicker
Hawley	Reed	Wyden
Heinrich	Risch	Young

#### NOT VOTING—2

Graham Inhofe

The PRESIDING OFFICER. On this vote, the yeas are 20, the nays are 78. Under the previous order requiring 60 votes for adoption of this amendment, the amendment is not agreed to.

The amendment (No. 2255) was rejected.

The PRESIDING OFFICER. The Senator from Mississippi.

#### RECESS

Mr. WICKER. Madam President, at this time I ask unanimous consent that the Senate recess until 2:15 p.m.

There being no objection, the Senate, at 1:12 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

#### INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SURFACE TRANSPORTATION IN AMERICA ACT—Continued

The PRESIDING OFFICER. The Senator from Vermont.

#### WEALTH GAP

Mr. SANDERS. Mr. President, as a former mayor, I have a sense as to how important physical infrastructure—roads, bridges, water systems, wastewater plants—are, and I am delighted that we are finally beginning to address our long-neglected physical infrastructure. That is enormously important.

But I will tell you what is even more important, and that is to address the human infrastructure, the needs of the

working class of this country, the middle class of this country, the low-income people of our country, whether they are Black or White or Latino or Native American, Asian American—needs that have been neglected for decades.

It is no secret to the American people that, for a very long time, the U.S. Congress has paid keen attention to the needs of the people on top. Yet we have turned our backs on millions of people who are struggling to put food on the table, to take care of their kids, to take care of their parents. And on top of that, obviously, we have ignored the great existential crisis of our time, and that is climate change.

And the result of all of that is that, today, the gap between the very, very rich and everybody else is wider than it has been in 100 years. Today, you have two people—two people—who have more wealth than the bottom 40 percent. And for many of our billionaire friends, apparently they are increasingly unconcerned about what happens here on Earth because they are off in outer space. But some of us who go home every weekend to our States and our districts, we kind of are worried about what is going on down on Earth and the needs of working families.

So, Mr. President, as you know, as soon as we address this bipartisan physical infrastructure bill, we are going to move toward what I consider to be one of the most consequential pieces of legislation for working families since FDR, the New Deal, and the Great Depression. And we are going there and addressing the needs of working families because we understand that real wages for workers have not gone up in 50 years. An explosion of technology, an explosion of worker productivity, and yet, in real inflation accounted-for dollars, many workers today are not making a nickel more than they did 50 years ago.

We are going forward on the reconciliation bill to address the needs of the working class because, in the richest country in the history of the world, it is unacceptable that half of our people are living paycheck to paycheck. They go to work, and at the end of the week they have got nothing in the bank, and maybe they are even further behind because they can't afford their healthcare needs, the rent, and the educational costs of their children.

We are going to go forward and pass this legislation because the time is long overdue for the U.S. Congress to begin to make sure the American people understand that our job is not just to represent the corporate elites and wealthy campaign contributors but to address the needs of the struggling men and women of our country.

On top of all of that, it would be incomprehensible to the people of our country who turn on the TV and they see the west coast burning; they see the drought in the Midwest; they see the floods all over Europe; Australia on fire—it would be incomprehensible and

a real crime against future generations if we did not finally address, in a significant way, the existential threat not only to our country but to the world in terms of climate.

And I wanted to talk a little bit about some of the work that the Budget Committee has done and what is going to be in that reconciliation package because my friends here in the media are very concerned about process, which is fine, but the American people want to know: Hey, what is the Congress going to do for me? What is it going to do to improve my life, my children's lives, my parents' lives? What are we going to do to save the planet?

For a start, we understand that it is absolutely imperative to end the obscenity of some of the wealthiest people in this country and the largest corporations, in a given year, not paying a nickel in Federal income taxes.

So what we have seen in the pandemic, what we have seen in recent years is the very, very wealthiest people becoming phenomenally richer. And then there are studies that are coming out that show that, in a given year, some of the very wealthiest people in this country—multi-, multi-billionaires—are not paying a nickel in Federal income tax.

At a time when corporate profits are soaring, we are seeing many major corporations, making billions a year, also not paying a nickel in Federal income tax. And we are also seeing the pharmaceutical industry, which is enormously profitable, which charges our people the highest prices in the world for the prescription drugs that we desperately need—we are seeing a situation where they can charge us anything they want because of the power of their lobbyists and their campaign contributions. And we are going to put an end to that as well because we are going to demand that Medicare start negotiating prescription drug costs with the pharmaceutical industry.

So my Republican colleagues say: Well, they are going to be raising taxes.

Yes, we are going to be raising taxes on billionaires and on large, profitable corporations, and we are going to demand that the pharmaceutical industry stop ripping us off. But we are adhering to President Biden's belief, which I share, that nobody earning less than \$400,000 a year should pay a nickel more in taxes. We are going to do exactly what the American people want us to do and tell the billionaire class that they are going to have to start paying their fair share of taxes.

What else are we going to do, and what are we going to use that money for? We are going to use that money to start protecting the needs of our children, working families, and the elderly.

I think many Americans now see what public policy can mean in their lives because we are providing a \$300-a-month check per child. The United States has the highest rate of child-

hood poverty of almost any major country on Earth. That is a disgrace, and it should be unacceptable to every Member of the Senate. Well, we are going to end that.

I am very proud to say, Mr. President, as I know you know, that as a result of the 1-year child tax credit extension, \$300 per child, we have reduced childhood poverty in America by 61 percent. Parents all over—in Vermont, California—now have the ability to start taking care of their children. Our job in reconciliation is either to make that \$300 a month permanent, which I would like to see, or at the very least extend it for a number of years.

Furthermore, in the United States of America, every person in this Chamber should be disgusted by the dysfunctionality of our childcare system. This is not 1950. Mom is going out to work. Dad is going out to work. And they demand quality, affordable childcare, which does not exist today.

What we say and what our goal is, is that no working family in this country should be paying more than 7 percent of their income for childcare. On top of that, we are going to make pre-K education for 3- and 4-year-olds free. Yes, that is right—free. We are going to do what other industrialized countries do and understand that the most important investment we can make is in the little children.

By the way, when we do that, we are going to allow well over a million women to go back to work because they no longer have to stay home because of lack of affordable childcare.

It is a bit embarrassing that our great country is the only major country on Earth not to guarantee paid family and medical leave. Imagine that. Every other country in the world, virtually, does that. In America, I have met with women, low-income women, who give birth, and then they have to go back to work in a week or two because they don't have the money to stay home. We are going to end that. We are going to have, as a nation, guaranteed paid family and medical leave.

We are going to address the reality that many of our younger people are unable to obtain the good-paying jobs that are out there because they lack the higher education.

Now, I myself will go further than this bill is going to go. I think time is long overdue to make public colleges and universities tuition-free and cancel all student debt. That is not what is in this bill. But what is in this bill says that, at the very least, every American will have the right to get 2 years of community college, and they can use that to get the training they need, to get the good jobs. Maybe it is nursing. Maybe it is something else. But they will also get the credits they need so they can transfer into a 4-year school, making a big step forward in getting young people the ability to get the training they need and the education they need to obtain the good-paying jobs that are out there.

Mr. President, I know that you are aware that right here in this country, right here on Capitol Hill, Washington, DC, you have people sleeping out on the street, and they are sleeping out on the street in every State in this country. In fact, we have almost 600,000 people sleeping out on the streets of the wealthiest country in the history of the world. Well, this legislation will create millions of jobs in housing and in other areas because we are going to build the lower income and affordable housing that we need.

It is not only homelessness. You have 18 million households spending 50 percent of their limited incomes on housing. We need to build low-income and affordable housing, and when we do that, we will create a heck of a lot of good-paying jobs.

Just today, I talked to a gentleman whose wife is very, very ill and who is having a hard time affording the home healthcare that he is paying for.

We are an aging society, and whether people have severe disabilities or whether they are just getting old, people would rather stay at home in many cases rather than be forced into nursing homes. What our legislation will do is significantly improve home healthcare in this country and make sure that those people who provide that important service, difficult service, are adequately compensated.

I know that many of my Republican colleagues don't believe that climate change is real, don't believe that we should do anything about it, but they are dead wrong. And we cannot go home and look our children and grandchildren in the eye knowing what we know, knowing that in many ways, the climate crisis turns out to be worse than what scientists predicted it would be.

Climate ordinarily changes over thousands of years, hundreds of years. We are seeing the change in climate with our own eyes year by year. It is frightening. And if people think that the forest fires in Oregon, California, Montana, and elsewhere are an aberration, that they are once-in-a-lifetime, you are wrong. Everything being equal, we will see worse in years to come.

The truth is, what makes this crisis so difficult, we can't solve it alone. We are going to have to work with China and India and Europe. We have to bring the world together to save this planet for our kids and future generations.

This legislation takes an important step forward. It doesn't go as far as it should, but it is a major step forward in transforming our energy system away from fossil fuel to energy efficiency and sustainable energy.

I know we will be hearing from my Republican colleagues who are very upset that this will be a partisan bill, which it will be, but let me remind them that they use the so-called reconciliation process recently in two areas—two areas.

No. 1, they thought it important to go forward in a partisan way, without

Democratic support, for the enormously important goal of giving massive tax breaks to billionaires and large corporations. That is how they used the reconciliation process.

Well, we have a little different idea. We are going to use the reconciliation process and the 50 votes we have with the Vice President to protect the working families of this country, not the billionaire class.

The other effort that they made in terms of reconciliation was to try—and they came within one vote of doing it; the late John McCain—they would have thrown up to 30 million Americans off of healthcare by ending the Affordable Care Act.

So they have used reconciliation, and we will use it, except we are going to use it to protect ordinary Americans—the children, the elderly, the sick, and the poor—rather than just the very wealthy or the pharmaceutical industry.

We are now in the midst of a debate over the physical infrastructure, the bipartisan bill—very important. We need to rebuild our roads and bridges, but more important is the need to address the crises facing working families all over this country. When we go forward and do that, when we protect our children and the elderly and the environment, we are going to create millions of good-paying jobs, put people to work rebuilding this country in a way that is long, long overdue.

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. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CORONAVIRUS

Mr. BARRASSO. Mr. President, I come to the floor today to talk about where our country is in the fight against coronavirus.

The simple message on the coronavirus is this: Vaccines work. The single most important thing you want to do to protect yourself and to protect your family is to get vaccinated. That is the only message we ought to be sending out.

I am a doctor. I have been vaccinated. My wife has been vaccinated. Our kids have been vaccinated. There is overwhelming evidence that vaccines are highly effective against serious illness.

Yet we are talking about this issue today because of the chaos and the confusion that have come about due to messaging coming out of the White House and the Centers for Disease Control and Prevention. That is why, with limited floor time during this important debate on spending, I come to the floor today to discuss this specific issue.

President Biden and the CDC ought to be found guilty of medical mal-

practice for the comments that they have been making. Back in May, the Centers for Disease Control said, and the President repeated it at the White House, that if you have been vaccinated, if you have been fully vaccinated, you don't need to wear a mask either indoors or outdoors. Now they are saying that even if you have been fully vaccinated, you need to wear a mask again indoors.

At a time when we are trying to encourage people to get vaccinated, I ask, how is this going to help someone who hasn't been vaccinated, encourage them to get vaccinated if you are telling them that even if you get vaccinated, you still have to wear a mask?

This flip-flopping in policy is why Americans, I think, are very worried and concerned and somewhat anxious about the activities of this administration. They are wondering: What comes next—flip-flop on masks? Is this administration going to flip-flop on lockdowns, on shutdowns, on closing schools?

People say: Oh no, don't worry about that.

Well, Mr. President, let me tell you, just this past weekend, Randi Weingarten—she is the head of one of America's biggest teachers unions, the American Federation of Teachers—she refused to commit to in-person learning this fall, this coming school year.

The president of America's biggest teachers union refused to commit to in-person learning this fall. So the American people have every right to be concerned and anxious and angry with the communications coming out of this administration and the directives this week. Parents are angry that kids have already lost too much.

And think about this: Now NANCY PELOSI is requiring fully vaccinated Members of the House of Representatives to wear masks or they will be charged a fine. She has even threatened—threatened—to tell the Capitol Police to arrest staff members—fully vaccinated staff members—who aren't wearing masks. These are people who have been vaccinated.

At the same time, the Biden administration is throwing our southern border wide open to 180,000 illegal immigrants a month, with almost every disease known to man. We are talking about people who are undocumented and unvaccinated.

When I went to the border earlier this spring, our border agents told me that they had arrested people from 50 different countries. Of course, these people are all coming from places where vaccination rates are much lower than they are in our country.

Since the start of the pandemic, more than 8,000 Border Patrol officers have tested positive for coronavirus. Thirty-two of these agents have died. When I visited the border, roughly 1 in 10 of the unaccompanied children in custody had tested positive, and they were intermingled with others who had tested positive and those not tested

positive. They were all crammed in like sardines, and the testing occurred only when they were getting ready to be released and then sent all around America, spreading the coronavirus wherever they went.

And it is interesting to listen to Democrats in the national media and on the Hill who want to blame Republicans for any vaccine hesitancy that is out there. Well, let me set the record straight on that.

Republican elected officials have gone out of our way to encourage vaccinations. It is the responsible thing to do. I have traveled from one vaccination site to another all around the State of Wyoming; made public service announcements with other doctors and doctors who are members of the Doctors Caucus in Congress, in the House and the Senate; made public service announcements; put them out on videos and sent them around the country.

The truth is that there are a large number of Democrats who are still unvaccinated. Forty percent—forty percent—as of today, of New York City public school employees have not been vaccinated, and it is ready for the school year to start. And yet we don't have a commitment from the head of the teachers union to have in-person learning this year. Forty percent of the public hospital workers in New York City are unvaccinated. Forty-one percent of Chicago residents are not vaccinated. If you take a look, city by city—Democrat-run cities—a high percentage of people are not vaccinated, and yet President Biden and the Senate majority leader continue to point fingers.

It does seem to me that Democrats have utterly failed to communicate a clear message to get the American people vaccinated. In fact, I think Democrat politicians have been a big part of the problem from the beginning.

Early on, when the vaccine was currently being developed, people were hoping for a vaccine. We saw the Vice Presidential debate—57 million people watching—and then, at the time, Vice Presidential candidate, at the time Senator HARRIS, now Vice President HARRIS, said she would not get a vaccine developed under the Trump administration.

She said: "If Donald Trump tells us we should take it, I'm not going to take it."

Before Democrats point the finger at Republicans, they should get their own cities vaccinated.

There is much more to talk about.

There have been many mistakes made by this administration and Democrats over the last 6 months, but it is no coincidence that, over the last 3 months, we have seen a historic drop in national optimism. A majority of the country says America is now on the wrong track. Just one in three Americans is satisfied with the way things are going in this country. Fully, only one in five Americans has switched from optimistic about our future to

pessimistic about our future in just 3 months.

Fully, one in five Americans flipped on their thoughts on the direction of the country, and it is easy to see why. They see inflation eating away at their paychecks. They see Democrats piling up debt on our kids and grandkids. They see their taxes are about to go up again. They see an open southern border. They see rising crime in Democrat cities. And independent voters are running away from Democrats as fast as they can.

It is time for Democrats to get the message. We want to get the virus behind us. The answer is not open borders. The answer is not more flip-flops, and it is not more mandates on the American people.

It is time for the Democrats to stop pointing fingers. The school year returns in just a matter of weeks. Every school in America must be open. It is time for Democrats to follow the science. No more flip-flops, no more mandates, no more lockdowns—no more excuses.

#### NOMINATION OF DAVID CHIPMAN

Madam President, I come to the floor, at this point, to oppose the nomination of David Chipman as Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

David Chipman is an anti-gun extremist who would politicize one of the world's greatest law enforcement Agencies, the ATF. If confirmed, he would be the most radically anti-gun Director in ATF history.

David Chipman's views are completely out of touch with those of the American people. He opposed the Supreme Court case that struck down Washington, DC's ban on handguns, the Heller case. He was party to a legal brief in the case which said the Second Amendment, he said, only protects militias. He supports bringing back the 1994 assault weapons ban, which President Biden often brags that he wrote. Congress let that ban expire because there was never any proof that it brought down crime.

During his hearing with the Judiciary Committee, Senator COTTON specifically asked Mr. Chipman to define what an "assault weapon" is.

Mr. Chipman said: "An assault weapon would be whatever Congress defines it as."

Senator COTTON went on to ask Mr. Chipman for his own definition of an "assault weapon."

He said: "Any semi-automatic rifle capable of accepting a detachable magazine above a 22."

Well, as Senator COTTON rightly pointed out, this would ban most sporting rifles in America. If David Chipman made our gun laws, most sporting rifles would be banned. States could ban handguns. Private gun sales would be illegal.

These views are completely out of touch with the views of more than 100 million Americans who are law-abiding gun owners.

Worst of all, David Chipman does not have the character and integrity to lead the ATF. He has repeatedly mocked gun owners and impugned people's motives for owning a gun.

David Chipman said: Gun ownership "is a way you can act patriotic without having to" serve in the military.

He said: "I [would] compare gun ownership . . . to the same reason Americans might want a muscle car."

This is not why people buy guns. The American people buy guns to protect themselves and to keep their families safe.

The American people are buying guns by the millions right now because they are afraid of Democrats' gun control policies, and they are afraid of crime in Democrat cities.

Last year, Democrats cut \$1 billion in police funding across America, and as a result, we saw the largest increase in murder in 60 years. In response, the American people bought more than 20 million guns, including 8 million guns by first-time gun owners—first-time gun owners—because they realized they weren't able to be protected when those are trying to defund the police. Gun ownership is still going up because the Democrats are still defunding police, and Democrat cities are in chaos.

We don't need an ATF Director who mocks nearly half of the country.

Recently, we found out another serious concern about Mr. Chipman's character. According to media reports, multiple ATF agents say David Chipman was accused of making racist comments about African Americans. I won't repeat them here. The comments are of great concern. According to the reports, the racist comments were reported to the Equal Employment Opportunity Commission, and a complaint was filed against him.

Republicans on the Senate Judiciary Committee have called for another hearing in light of this new information that has come out. I commend my colleagues for their due diligence.

Yet I don't think another hearing is necessary. What is necessary is for President Biden to withdraw this nomination. There are plenty of qualified Democrats out there who could be nominated to do this job.

The men and women of the ATF deserve a leader with integrity and with respect for the Second Amendment to our Constitution. More than 100 million legal gun owners in this country deserve it, too.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. SINEA). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NOS. 2140 AND 2300 TO AMENDMENT NO. 2137

Mr. CARPER. Madam President, I also ask unanimous consent that the

following amendments be called up to the substitute and be reported by number: 1, Duckworth, No. 2140; 2, Cruz-Warnock, No. 2300; further, I ask unanimous consent that at 3:45 p.m., the Senate vote in relation to the amendments with no amendments in order to the amendments prior to a vote in relation to the amendments, with 60 affirmative votes required for adoption, and 2 minutes of debate equally divided prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2140 TO AMENDMENT NO. 2137

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER], for Ms. DUCKWORTH, proposes an amendment numbered 2140 to amendment No. 2137.

The amendment is as follows:

(Purpose: To require recipients of all stations accessibility grants to adopt plans to pursue public transportation accessibility projects that provide accessibility for individuals with disabilities)

On page 2690, line 11, insert after “et seq.,” the following: “*Provided further*, That an eligible entity that receives a grant under this heading in this Act shall adopt a plan under which the entity commits to pursuing public transportation accessibility projects that: (1) enhance the customer experience and maximize accessibility of rolling stock and stations or facilities for passenger use for individuals with disabilities, including accessibility for individuals with physical disabilities, including those who use wheelchairs, accessibility for individuals with sensory disabilities, and accessibility for individuals with intellectual or developmental disabilities; (2) improve the operations of, provide efficiencies of service to, and enhance the public transportation system for individuals with disabilities; and (3) address equity of service to all riders regardless of income, age, race, or ability, taking into account historical and current service gaps for low-income riders, older individuals, riders from communities of color, and riders with disabilities.”.

AMENDMENT NO. 2300 TO AMENDMENT NO. 2137

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. CARPER], for Mr. CRUZ, proposes an amendment numbered 2300 to amendment No. 2137.

The amendment is as follows:

(Purpose: To designate additional high priority corridors on the National Highway system)

Beginning on page 440, strike line 19 and all that follows through page 443, line 14, and insert the following:

(a) HIGH PRIORITY CORRIDORS.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 105 Stat. 2032; 133 Stat. 3018) is amended—

(1) by striking paragraph (84) and inserting the following:

“(84) The Central Texas Corridor, including the route—

“(A) commencing in the vicinity of Texas Highway 338 in Odessa, Texas, running eastward generally following Interstate Route 20, connecting to Texas Highway 158 in the vicinity of Midland, Texas, then following Texas Highway 158 eastward to United States

Route 87 and then following United States Route 87 southeastward, passing in the vicinity of San Angelo, Texas, and connecting to United States Route 190 in the vicinity of Brady, Texas;

“(B) commencing at the intersection of Interstate Route 10 and United States Route 190 in Pecos County, Texas, and following United States Route 190 to Brady, Texas;

“(C) following portions of United States Route 190 eastward, passing in the vicinity of Fort Hood, Killeen, Belton, Temple, Bryan, College Station, Huntsville, Livingston, Woodville, and Jasper, to the logical terminus of Texas Highway 63 at the Sabine River Bridge at Burrs Crossing and including a loop generally encircling Bryan/College Station, Texas;

“(D) following United States Route 83 southward from the vicinity of Eden, Texas, to a logical connection to Interstate Route 10 at Junction, Texas;

“(E) following United States Route 69 from Interstate Route 10 in Beaumont, Texas, north to United States Route 190 in the vicinity of Woodville, Texas;

“(F) following United States Route 96 from Interstate Route 10 in Beaumont, Texas, north to United States Route 190 in the vicinity of Jasper, Texas; and

“(G) following United States Route 190, State Highway 305, and United States Route 385 from Interstate Route 10 in Pecos County, Texas, to Interstate 20 at Odessa, Texas.”; and

(2) by adding at the end the following:

“(92) United States Route 421 from the interchange with Interstate Route 85 in Greensboro, North Carolina, to the interchange with Interstate Route 95 in Dunn, North Carolina.

“(93) The South Mississippi Corridor from the Louisiana and Mississippi border near Natchez, Mississippi, to Gulfport, Mississippi, shall generally follow—

“(A) United States Route 84 from the Louisiana border at the Mississippi River passing in the vicinity of Natchez, Brookhaven, Monticello, Prentiss, and Collins, Mississippi, to the logical terminus with Interstate Route 59 in the vicinity of Laurel, Mississippi, and continuing on Interstate Route 59 south to the vicinity of Hattiesburg, Mississippi; and

“(B) United States Route 49 from the vicinity of Hattiesburg, Mississippi, south to Interstate Route 10 in the vicinity of Gulfport, Mississippi, following Mississippi Route 601 south and terminating near the Mississippi State Port at Gulfport.

“(94) The Kosciusko to Gulf Coast corridor commencing at the logical terminus of Interstate Route 55 near Vaiden, Mississippi, running south and passing east of the vicinity of the Jackson Urbanized Area, connecting to United States Route 49 north of Hattiesburg, Mississippi, and generally following United States Route 49 to a logical connection with Interstate Route 10 in the vicinity of Gulfport, Mississippi.

“(95) The Interstate Route 22 spur from the vicinity of Tupelo, Mississippi, running south generally along United States Route 45 to the vicinity of Shannon, Mississippi.

“(96) The route that generally follows United States Route 412 from its intersection with Interstate Route 35 in Noble County, Oklahoma, passing through Tulsa, Oklahoma, to its intersection with Interstate Route 49 in Springdale, Arkansas.

“(97) The Louie B. Nunn Cumberland Expressway from the interchange with Interstate Route 65 in Barren County, Kentucky, east to the interchange with United States Highway 27 in Somerset, Kentucky.

“(98) The route that generally follows State Route 7 from Grenada, Mississippi, to Holly Springs, Mississippi, passing in the vi-

cinity of Coffeeville, Water Valley, Oxford, and Abbeville, Mississippi, to its logical connection with Interstate Route 22 in the vicinity of Holly Springs, Mississippi.

“(99) The Central Louisiana Corridor commencing at the logical terminus of Louisiana Highway 8 at the Sabine River Bridge at Burrs Crossing and generally following portions of Louisiana Highway 8 to Leesville, Louisiana, and then eastward on Louisiana Highway 28, passing in the vicinity of Alexandria, Pineville, Walters, and Archie, to the logical terminus of United States Route 84 at the Mississippi River Bridge at Vidalia, Louisiana.

“(100) The Central Mississippi Corridor, including the route—

“(A) commencing at the logical terminus of United States Route 84 at the Mississippi River and then generally following portions of United States Route 84 passing in the vicinity of Natchez, Brookhaven, Monticello, Prentiss, and Collins, to Interstate Route 59 in the vicinity of Laurel, Mississippi, and continuing on Interstate Route 59 north to Interstate Route 20 and on Interstate Route 20 to the Mississippi-Alabama State border; and

“(B) commencing in the vicinity of Laurel, Mississippi, running south on Interstate Route 59 to United States Route 98 in the vicinity of Hattiesburg, connecting to United States Route 49 south then following United States Route 49 south to Interstate Route 10 in the vicinity of Gulfport and following Mississippi Route 601 southerly terminating near the Mississippi State Port at Gulfport.

“(101) The Middle Alabama Corridor including the route—

“(A) beginning at the Alabama-Mississippi border generally following portions of I-20 until following a new interstate extension paralleling United States Highway 80, specifically—

“(B) crossing Alabama Route 28 near Coatopa, Alabama, traveling eastward crossing United States Highway 43 and Alabama Route 69 near Selma, Alabama, traveling eastwards closely paralleling United States Highway 80 to the south crossing over Alabama Routes 22, 41, and 21, until its intersection with I-65 near Hope Hull, Alabama;

“(C) continuing east along the proposed Montgomery Outer Loop south of Montgomery, Alabama where it would next join with I-85 east of Montgomery, Alabama;

“(D) continuing along I-85 east bound until its intersection with United States Highway 280 near Opelika, Alabama or United States Highway 80 near Tuskegee, Alabama;

“(E) generally following the most expedient route until intersecting with existing United States Highway 80 (JR Allen Parkway) through Phenix City until continuing into Columbus, Georgia.

“(102) The Middle Georgia Corridor including the route—

“(A) beginning at the Alabama-Georgia Border generally following the Fall Line Freeway from Columbus, Georgia to Augusta, Georgia, specifically—

“(B) travelling along United States Route 80 (JR Allen Parkway) through Columbus, Georgia and near Fort Benning, Georgia, east to Talbot County, Georgia where it would follow Georgia Route 96, then commencing on Georgia Route 49C (Fort Valley Bypass) to Georgia Route 49 (Peach Parkway) to its intersection with Interstate Route 75 in Byron, Georgia;

“(C) continuing north along Interstate Route 75 through Warner Robins and Macon, Georgia where it would meet Interstate Route 16, then following Interstate Route 16 east it would next join United States Route 80 and then onto State Route 57;

“(D) commencing with State Route 57 which turns into State Route 24 near

Milledgeville, Georgia would then bypass Wrens, Georgia with a newly constructed bypass, and after the bypass it would join United States Route 1 near Fort Gordon into Augusta, Georgia where it will terminate at Interstate Route 520."

(b) DESIGNATION AS FUTURE INTERSTATES.—Section 1105(e)(5)(A) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 109 Stat. 597; 133 Stat. 3018) is amended in the first sentence—

(1) by inserting "subsection (c)(84)," after "subsection (c)(83)."; and

(2) by striking "and subsection (c)(91)" and inserting "subsection (c)(91), subsection (c)(92), subsection (c)(93)(A), subsection (c)(94), subsection (c)(95), subsection (c)(96), subsection (c)(97), subsection (c)(99), subsection (c)(100), subsection (c)(101), and subsection (c)(102)".

(c) NUMBERING OF PARKWAY.—Section 1105(e)(5)(C)(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240; 109 Stat. 598; 133 Stat. 3018) is amended—

(1) by striking the fifteenth sentence and inserting the following: "The route referred to in subsection (c)(84)(A) is designated as Interstate Route I-14 North. The route referred to in subsection (c)(84)(B) is designated as Interstate Route I-14 South. The Bryan/College Station, Texas loop referred to in subsection (c)(84)(C) is designated as Interstate Route I-214."; and

(2) by adding at the end the following: "The route referred to in subsection (c)(97) is designated as Interstate Route I-365. The routes referred to in subsections (c)(84)(C), (c)(99), (c)(100), (c)(101), and (c)(102) are designated as Interstate Route I-14. The routes referred to in subparagraphs (D), (E), (F), and (G) of subsection (c)(84) and subparagraph (B) of subsection (c)(100) shall each be given separate Interstate route numbers."

Mr. CARPER. Madam President, unless someone else wishes to speak at this time, 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. TOOMEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. TOOMEY. Madam President, I rise in opposition to the Duckworth amendment, 2140, and I want to talk about that briefly.

First of all, I think there is probably very broad support in this Chamber, and I certainly support the idea that local transit agencies meet ADA standards wherever it is possible to do so.

Of course, transit agencies got a truly massive, staggering amount of money over about a 12-month period ending in March—so much so that, cumulatively, they are sitting on something very close to \$40 billion that they just weren't even able to spend.

But despite all that, we dramatically increased the annual run rate of the Federal Government's contribution to transit agencies; and then on top of that, the bipartisan negotiators agreed to a big, one-time plus-up above and beyond all the money that was sent to these transit agencies over the last year.

In the course of these discussions, included for transit agencies was a near-

ly \$2 billion funding request to the Senator from Illinois—the junior Senator from Illinois—specifically for ADA upgrades at big city transit systems.

To my knowledge, it is the first time that the Federal Government has ever specifically appropriated substantial sums of money—nearly \$2 billion this time—for the purpose of improving, upgrading big city transit systems, in part, perhaps, because, of course, transit systems have their own sources of money, their own States that can provide them.

But, anyway, that was—this agreement was struck. Now, in the course of working out the terms and the details and negotiating over the language which would accompany this unprecedented funding for ADA upgrades, you know, there were negotiations. That is the nature of this process. So we asked for certain changes in the language that was initially proposed. Some of those requests were rejected, some were adopted, and that is how we got to a deal.

And one of the changes that was adopted was an agreement that this amendment—this planning mandate requirement that is contemplated in the amendment from the Senator from Illinois, that plan would be dropped.

If we were to go ahead and now adopt this amendment, it would completely violate the deal that was struck.

Now, let me just briefly explain why we requested that that language be dropped. The amendment stipulates, among other things, that as a condition of receiving this nearly \$2 billion that this agreement offers to transit agencies for this specific purpose—as a condition, it said a transit agency must commit to a new Federal race, age, and income equity mandate.

This is a quote:

... equity of service to all riders . . . taking into account historical and current service gaps . . .

This is politically correct virtue signaling. This is people claiming that transit agencies are somehow racist, and that we have got to—I don't know—we have got to make sure that escalators are not racist.

It doesn't take a very fertile imagination to think about how this language could be used to impose a host of new requirements on agencies. You could have bureaucracies here micro-managing who knows what—route planning, fair pricing, frequency of service—out of some presumed systemic racism in transit agencies.

If we adopted this, then decisions by transit agencies that should be guided by cost and ridership issues would end up being influenced by wokeism.

Now, I think the people who run transit agencies are good and decent people who care about their communities. They are trying to do the best they can. They have now got staggering amounts of money with which to do it, but they don't need to be second-guessed by social engineers who are insisting that their agency is rife with racism.

So I urge a "no" vote, and I want to stress that the "no" vote on this amendment doesn't reduce spending for ADA compliance by a dime. That is not what this is about. This is about avoiding a "woke" planning mandate.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided, prior to the vote in relation to Duckworth amendment No. 2140.

The Senator from Illinois.

Ms. DUCKWORTH. Madam President, I have an amendment at the desk.

The PRESIDING OFFICER. The amendment is pending.

Ms. DUCKWORTH. Madam President, last week, our Nation marked the 31st anniversary of the Americans with Disabilities Act. More than three decades have passed since President George H. W. Bush signed the ADA into law and proudly declared "[L]et the shameful wall of exclusion finally come tumbling down."

This past week was a time for celebration and reflection on the progress we have made over the last 30 years. Yet, when it comes to the ADA's guarantee of equal access to public transportation for people with disabilities, many transit and commuter rail systems continue to fall short.

This amendment is not racist. This amendment does not call any particular Agency racist. In fact, what this amendment does—the substitute amendment includes \$1.75 billion to expedite accessibility upgrades at existing legacy rail fixed guideway public transportation systems. My amendment simply ensures that recipients of these critical Federal resources fully consider the goals and requirements of the ADA and develop a plan to maximize accessibility across their systems.

This is common sense and good government. It ensures accountability that taxpayer dollars are used to fulfill promises made decades ago and are used wisely, with maximum effectiveness.

Thirty years after we committed to a goal of inclusive and equitable transportation, transit operators should be held accountable for meaningful accessibility upgrades. It is not enough for grant recipients to add cosmetic upgrades and pat themselves on the back. Disabled commuters deserve the accessibility that others take for granted.

This is not a partisan issue. I call on every Member in this Chamber to stand with me in supporting equity for people with disabilities and supporting good stewardship of taxpayer dollars.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. May I be recognized for 2 minutes in opposition?

The PRESIDING OFFICER. One minute.

Mr. TOOMEY. One minute.

Well, listen, I just want to stress to my colleagues here that defeating this amendment does not prevent one dime from going to transit agencies for the purpose of upgrading their stations to



comply with the ADA. All it does is prevent a mandate for a “woke” planning provision that was dropped in the negotiations on this bill, so I urge a “no” vote.

Mr. CARPER. Madam President, I ask unanimous consent to speak for 1 minute in support of the Duckworth amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CARPER. Madam President, I rise in support of Senator DUCKWORTH's amendment. This amendment will ensure that recipients of funding to make systems more accessible have a plan in place to comply with the Americans with Disabilities Act.

Individuals with disabilities rely on public transit to get where they need to go, whether that is to go to work or to go to school or simply go about their daily lives. It is past time to upgrade all of our transit stations to provide access to everyone who needs a ride.

I support this amendment by Senator DUCKWORTH. I urge all of our colleagues to join me in voting yes.

I yield the floor.

#### VOTE ON AMENDMENT NO. 2140

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2140.

Mr. CARPER. 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 bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Oklahoma (Mr. INHOFE).

The result was announced—yeas 48, nays 50, as follows:

[Rollcall Vote No. 296 Leg.]

#### YEAS—48

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Markey	Stabenow
Coons	Menendez	Tester
Cortez Masto	Merkley	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Warnock
Feinstein	Ossoff	Warren
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden

#### NAYS—50

Barrasso	Cruz	Lee
Blackburn	Daines	Lummis
Blunt	Ernst	Manchin
Boozman	Fischer	Marshall
Braun	Grassley	McConnell
Burr	Hagerty	Moran
Capito	Hawley	Murkowski
Cassidy	Hoeben	Paul
Collins	Hyde-Smith	Portman
Cornyn	Johnson	Risch
Cotton	Kennedy	Romney
Cramer	King	Rounds
Crapo	Lankford	Rubio

Sasse	Sullivan	Tuberville
Scott (FL)	Thune	Wicker
Scott (SC)	Tillis	Young
Shelby	Toomey	

#### NOT VOTING—2

Graham	Inhofe
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The PRESIDING OFFICER (Mr. MURPHY). On this vote, the yeas are 48, the nays are 50.

Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is not agreed to.

The amendment (No. 2140) was rejected.

#### AMENDMENT NO. 2300

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to the Cruz-Warnock amendment, No. 2300.

The Senator from Texas.

Mr. CRUZ. Mr. President, I want to thank my colleague from Georgia, Senator WARNOCK, for leading this amendment with me.

The amendment is simple and straightforward: designating future Interstate 14 across Texas, Louisiana, Mississippi, Alabama, and Georgia. The amendment does not have any cost associated with it; rather, it is a first step in the process of upgrading this system of roads to add freight capacity and connect strategic military installations across our States.

In Texas, our part of I-14 will be expanded to the west so that it will serve San Angelo, Goodfellow Air Force Base, Midland-Odessa, and the Permian Basin. It will connect with I-20 at Midland-Odessa, which runs westward to connect with I-10 and leads to El Paso and Fort Bliss. This will complete the linkage between six military facilities across three States, which is critical for economic development and national security.

I would like to add that this amendment has the support of the departments of transportation in Texas, in Louisiana, in Mississippi, in Alabama, and in Georgia, as well as untold numbers of local leaders and coalitions of businesses and local governments.

So, again, I want to thank my colleague Senator WARNOCK for leading this bipartisan amendment with me.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. WARNOCK. Mr. President, I am grateful for the opportunity to partner with my colleague from Texas on this infrastructure development, and I ask for the support of all of my colleagues.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I ask unanimous consent to address the Senate for 1 minute on this amendment.

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

Mrs. CAPITO. Mr. President, I rise in support of this bipartisan amendment in the spirit in which it has been offered.

The amendment will designate five different States—Texas, Louisiana, Alabama, Mississippi, and Georgia—as

the future Interstate 14 corridor. The sponsors state that this would really be integral for economic development support, to support tourism and also provide an important link to our military facilities.

I encourage my colleagues to vote yes on the Cruz-Warnock amendment.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Could I have the attention of our colleagues. In addition to the meritorious points that have been made by the sponsors of this legislation and the ranking member of the Environment and Public Works Committee—Mr. President, I ask unanimous consent to address the Senate out of order.

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

Mr. CARPER. Mr. President, anytime these two Members get together and offer legislation, how could any of us say no? Maybe we could get a voice vote; I don't know. We will see.

Thanks very much. Congratulations. You bring joy to this place.

Mr. President, I ask unanimous consent for a voice vote. Does the gentleman from Texas mind getting a voice vote?

Mr. CRUZ. Mr. President, a voice vote would be fine if it would be fine procedurally.

Mr. CARPER. Mr. President, I ask unanimous consent to withdraw the 60-vote hurdle.

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

Mr. CARPER. There we go.

#### VOTE ON AMENDMENT NO. 2300

The PRESIDING OFFICER. The question is on agreeing to the amendment, No. 2300.

The amendment (No. 2300) was agreed to.

Mr. CARPER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

H.R. 3684

Mr. CORNYN. Mr. President, as we all know by now, a bipartisan group of Senators worked with the White House over the last several weeks to negotiate a \$1.2 trillion infrastructure bill, and I know a lot of hard work went into it, a lot of late nights, and I want to thank all of our colleagues who have made a positive contribution in this debate and discussion. It is particularly important at this time, I believe, that we do these things on a bipartisan basis, if we can.

After much anticipation, we finally received the text Sunday night, and a lot of what we expected to see, we saw, like funding for roads, bridges, ports, waterways, airports, and broadband. But what we didn't see were adequate

pay-fors for the bill. For example, we learned after the bill was announced that it would be essentially a supplemental to the current infrastructure bill, which would require another \$118 billion in general revenue to fill the gap left because of the inadequacy of the highway trust fund funding.

Now, we have all known that that is a problem. We had to use general revenue the last time we did a highway bill. But that hasn't really been part of the discussion, and I think, once people begin to see an additional \$118 billion in borrowed money in order to pass this bill, it causes significant concern.

I guess the other part of it is that this bill seems to be moving at warp speed. Under normal circumstances, an infrastructure bill would go through a long and arduous subcommittee process. And I know that the Environment and Public Works Committee has passed a highway bill reauthorization twice unanimously, once under Democratic leadership and once under Republican leadership. So that is a positive sign. But this is really a huge amalgam of legislation that, frankly, only about 20 percent of the Senate is intimately familiar with.

Ordinarily, in a committee, both sides would debate the bill in hearings, markups, evaluate the cost, and offer amendments before we get to this process, but now we know that has not happened. Frankly, I think that is unfortunate because I think our committees are not operating the way they should, which, in turn, I think helps us produce a better, more thoughtful product.

We simply skipped the normal steps that would allow Members to raise concerns about the bill long before we got here and offer changes to improve it. So, as I have said before and I know others have said as well, I hope the majority leader will offer ample time and opportunities for Members on both sides of the aisle to debate and amend this legislation. A robust amendment process is essential.

Over the last few days, I have been working with colleagues on both sides of the aisle to identify new pay-fors that could be adopted as amendments. We have come up with some, I think, promising ideas, and I hope these ideas can receive a vote on the Senate floor this week.

For example, I have worked with Senator PADILLA, the Senator from California, to offer one bipartisan amendment to fund infrastructure projects in communities across the country without increasing the debt. Our amendment would simply give the State and local governments the flexibility to use unspent COVID-19 funding on infrastructure projects. It would eliminate the sunset on the use of those funds, and it would take the guardrails off that say you can only use that money for COVID-19 because, to be honest, the States and counties and cities have more money than they know what to do with, at least constructively. I think we all would have

an interest in making sure that money is spent well on long-term projects.

What I just said is not necessarily a criticism of the bills that we passed together on a bipartisan basis. We were in the midst of a pandemic, and we were all operating in an emergency situation, trying to do the best we could. But we didn't know how long this virus would last, how long it would take to get a vaccine, and how long the negative impact on our economy would last.

Frankly, we overshot the mark, I think, in some aspects of the bill, thus leading to the surplus of funds at many of our State and local governments.

Right now, there are limits on how that money could be spent. Qualifying expenses include things related directly to the pandemic, like COVID-19 testing sites, vaccines, PSAs, and additional bed space for hospitals.

But this funding can't currently be used for expenses unrelated to the pandemic or items that were previously included in a budget. They must be new, pandemic-related expenses.

As I said, in theory, at the time we did this, it made a lot of sense. After all, this funding was meant to bolster the fight against COVID-19 in communities across our country.

But not every community and not every State has the need for these types of projects. In many places, the most urgent needs aren't related to the pandemic, but, rather, the failing infrastructure.

The pandemic interrupted infrastructure improvements across the country and forced many officials to put these projects on the back burner. Repairs, maintenance, and construction projects were put on hold until there was enough funding to get things back on track.

I have heard from State and local leaders in my State who are frustrated by the lack of flexibility—by the handcuffs, frankly—on their use of the Federal funding they have already received. They want the option, not the mandate. They want the option to use this money when and where it is needed most, but right now, as I said, their hands are tied.

Many States and localities have relief funds on hand but no necessary, qualifying expenses. They have to look at this big balance in their accounts knowing they won't be able to spend it on the greatest needs of their communities. Frankly, they are frustrated, because I heard from them.

That is especially the case in rural America. In places where COVID-19 numbers are low, leaders don't have the need or the opportunity to spend this money within the set timeline for the purposes that Congress has dictated. They don't need the full range of pandemic-related resources that might be necessary in other high-density urban areas with higher case counts.

The amendment Senator PADILLA and I have offered would give leaders in rural areas alike the option of spending the funding on necessary infrastruc-

ture projects. This does not touch the negotiation between the White House and so-called G-20, the bipartisan group of Senators who came up with the substitute bill, which is the base bill that we are now debating. This would be in addition to it.

And, frankly, this would be the most efficient way to fund many infrastructure projects in our States and communities because, as we know, once Congress appropriates money, frequently, it takes years before that money makes its way to the need. Well, this could mean widening a highway, making safety improvements on a bridge, expanding broadband access. Urban areas could even use these funds for public transit improvement systems.

State and local leaders know the needs of their communities best, and they should have the flexibility to spend this money where it is needed most. The key here is flexibility.

Here is the other benefit. It doesn't cost another dime. This is money that we have already spent and already sent to the States, so the score is a big zero.

How many times do we have the opportunity here to do something big and important that doesn't run up the debt or deficit or cost us a lot more money?

So the key here is flexibility. Our amendment doesn't place a requirement or mandate on State and local governments to spend this funding on anything.

Any place that has new COVID expenses to cover can and should use this funding for that purpose, no questions asked. This simply gives leaders at the local and State level the option to spend those relief funds on urgent infrastructure projects that might otherwise go unfunded or that might not be funded for years to come.

I still remember President Obama, at one point after the Great Recession in 2008 and the recovery, when he talked about shovel-ready projects. He said: Well, I guess shovel-ready doesn't really mean shovel-ready.

The truth is, we have seen it time and time again. Congress appropriates money to State and local governments, and it literally takes years before the money gets to the intended target. This short-circuits that project because the States and local governments already have that money and they can spend it for this purpose if we will pass this amendment.

I am not alone in thinking this is a good idea. Back in March, nearly three dozen organizations wrote a letter to Secretary Yellen urging her to make transportation infrastructure an eligible expense. They talked about the impact of COVID-19 on transportation revenues and noted that, last year, 18 States and 24 localities announced delays or cancellations of transportation improvement projects totaling more than \$12 billion.

These same three dozen organizations noted the pandemic has impacted every State and community differently, thus the key flexibility. They



said flexibility will be critical to ensuring funds are used expeditiously and with maximum impact. That is really what we are talking about here.

Secretary Biden's own Transportation Secretary suggested as much. In testimony before Congress, Secretary Buttigieg said the American Rescue Plan "has some flexibility in it" that he thinks could be used "to support road budgets that have been impacted."

States and cities shouldn't just be able to spend this money. They should be able to invest it in projects and resources our communities need the most.

This is simply a commonsense change both sides should be able to get behind. It ensures money that has already gone out the door will be used before it expires. It puts decision-making at the local level and gives leaders more flexibility to decide how to use this Federal funding on their most urgent needs; and it does so, as I said, without increasing the national deficit at all.

This amendment has earned the support of a broad range of organizations across the country, and I am proud to have worked with Senator PADILLA to craft this amendment in a way that both sides can get behind it. In the coming days, I hope this will be one of many amendments that will receive a vote on the Senate floor, perhaps as early as today.

We have to ensure infrastructure investments are made fairly and paid for reasonably, and a robust amendment process is the only way to get there.

I would just add in closing, some of my colleagues have said that they support this amendment, but they would be inclined to vote against it because they feel like this somehow violates the agreement that the bipartisan negotiating group had with the White House. But as I described it, it doesn't touch—it does not touch that underlying substitute bill.

What it does is it unleashes these funds in States like Connecticut, Michigan, West Virginia, Texas. And it lets our State and local leaders figure out, if they can't use these funds, if they don't need these funds for COVID-19, how they can use them in a way that will have the biggest, most significant economic impact on the infrastructure in their States.

I hope my colleagues who somehow believe that they have sworn a blood oath with the White House not to support any amendments that change the underlying substitute—I don't know why we are voting on amendments, unless it is to change the underlying substitute because that is our Constitutional function. It is somehow a parallel universe in which the White House—a different branch of government—is telling the Senate what amendments we can and cannot pass.

As we all know, that is not the way the Constitution is written. The Constitution said it is our prerogative, as

Senators representing our States, to vote on policies that we think are best for our States and for the country.

Yes, the President has an important role, but his role is to veto it if he doesn't like it, not rewrite it, not to tell us what amendments we can vote on or not vote on. That is a perversion of the constitutional system.

I think, for matters of institutional integrity and pride, Senators would be very jealous about guarding their authorities under the Constitution rather than delegating these to the administration.

I expect this is going to be a long road. We have already heard Speaker PELOSI say she is not going to pass this bill once the Senate passes it until she has a chance to pass the \$3.5 trillion-plus reconciliation bill at the same time. This is going to be a very bumpy process.

But the idea that we cut off access that our States and local government have to hundreds of billions of dollars of unused funds to do, in their discretion, what they think needs to be done—not a mandate, but, rather, a permission to do so. To turn down this opportunity to get this money where it is needed most in these big impact infrastructure projects makes no sense to me. I would encourage all our colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to speak about the bill in front of us.

For a long time, the people in Michigan have been waiting. For years, they have been told it is "infrastructure week." Unfortunately, for all the talk, Michigan's infrastructure remains weak.

This lack of investment has real cost for our businesses and our communities and our families. I am thinking of the single mom who drives to work every day and can't afford to keep making car repairs caused by massive potholes, an everyday occurrence.

I am thinking of the small business whose deliveries keep being delayed because of the weight limits on a nearby bridge.

I am thinking of the farmer who wants to harness the power of precision agricultural to include his bottom line. Unfortunately, he can't because his internet is too slow.

And I am thinking of that farmer's children, who need the internet to keep up with their school work, but struggle to find a good connection.

I am thinking of all the folks who would love to choose electric the next time they buy a car, but worry about finding a charging station.

And I am thinking of the kids in Flint and families across the country, who should never have to worry that the water coming out of their kitchen sink is unsafe after traveling through lead pipes or becoming contaminated by PFAS.

All these folks want some investment in that infrastructure. And now, 1,656

days after President Trump was sworn in and promised swift action to rebuild our infrastructure, President Joe Biden, working with a hard-working group of Democrats and Republican Members in the Senate, is leading us to get this done.

My colleagues on both sides of the aisle and their hard-working staff members deserve to take a bow. This legislation is chockful of bipartisan wins that will strengthen our country from Seattle to Saginaw, to Sarasota, and communities of every size in between.

This legislation isn't just going to finally fix our cracking roads and crumbling bridges and spotty internet; it is going to create good jobs, tackle the climate crisis, help us remain competitive with other countries around the world that aren't sitting around waiting for us to catch up.

As a Michigan driver, one of the parts I am most excited about is the money to fix our roads and bridges.

Hey, Governor Whitmer, now you can get some help to fix those roads.

And because we are the Great Lakes State, transportation in Michigan doesn't just mean trucks and trains and cars. This bill uses \$11.7 billion to modernize infrastructure, such as the aging Soo Locks—so critical to our economy, for the country, and for the Great Lakes region.

And it includes \$1 billion for the Great Lakes Restoration Initiative to clean up contamination, restore wetlands, and fight invasive species.

I want to thank my partner and co-chair of the Great Lakes Restoration Caucus, Senator PORTMAN, for working on this. That is the single largest investment ever made in the Great Lakes Initiative.

This will make a big dent in resolving areas of concern, like the Detroit River and the Rouge River, which were polluted decades ago.

While we are on the subject of water, it is way past time for Michigan families and families across the country to feel confident that the water coming from their taps is safe to drink, and this bill takes critical steps toward achieving just that. It includes \$15 billion to replace lead pipes, and another \$10 billion to tackle the PFAS contamination that plagues our communities all over Michigan, as well as the country.

Healthy families and a healthy economy also require high-speed internet. We are in 2021. The past 18 months proved that as our whole lives moved online. We saw all of the gaps in high-speed internet services across the country. So I am very pleased that this bill includes \$65 billion to ensure that folks can get connected whether they live a block from Gratiot Avenue or 25 miles from Highway 31.

This bill also takes action to change the trajectory of the climate crisis and invest in more resilient infrastructure. It invests in charging infrastructure so that folks who have been thinking

about buying that new F-150 Lightning or a Chevy Volt or a Jeep Wrangler can make the leap to electric with confidence. We can't wait any longer because China certainly isn't waiting.

Because this legislation also includes my Make It in America Act that I introduced with Senator BRAUN, the American taxpayer dollars we will be investing will go to American manufacturers and American workers. It adds new guardrails so that Federal Agencies can't buy products made in Mumbai instead of Monroe, MI, when those products are available in Michigan. It also calls for products purchased by Federal Agencies to be incorporating more domestic content. It makes the Made in America Director and the Made in America Office a permanent part of the Office of Management and Budget. That will ensure that American workers and American jobs receive preference regardless of who sits in the Oval Office.

This legislation doesn't just benefit big companies; it also calls for Agencies to use the Manufacturing Extension Partnership, which is extremely effective in Michigan and across the country. That means small- and medium-sized manufacturers will have more opportunities to sell their products to the Federal Government and provide materials for federally funded infrastructure projects, including all those roads and bridges we will be rebuilding.

I have often said of the farm bill that it has Michigan on every page. I have got to say this bill comes pretty darned close.

I urge my colleagues to support this legislation, to invest in America, and to finally get Infrastructure Week translated into action.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from New Jersey.

**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**

Mr. MENENDEZ. Mr. President, I am proud to come to the floor today to ask for unanimous consent on this bipartisan resolution expressing solidarity with the people of Cuba. This resolution passed out of the Foreign Relations Committee by a voice vote, with overwhelming bipartisan support.

I want to thank the senior Senator from Florida for his partnership on this resolution, which has the support of Senators DURBIN, KAINÉ; Senator RISCH, the ranking member on the Foreign Relations Committee; as well as many others on both sides of the aisle.

In passing this resolution today, the U.S. Senate can send a powerful message about the truly historic events occurring in Cuba in recent weeks.

On July 11, in an unprecedented wave of demonstrations across the island, the Cuban people peacefully took to the streets and raised their voices to call for freedom and an end to tyranny. We saw the courage of the Cuban people. Images of Cubans chanting "abajo la dictadura," which means "down with the dictatorship," and singing "Patria y Vida," or "Fatherland and Life," spread around the globe. Yet the Diaz-Canel regime responded with an authoritarian crackdown and violent repression out of fear of losing its iron grip over the Cuban people.

The regime cut the internet to stop the Cuban people from accessing social media—a tool they were bravely using to open the eyes of the world. Who does that? Only a country that fears its people shuts down the internet. But it was too late. The truth went viral.

The regime has arrested more than 700 people, and most remain incommunicado. Dozens more are already being subjected to summary trials, without access to legal defense or even a veneer of due process. Human Rights Watch, Amnesty International, and the U.N. High Commissioner for Human Rights have all spoken out against the Cuban regime's campaign of oppression.

President Biden rightfully and repeatedly denounced the regime's actions and has announced two rounds of Global Magnitsky sanctions on human rights abusers. The President has brought together allies of Cuban freedom both at home and abroad. On Friday, the President convened a meeting of Cuban-American leaders to discuss this crisis and hear our suggestions on how to best support the pro-democracy efforts underway in Cuba.

Last week, Secretary of State Blinken led a coalition of 20 countries in a joint statement to express international solidarity with the Cuban people and their rights to freedom of expression, freedom of assembly, freedom to determine their own future.

While important steps are being taken, more needs to be done. The Cuban people, in this unprecedented hour of uncertainty and need, cannot afford anything less than our full support.

With this resolution, the Senate will add its voice to the ongoing efforts and reinforce U.S. solidarity with the Cuban people and their efforts to restore democracy and human rights in their country. It is the same resolution that is also being offered in the House of Representatives on the same bipartisan basis.

Therefore, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 111, S. Res. 310; further, that the committee-reported substitute amendment to the resolution be agreed to; the resolution, as amended, be agreed to; the preamble be agreed to; and that the motions to reconsider be considered made and laid upon the table.

Thereupon, the Senate proceeded to consider the resolution (S. Res. 310) ex-

pressing 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, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic, as follows:

S. RES. 310

Whereas, on July 11, 2021, thousands of Cuban citizens took to the streets to peacefully protest and to call for respect for basic human rights and fundamental freedoms, and the end of the dictatorship in Cuba;

Whereas the demonstrations were the largest protests witnessed on the island in 25 years, with courageous Cuban men, women, and youth taking to the streets in at least 50 different cities and towns across every province to affirm a deep aspiration for democratic change and to denounce the regime's corruption;

Whereas the nationwide protests represent the full diversity of Cuban society, with demonstrators proudly proclaiming "Patria y Vida!" (Homeland and Life!) and calling for "libertad" (liberty);

Whereas the demonstrations in Cuba follow months of severe shortages of food and basic medicine, frequent power outages, record high rates of transmission of COVID-19, and the Cuban regime's ineffective response, in addition to the Cuban regime's continued repression and arbitrary imprisonment of citizens, peaceful activists, and artists;

Whereas, despite the authoritarian regime's blocking of internet service to prevent the spread of information about the demonstrations, Cubans witnessed examples of their compatriots demanding change in their country and courageously joined the growing protests;

Whereas, despite the peaceful nature of the demonstrations, Miguel Diaz-Canel incited violence among Cubans and encouraged his supporters to attack peaceful protestors, declaring in a televised address, "the order to fight has been given—into the streets" and pledged his supporters' lives: "Over our dead bodies. We are prepared to do anything";

Whereas Diaz-Canel has sought to delegitimize peaceful protestors, crudely stating they constitute a small group of "vulgar criminals" that are "paid" to be disruptive;

Whereas Diaz-Canel sought to blame the endemic problems causing so much human suffering by the Cuban people on outside forces instead of on the Cuban regime's longstanding corruption, mismanagement, and theft of public resources;

Whereas the Cuban regime's domestic security apparatus, including military and police, were recorded on video violently repressing peaceful Cuban citizens, including by using live ammunition and attacking journalists;

Whereas numerous reports indicate deaths of and injuries to Cuban protestors at the hands of the regime's security forces, including instances of police firing live ammunition into crowds and at least one documented police beating that led to a civilian death;

Whereas independent Cuban civil society groups have reported that hundreds of individuals have been arrested, detained, or are missing;

Whereas defying regime repression, continued internet shutdowns, and illegal searches of the homes of activists and protestors, Cuban men, women, and youth continued to peacefully protest throughout the island on