

has had a whip-smart right-hand man. I won't be able to top his boss's wonderful tribute remarks from yesterday, so I won't even try, but I did just want to add my own brief thanks and congratulations.

I have gotten to see Nick's great work up close. Senator THUNE and I have a standing Monday meeting to plan the week. It is a very small meeting with very few staff. Nick has been in that room, and, every time, I have been glad he was. It is a rare thing in Washington to meet someone who is probably almost one of the smartest people in the room but who also never lets you know it, but Nick combines brilliance and humility in just that way.

So my staff and I join Senator THUNE and the whole Senate in bidding Nick a fond, if reluctant, farewell.

Thank you, sincerely, for your fine, fine service.

TRIBUTE TO ANDREW FERGUSON

Mr. McCONNELL. Now, Mr. President, on one final matter, when you have served in the Senate as long as I have, you get to hire and work with a lot of talented people, and when you find rock stars, you try to hang onto them. As a result, when a key staff member moves on, it often means reflecting on an extended Senate career of many years, including shared memories of old war stories going back ages.

Andrew Ferguson is a different case.

It was only 2 years ago that I hired Andrew to be my chief counsel. He has only been in the Senate about 3 years. By the standards of this place, he is a spring chicken. But it has only taken Andrew this short time to leave a stunningly outsized imprint on my work, on our conference, on the judiciary, and on everyone who has gotten to work alongside of him as well.

So, a few days before Andrew concludes his Senate service, I am both happy for the opportunity to share how this happened and really, really sorry that I have to do it.

The chief counsel in my leadership office handles a portfolio that is almost comically large: judicial confirmations, law enforcement and crime, immigration and border security, some constitutional questions that intersect with the separation of powers, others that intersect with national security, sometimes arcane Senate history. It takes a lawyer's lawyer with expertise in our laws and Constitution and someone who can feel out the politics, the personalities, and the shades of gray that drive a political body.

One look at Andrew's resume told me that qualification No. 1 was, clearly, no problem—UVA Law; clerked on the DC Circuit; clerked for Justice Thomas; experience in the private sector—a lawyer anybody would be glad to hire.

Oh, but what about the second qualification?

Like I said, Andrew wasn't a long-serving Senate hand. He arrived at Ju-

diciary in time to help Chairman GRASSLEY notch a win for the country and the sanity of the Senate with the confirmation of Justice Kavanaugh. He had only just been promoted to Chairman GRAHAM's top nominations counsel when I poached him.

Well, Andrew stepped into this complex role, and, boy, did he flourish.

He became a go-to leader for committees and offices across the Republican side, a key Senate liaison to both the executive and judicial branches. He added to his lawyerly chops and grew into a strategic adviser of the first-rate. Our Republican conference is a big tent with a range of visions, but Senators from across the conference have come not just to trust Andrew's judgment, but they seek it out.

Andrew's impact has been truly dramatic. I do not believe any other Senate staffer played a more crucial role in the last two Supreme Court confirmations combined. He was our side's field general in confirming Justice Barrett. Our majority spent 4 years rebuilding the kind of Federal judiciary that our constitutional order requires. Andrew played an indispensable part.

The last couple of years have brought all sorts of unusual national challenges. The 2 years that Andrew has spent with us feel more like 10. We faced scenarios that would have sounded like wild law school hypotheticals. Who would have guessed we would be fighting to protect Americans' religious freedom while the government battled an airborne virus? But our chief counsel invariably brought us up to speed on whatever the day would bring with a good head, a big heart, and great humor. And if the topic was new to him, a big stack of library books were on his desk.

It might sound like Andrew was just very dedicated to his job. That is not totally unusual. But that doesn't fully capture it. See, I have come to believe he is simply this intense about absolutely everything. Andrew takes work very seriously, but he also takes his faith seriously, and he takes family seriously. He treasures the upbringing that his parents, Roy and Susan, provided for him and his two brothers. He takes his interests seriously, his hobbies. There is an intense, infectious enthusiasm for all of it, a kind of good-natured aggression.

Now, as his colleagues will attest, all this intensity can yield, actually, entertaining results. If, for example, you took a stroll by Andrew's desk, you would often hear him shouting—shouting—excitedly at a colleague, but you would generally genuinely have no clue whether he is strongly disagreeing with the person or just agreeing with them with great gusto. He could be discussing the law, but it might also be Roman history or the Protestant Reformation or the merits of some TV comedy or his weekend plans involving the lawful exercise of his Second Amendment rights. Whatever the subject, you would get maximum enthu-

siasm, maximum force of nature, and everybody in earshot usually learns some new fact and shares a big laugh.

Different people enjoy this line of work for different reasons, but for Andrew, I think politics and policy matter so much because ideas and principles matter so much. That is why one of the most darkly funny and cynical people on our team has also been one of the most earnest and idealistic. Everything is worth thinking through. Everything is worth taking seriously because principles matter, the rule of law matters, and our country matters. That is why we come to work every day.

A lot of people first come to Washington with a warrior mentality, but the rhythms of this city sometimes lull folks into a somewhat calmer mixture. But, believe me, as I suspect the entire Senate can attest by now, we need not worry that Andrew Ferguson will be lulled into a calmer anything.

So, my friend, you may be leaving the trenches for now, but we both know there is no chance you will be able to stay away forever. You are going to miss the good fight, and I can say with personal certainty that the fight is going to miss you as well. Thank you for the law lectures. Thank you for the laughs. Thank you for an outstanding job for our country. Job well done.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

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

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3684, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3684) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

Pending:

Schumer (for Sinema) amendment No. 2137, in the nature of a substitute.

Carper-Capito amendment No. 2131 (to amendment No. 2137), to strike a definition.

The PRESIDING OFFICER. The Senator from Illinois.

NOMINATION OF EUNICE C. LEE

Mr. DURBIN. Mr. President, this week the Senate will vote on Eunice Lee's nomination to serve on the Second Circuit Court of Appeals. If confirmed, Ms. Lee would be the only—the only Black woman—and the only former public defender to serve on the Second Circuit. With her nomination, the Biden administration and Senate Democrats are continuing our efforts

to build a Federal judiciary that looks like America.

I would like to take a moment or two to discuss Ms. Lee's qualifications and what she will bring to the bench—a perspective that is sorely needed.

Ms. Lee has dedicated her entire legal career to public defense work, most recently as an assistant Federal public defender with the Federal Defenders of New York.

Graduating from Ohio State University and Yale Law School, Ms. Lee began her legal career clerking with the Southern District of Ohio and then with the Sixth Circuit Court of Appeals.

She then joined New York's Office of the Appellate Defender, where she spent more than 20 years advocating for indigent criminal defendants at all levels of the New York State court system. During that time, Ms. Lee taught and mentored a new generation of lawyers when she served as an adjunct assistant professor of clinical law at New York University.

She then joined the Federal Defenders of New York, where she has briefed and argued criminal appeals in the Second Circuit, the court to which she is now nominated.

In short, Ms. Lee has dedicated her entire life to upholding the Sixth Amendment right to counsel, representing defendants who cannot afford to hire a lawyer.

Now, some of my Republican colleagues have claimed, without any evidence, that, as a former Federal public defender, Ms. Lee would be biased as a judge in favor of defendants. It is curious to me that these concerns of her bias didn't seem to crop up over the decades when former prosecutors were nominated to the Federal bench, and for good reason. It is as flimsy an argument as it is offensive to the lawyers who represent defendants—a representation mandated under the Constitution.

Let's be clear: Both prosecutors and public defenders play essential roles in our justice system, and their jobs give them extensive courtroom experience, which is something we demand of all judges.

Additionally, Ms. Lee has made it clear she understands the difference between being a lawyer and a judge. As a lawyer, she is an advocate; as a judge, an arbiter. At her hearing before the Judiciary Committee, Ms. Lee explained that she "critically recognize[s] the importance of [being] a fair decision-maker."

What is more, 70 former prosecutors—those are the women and men sitting at the other table in the courtroom—in the Southern and Eastern Districts of New York, the very prosecutors that she squared off with in the courtrooms, have stressed the importance of having her perspective as a public defender represented on the Second Circuit.

In a letter to the Judiciary Committee, these prosecutors wrote: "[W]e

enthusiastically support Ms. Lee not just because of her sterling credentials. We believe that after a career as a public defender serving indigent clients in criminal cases, Ms. Lee would bring a unique and under-represented perspective to the job of hearing and deciding federal appeals."

Then they added that Ms. Lee was "an incredibly talented lawyer and public servant, whose career representing the most vulnerable among us will bring a critical, unique perspective to the bench."

Finally, I want to share a passage from a recent op-ed written by Clark Neily, a scholar at the Cato Institute, and Devi Rao, a counsel at the MacArthur Justice Center.

They wrote: "Judges with a greater diversity of professional experience would improve judicial decision-making overall. A judiciary with members whose formative professional experiences span the legal profession will be best equipped to handle the diverse range of cases and issues presented to them."

Legal experts across the ideological spectrum agree. Professional diversity on the Federal bench is beneficial to our system of justice.

With Eunice Lee's confirmation, this Senate can continue bringing balance to our Nation's courts and elevate a professional perspective severely underrepresented today. I will vote for Ms. Lee's nomination, and I urge my colleagues to do the same.

Let me just add in closing, I want to thank the Members of the Senate, both political parties, for proposing nominees to the Biden White House for consideration for lifetime appointments to the Federal judiciary. They have brought those nominations to the Senate Judiciary Committee, where I chair the proceedings, and it is remarkable. The women and men who have come to us, prepared to serve, make a lifetime commitment to serve our Federal judiciary.

The diversity in that group is amazing, remarkable, and the quality is without exception. Nearly all of them have been found at least "well qualified" unanimously by the American Bar Association—in many cases, and certainly in others, very positive reports as well.

I want to continue bringing these women and men to the floor of the Senate. I pleaded even this morning with the majority leader, Senator SCHUMER, who has the toughest job in the world of trying to move all the things we want to do onto this calendar and off again. I thank him for his cooperation.

I would like to say a few words on a separate topic.

EVICTON MORATORIUM

Mr. President, I listened carefully to the Senate Republican leader this morning, Senator MCCONNELL. I struggle to understand one aspect of his speech. He referred to the notion of helping those who are facing eviction as some form of socialism.

What we are doing, of course, is trying to make certain that all of these people have a roof over their heads, and some of them are going through extraordinarily difficult economic challenges and extraordinarily difficult public health challenges.

The money that we are sending their way is not just for them, obviously, but also to benefit the landlords, the people who own the property that they occupy.

Now, that is not unusual for this Congress in the midst of this pandemic to step up and help small businesses like landlords who are trying to pay their mortgages during this difficult time when they have tenants who are going through economic distress. I don't think that is socialism.

It wasn't socialism when we created the PPP program in 2020 on a bipartisan basis, with recordbreaking sums of money, to give to small businesses to help them through the treacherous times of this pandemic. It was just common sense. Our economy was taking a hit, and they were too.

We wanted the day to come when we could deal with this pandemic effectively and also that they could return to their businesses. Was that socialism, that we would have that kind of an effort? I don't think so.

As a matter of fact, when it came to passing that legislation, it was bipartisan and virtually unanimous—President Trump supporting it as well as Speaker PELOSI when it all came to pass. I mean, that is an indication of bridging the vast political differences in this country when an emergency demanded it. I don't think that is socialism.

When it comes to those tenants who are struggling to get by in these difficult times, helping them and the landlords whose property they occupy is not socialism; it is what America is all about. It is, of course, an involvement of the government, and we all voted for that, but it is in a specific context of helping people.

What the President has now proposed beyond this infrastructure bill that we are facing is that we look to other aspects of family life where we can help families cut the cost of the basics that they face, whether it is childcare or sending a child to college.

I don't think it is socialistic to say we want 2 additional years of education for the graduates of high school in America so they are prepared to compete in the 21st century. That is just common sense. Socialism? I don't believe it is even close to socialism. It is really preparing them for a competitive, entrepreneurial economy and for success in life. That, to me, is a noble goal, whatever party is behind it.

When it comes to the debt ceiling of this country, I just hope we can find a way to deal with this responsibly. It has always been a political football, depending on which party was in power, but to risk the possibility of a default on America's debt at this moment in

our economic history is a dangerous, dangerous undertaking. We need to do the right thing. We have to concede the obvious.

Certainly the previous President, Trump, didn't win any accolades for fiscal conservatism. And we have to come together to recognize, whoever the President may be, the important thing is that this Nation move forward—move forward to our cures for the illnesses that we face but also to an economy that is expanded.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware.

H.R. 3684

Mr. CARPER. Before the Democratic whip leaves the floor, I just want to thank him for raising the three words "Ohio State University." As a proud Buckeye for—

Mr. DURBIN. The Ohio State—

Mr. CARPER. No, I never say "The Ohio State." We want to be humble. But I used to be a Navy ROTC midshipman there for a number of years and have great memories of being a part of the student body there and part of the Navy ROTC unit.

Later, I had the opportunity, as my colleague knows, to join forces in the U.S. House of Representatives in 1982—one of the largest freshman classes ever. It seems like yesterday. He went on to come and serve in the Senate, and I went on to serve as Governor.

One of the things I never thought about as Governor is the job of the Governor to nominate people to serve on the courts. I never thought about that.

As it turns out, in Delaware, given the positions we have in corporate law and other parts of our economy and business, judicial appointments are over-sized. They are really extremely important.

And while I hadn't given it a lot of thought, I remember I had, I think, 45 joint appearances with my Republican opponent when I ran for Governor—45 in the year 1992, and not once did anybody ever ask of either of us: What would you look for in nominating judges?

It turned out to be hugely important. I studied economics and got an MBA, but I don't pretend to be an expert on legal matters. One of the things that I learned—and I felt it was important—was to have a judiciary that was diverse and that looked like Delaware. I think the same is true here for our country for district court judges, appeals courts, and the Supreme Court.

I wanted to nominate people who were bright and who were smart, and intellectually curious. I wanted to nominate people who were hard working, who brought a diversity of experiences to the bench. And mostly, I wanted to nominate people who were able to make good decisions—even tough decisions—and were fair and treated everybody in their court before them with fairness.

The reputation of the nominee whom you referred to, I think she checks all

those boxes, and I want to thank you for raising her before us here today. Thank you.

We have our colleague from Louisiana here with us today. He has worked hard, along with 21 of our colleagues, to try to fashion a bipartisan consensus to build on the work of, among others, the Environment and Public Works Committee on infrastructure.

We worked hard in our committee—SHELLEY CAPITO, the lead Republican, and myself, and 18 others—to report and later to vote on legislation on water infrastructure here, drinking water and wastewater sanitation legislation. We voted on it a couple months ago after reporting it unanimously out of committee. And 89 to 2, the same bill came up here—89 to 2. And we have used that as one of the building blocks on which the bipartisan infrastructure package is fashioned.

We also have in the Environment and Public Works Committee the great support and leadership of our ranking member, Senator CAPITO, and the participation of every single U.S. Senator who gathered input to help us fashion legislation in the Committee on water, drinking water, wastewater, and roads, highways, bridges, and climate, in order to be able to put together a foundation, if you will, under which the Gang of—we affectionately call it the Gang of 22—have built this infrastructure piece along with the help of the administration and a lot of other folks who participated.

I go back and forth on the train. I literally went home last night to Delaware and was back here this morning. I am a bit weary, but I was encouraged. So many times over the years, people say to me, as I am waiting to catch a train in Wilmington or waiting to catch a train back home at the end of the day—people say to me: Why can't you guys just work together? Why can't you just work to get stuff done for this country?

I think they would be encouraged by what they would have seen and the work of not just the Environment and Public Works Committee but the work of the Commerce Committee, the work of the Banking Committee, and the work of the Energy and Natural Resources Committee—rather extraordinary, every one of them. Democrats, Republicans, a couple of Independents are all working together to fashion legislation that is going to help strengthen our economy and make our economy work better and help provide employment opportunities to literally millions of people at a time when we need that.

And, yesterday, I think we had the votes. Correct me if I am wrong. But more than a dozen votes we have had this week, and more than a score of votes on amendments to this package—this infrastructure package. One of the things I love about it is that a bunch of those amendments were bipartisan. It wasn't just Democratic amendments or

Republican amendments. They were amendments we offered together.

And interestingly enough, we had any number of instances yesterday, including late last night, when we didn't have long, dragged out debate. We actually voice-voted a number of provisions that were being offered to us. The amendments were being offered. I am encouraged by that.

And I note that, tomorrow morning, a lot of us—I am not sure how many, but maybe a third of the U.S. Senate, will join together and get on a plane—I think an Air Force plane—and we will head for Gillette, WY, to say good-bye—say good-bye to a dear friend, and that is Mike Enzi.

I spoke about him on the floor in the last week. So I will be brief right here. Mike Enzi would love what we are doing. He would have loved to have been a part of this. He was the guy who first taught me about the 80-20 rule. The 80-20 rule—when I asked him how Mike Enzi, one of the most conservative Republicans we had here in the Senate, and Ted Kennedy, one of the most liberal Senators we had here in the United States, how could they work together on the Health, Education, Labor, and Pensions Committee and get so much done—and get so much done?

I will never forget what he said. He gave a speech on the floor here when I was presiding as a brandnew freshman Senator, years ago—20 years ago. He spoke of the 80-20 rule, and I asked him when he finished speaking: What is the 80-20 rule?

And he said: It is the secret to Ted Kennedy and I being successful in the Health, Education, Labor, and Pensions Committee—being so successful in taking on legislation and coming up with principled, bipartisan solutions.

And he said: Ted and I agree on 80 percent of the issues that come before our committee. We disagree on maybe 20 percent. And what we do on the Health, Education, Labor, and Pensions Committee is we focus on the 80 percent where we agree, and we set aside the 20 percent where we don't agree to another day. We come back to it, and we deal with that later on.

And it worked for them.

He would be delighted. My guess is he is tuned in today, somewhere up there. But he would be delighted to see that this week the 80-20 rule that Mike Enzi epitomized is alive and well on both sides of the aisle. I hope that the spirit that has infused our work, leading up to the work of our committees—the committees of jurisdiction—providing the foundation on which the gang of 20 and the administration went to work—my hope is that that spirit of bipartisanship and Mike Enzi's 80-20 rule will continue to infuse our work here this week into the latter part of this evening, and, hopefully, not too late into the evening. Maybe we can wrap things up here in short order.

With that, I am going to yield the floor, and I just want to say to everyone who is working hard to make this

a productive week, a productive mission: I just want to say a real thank you, not just to the members of the relevant committees I mentioned but to everybody, all the folks who serve here, and especially our staff.

I like to say that people ask me sometimes—and I say this to my friend Senator CASSIDY from Louisiana, who is a truly brilliant person and a great colleague to work with. I would like to say that about Senator THUNE, with whom I will be joining in a Bible study later again today as we join with the Chaplain every day. There are a lot smarter people in the U.S. Senate than me, but I am smart enough to hire really smart people. They work hard and I work hard, and most days we get a lot done.

For all the staff here in this body and in this building and the committee staff out across the Capitol and around the world, we especially thank you for your efforts.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

REMEMBERING MIKE ENZI

Mr. THUNE. Mr. President, I want to associate myself with the comments of my colleague from Delaware with respect to Senator Enzi. He is absolutely right. Senator Enzi, who will be laid to rest in Wyoming, was a wonderful public servant and someone who there weren't any pretensions about him. He was a "what you see is what you get" type of individual, somebody who worked hard every day, was solutions-oriented, results-oriented, and brought with him a humble spirit and demeanor that we all benefited from here, and something that I think all of us could aspire to here as well.

And I was reminded as my colleague from Delaware was speaking, of a verse in the Old Testament Book of Micah, where it says:

He has told you, old man, what is good. And what does the Lord require of you but to do justice, to love kindness, and to walk humbly with your God.

And I think that certainly describes Senator Mike Enzi. And we think about him and his family and keep them in our prayers as they prepare for that ceremony tomorrow.

BROADBAND

Mr. President, as a Senator from a rural State and a member and former chairman of the Senate Commerce Committee, expanding broadband access to rural areas has long been a priority of mine. Given our economy's increasing reliance on broadband in the digital age, it makes sense, as part of this infrastructure bill, that we are prioritizing expanding broadband access to unserved areas.

But I have to say I am concerned, because a lot of the money allocated for expanding access—more than \$42 billion—would be funneled not through the Federal Communications Commission, where the majority of the Government's broadband experience resides, but through the Commerce Depart-

ment's National Telecommunications and Information Administration, or NTIA, which has previously fumbled attempts to bring broadband access to more communities.

Back in 2009, a government stimulus bill allocated \$4.7 billion to NTIA to expand broadband access in rural and underserved areas. It didn't go very well. The Agency struggled with implementation. There were serious issues with a number of the projects the Agency approved. In fact, 14 projects were either temporarily or permanently halted.

Other projects resulted in a significant amount of overbuilding, meaning that they resulted in the construction of additional broadband infrastructure in areas that already had access to reliable broadband. A Government Accountability Office report found that the National Telecommunications and Information Administration lacked the data it needed to determine whether areas were genuinely underserved.

More recently, just last month, the NTIA called for "volunteers"—volunteers—to evaluate grant proposals. That is right. The NTIA has called for volunteers to help determine how to allocate the \$1.5 billion Congress has provided to NTIA over the past year to improve broadband access.

Now, we should think long and hard before giving the Agency the authority to administer more than \$42 billion in grants when it has to call on volunteers to help allocate a tiny fraction of that money.

NTIA simply has not demonstrated its ability to administer a grant program of this size and complexity. A much better alternative would be to put the Federal Communications Commission in charge of disbursing broadband funds.

In contrast to NTIA which has just 157 employees, the Federal Communications Commission employs more than 1,400 people. It has the staffing resources it needs in-house to administer this grant program. The FCC also, crucially, has the necessary expertise to identify truly unserved areas so that Federal dollars go to communities with the most significant lack of broadband access.

I have proposed an amendment to the infrastructure legislation before us that would strike the NTIA grant program and redirect that money to the bipartisan legislation I have introduced—the Rural Connectivity Advancement Program Act.

The Rural Connectivity Advancement Program Act would mandate that 10-percent of the net proceeds of any spectrum auctions mandated by the Federal Government go to building out broadband networks with the goal of strengthening connectivity in rural and Tribal areas. Redirecting the proposed \$42 billion in grants to this program would allow the Federal Communications Commission to administer these funds, which would make it more likely that this funding would actually

go to meet the broadband needs of unserved communities.

On a related note, I have also introduced an amendment to strike a provision of the infrastructure bill that would allow NTIA to make changes to the formula that Congress is providing to determine what areas of the country are eligible for grants.

Why is Congress bothering to put funding guardrails in this legislation if it is going to allow the NTIA to change them at will?

As I have said, NTIA lacks adequate expertise when it comes to identifying what areas of the country are truly unserved. And I am not sure why we give NTIA the authority to change Congress's guidelines and possibly further diminish the chances that this grant program will deliver on its objective.

Unfortunately, just yesterday, the Senate voted down an amendment offered by the ranking member of the Commerce Committee that would have provided critical safeguards should NTIA establish this program. The proponents of this legislation have reportedly received assurances from the Secretary of Commerce about how NTIA will implement the bill.

If this bill is enacted, the Secretary should expect close scrutiny from the Commerce Committee and be prepared to explain how she will prevent a repeat of the Agency's past missteps. As I said, there have been problems in the past with government broadband dollars going to overbuilding of broadband in areas that already have a substantial amount of access, and I am concerned that this bill could result in the same problem.

In addition to the NTIA grant program, the infrastructure bill would authorize the Department of Agriculture to improve grant funding of areas where 50 percent of the homes lack adequate access to broadband services. While this may sound like an appropriate percentage, the truth is that a grant for building out broadband in an area where 50 percent of the homes already have adequate access is likely to result in significant overbuilding at taxpayer expense.

We seem to have forgotten that Federal resources are—or at least should be—limited. There are plenty of areas where broadband access is almost nonexistent and where there is almost no available broadband infrastructure to build on. And those are the first places where we need to direct available government funding, which is why I am offering an amendment to change the formula to require that proposed grants cover an area where at least 80 percent of homes lack broadband access. This bipartisan amendment deserves a vote.

I am also concerned that we are advancing this bill without any of the provisions, particularly the broadband components, going through regular committee consideration. The Commerce Committee has a long history of

advancing legislation to expand access to broadband services. Rushed legislative efforts that bypass the committees of jurisdiction and the subject matter expertise that they offer could lead to billions of dollars being spent with little to show.

I am appreciative of the efforts of the bipartisan negotiators who crafted this bill. I know they share my goal of targeting broadband resources to those most in need. I am very pleased that my Telecommunications Skilled Workforce Act amendment received a vote the other day and passed the Senate by an overwhelmingly bipartisan margin. This amendment would help ensure that we develop the workforce necessary to meet the demands of the next generation of mobile broadband internet, 5G.

But I hope—I hope—that we will also have a chance to vote on my other amendments—those I just mentioned—and amendments being offered by my colleagues. Infrastructure legislation is tremendously important to our economy, and we need to take the time to get this legislation right. And that means giving Senators, who are not part of the working group, adequate time to offer amendments and, hopefully, improve this product. We have made some progress on that front this week, and I hope to make more before finishing this bill.

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

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

MARK KELLY MAIDEN SPEECH

Mr. CARPER. Mr. President, I just want to say, earlier this week—I am almost at a loss for words. I know I normally am not standing where I normally stand.

Earlier this week, you gave your freshman year first speech—your first speech—and not everybody was able to hear it. A lot of people came up. Democrats and Republicans were here. I just want to say again how much I enjoyed it.

From an old Navy guy to a not-so-old Navy guy, we are very proud of your service in uniform and also proud of your service here. I am delighted that you are a member of our Environment and Public Works Committee. We have done some really good work on this issue. I thank you for your help and contribution.

DISPARITY STUDIES

Mr. CARPER. Mr. President, I have a couple of unanimous consent requests. I ask unanimous consent to have printed in the RECORD a list of studies presenting a strong basis of evidence for the conclusion that discrimination against minority- and women-owned businesses continues to affect the con-

struction, architecture, and engineering and related surface transportation contracting markets nationwide.

These disparity studies contain rigorous statistical analyses to determine whether business discrimination based on—whether it is based upon race or gender, continues to exist, and a review of these studies reveals that the answer, sadly, is a resounding yes, and, therefore, the current Disadvantaged Business Enterprise provisions are still warranted.

Mr. President, I ask unanimous consent to have printed in the RECORD those disparity studies.

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

STATE AND LOCAL DISPARITY STUDIES FROM 2015–2021

ALASKA

Alaska Department of Transportation & Public Facilities Disadvantaged Business Enterprise Study, Final Report & Final Appendices, Prepared by the Alaska Department of Transportation & Public Facilities Civil Rights Office (2020).

ARIZONA

Arizona Department of Transportation Disparity Study, Final Report, Prepared by Keen Independent Research (2020).

Arizona Department of Transportation Disparity Study Report, Prepared by Keen Independent Research (2015).

CALIFORNIA

Caltrans Disparity Study, Prepared by BBC Research and Consulting for Caltrans Department of Transportation (2016).

City of Oakland 2017 Race and Gender Disparity Study, Prepared by Mason Tillman Associates, Ltd. (2020).

LA Metro 2017 Disparity Study, Prepared by BBC Research & Consulting for the Los Angeles County Metropolitan Transportation Authority (2018).

San Francisco Bay Area Rapid Transit District Disparity Study Volumes 1–11, Prepared by Miller Consulting, Inc. (2017).

Disadvantaged Business Enterprise Availability, Utilization, and Disparity Study for the San Francisco Municipal Transportation Agency, Prepared by Rosales Business Partners LLC (2015).

COLORADO

City and County of Denver Disparity Study, Prepared by BBC Research & Consulting (2018).

Colorado Disparity Study, Final Report, Prepared by Keen Independent Research (2020).

CONNECTICUT

Connecticut Disparity Study: Phases 1–3, Prepared by The Connecticut Academy of Science and Engineering for the Connecticut General Assembly and the Government Administration and Elections Commission (2013, 2014, 2016).

DISTRICT OF COLUMBIA

District of Columbia Department of Small and Local Business Development Comparative Analysis: Minority and Women-Owned Business Assessment, Prepared by CRP, Inc (2019).

District of Columbia Department of Small and Local Business Development Disparity Report Framework and Recommendations, Prepared by CRP, Inc. (2019).

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VIRGINIA

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WASHINGTON

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WISCONSIN

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ELECTRIC SCHOOL BUSES

Mr. CARPER. Mr. President, I have a second unanimous consent request I want to mention, and that is a request to have printed in the RECORD letters of support for electric school buses.

I would ask unanimous consent to have printed in the RECORD two letters—one from three American school bus manufacturers, and another from 125 nonprofit foundations, businesses, health and scientific organizations, and advocacy groups—in support of investments in electric school buses in this bipartisan package.

Both letters highlight the fact that no other school bus technology manufactured today reduces more emissions than electric vehicle school buses; and both letters highlight that investments in electric school buses would drive the demand for new electric buses and promote cost parity between electric school buses and older technologies.

The message from these diverse groups to Congress is clear: Investing in electric school buses supports American workers and American manufacturers. Not only that, it cleans up our air, protects our kids and our planet on which we live.

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

JULY 27, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR MAJORITY LEADER SCHUMER AND MINORITY LEADER MCCONNELL: We are writing to urge funding for a transition to electric school buses as part of the bipartisan infrastructure package being developed on Capitol Hill.

Over the past 15 years much has been accomplished in reducing emissions from older school buses using the Diesel Emission Reduction Act of 2005. Newer buses are available with propane, CNG and electric powertrains which reduce emissions by as much as 100 percent compared with school buses manufactured prior to the enactment of DERA.

The focus of these programs has been in reducing emissions of priority pollutants like nitrogen oxides (NO_x) and particulate matter (PM) but today there is serious concern about carbon emissions. These have not been the focus of earlier programs. We believe the technology that provides the best opportunity to achieve both clean air and carbon reduction is electric vehicle technology. School buses are an ideal platform for electric drive because they have a duty cycle that is highly compatible with electrification, they start and end the day at the same location (simplifies charging infrastructure needs), and enjoy a design that allows for installation of large battery packs. They do not have range issues as they drive daily the same well-established routes that are well within the battery capacity available on the bus. Electric school buses have been in daily use since 2015, accumulating millions of miles. They are reliably and dependably deployed in school districts across the country and we as manufacturers and end users of them can affirm that we are ready to meet the increased demand. This technology is here and ready to go.

Electric school buses are being rapidly introduced but remain more expensive than even some of the other clean vehicle options. Manufacturers believe that a major Federal investment will assist in driving down the cost through economies of scale that result from high volume manufacture. Such an investment would make electric school buses cost competitive with other platforms in allowing greater adoption of a technology that achieves zero emissions of harmful pollutants and greenhouse gases.

In addition to the health and climate benefits for school children and their communities, it would also create many well-paying domestic jobs in engineering, manufacturing, and sales.

Accordingly, we believe that Congress should include substantial Federal funding for clean school buses and that not less than half of that funding should go exclusively to electric buses. We understand that some communities want to use older technologies. If Congress decides to make some portion of funding available for these older technologies, we strongly support making it available for electric buses as well and its related infrastructure to allow for the fastest possible deployment of zero emission vehicle technology.

Sincerely,

BLUE BIRD CORPORATION.
IC BUS, A NAVISTAR
COMPANY.
THOMAS BUILT BUSES.

JULY 27, 2021.

DEAR MAJORITY LEADER SCHUMER AND MINORITY LEADER MCCONNELL: We, the undersigned organizations, representing millions of members and companies, strongly support ensuring that the full \$7.5 billion in school bus funding goes towards school districts to purchase electric school buses and install the necessary charging infrastructure, as laid out in the memo by Brian Deese explaining the Bipartisan Infrastructure Framework. The 475,000 school buses that carry 25 million children to school every day are some of the oldest technology on the road. Due to their short routes, school buses are frequently on the road for 15–20 years. Diesel exhaust is a known carcinogen which directly and disproportionately impacts the kids and drivers of these buses. Reduced pollution from bus emissions has been shown to decrease incidences of asthma, bronchitis, and pneumonia and also decreases absenteeism. Eliminating emissions from buses should have even stronger effects.

Fortunately, electric school buses are available from several domestic manufacturers and are being integrated into school bus fleets across the country. The significant investment that the government is planning to make in school buses is critical and 100% of this funding should be spent to help school districts to acquire these zero emission technologies. We particularly support ensuring that communities most impacted by air pollution are prioritized in the application process.

We oppose any funding going to fossil fuel buses as these buses do not eliminate tailpipe pollution, CNG and propane buses are already cost competitive with diesel, and all new buses purchased today will be on the road for 15–20 years, thus ensuring long term dependence on fossil fuels. The news story that broke last night shows that the bipartisan group of Senators working on this legislation is planning to use half of the school bus money to buy new fossil fuel buses for school districts, which undermines our climate goals and doesn't support the growth of the domestic EV bus industry. As the climate crisis is worsening, and our kids are breathing polluted air, we need to rapidly transition to electric buses. The government's role is to help in that transition. Even allowing one third of these funds to purchase buses that run on CNG, propane, and biofuels (which are blended in small volumes into gasoline and diesel) would lock in up to 7.5 billion tons of greenhouse gas emissions, up to 88 billion pounds of carbon monoxide pollution, and up to 12.5 million pounds of NO_x, not to mention installing fueling infrastructure that will be stranded assets as these school districts move to electrification down the road.

Please ensure that all federal funding for school buses is for electric buses that will both mitigate climate change and reduce dangerous air pollution. We have an opportunity to invest in a domestic industry, promote more good-paying jobs, train more workers to be on the cutting edge of transportation technologies, and reduce asthma attacks and other respiratory ailments for our nation's school children. We sincerely hope that Congress seizes this chance to make a difference and puts \$7.5 billion into electric school buses.

Thank you,

Union of Concerned Scientists;
350Brooklyn; 350NYC.org; Acadia Center; Allergy & Asthma Network; Alliance for Clean Energy New York; Alliance of Nurses for Healthy Environments; American Council for an Energy-Efficient Economy (ACEEE); American Federation of Teachers; American Lung Association; American Thoracic Society; AMPLY Power; Association of Schools

and Programs of Public Health; Asthma & Allergy Foundation of America—Michigan Chapter; Azul.

Black Millennials 4 Flint; Boulder Valley School District—Safe Routes Unit; Bus-2-Grid Initiative; Cedar Lane Unitarian Universalist Church Environmental Justice Ministry; Center for Biological Diversity; Ceres; ChargePoint; Chesapeake Climate Action Network Action Fund; Children's Environmental Health Network; Chispa Arizona; CHISPA Florida; Chispa LCV; Chispa Maryland; Chispa Nevada; Clean Energy Action; Clean Energy Works; CleanAirNow; CLEER; Climate for Health, ecoAmerica; Climate Hawks Vote.

Climate Law & Policy Project; Climate Reality Project; Coltura; Detroiters Working for Environmental Justice; Dream Corps Green For All; Drive Electric RVA; Earth Ethics, Inc.; Earthjustice; EarthKind Energy Consulting; EcoMadres; Elders Climate Action; Elected Officials to Protect America; Electric Bus Newsletter; Electrification Coalition; Electrify America; Empower our Future—Colorado; Environment America; Environmental Defense Fund; Environmental Law & Policy Center; Evergreen Action.

EVgo; EVHybridNoire; Faith Alliance for Climate Solutions; Forth; Fresh Energy; Generation180; Georgia Interfaith Power and Light; GreenLatinos; H.A. DeHart & Son; Health Care Without Harm; Highland Electric Fleets; Hoosier Environmental Council; Illinois Environmental Council; Indivisible Howard County MD; Interfaith Power & Light; League of Conservation Voters (LCV).

Lewinsville Faith in Action; LION Electric; Long Island Progressive Coalition; Los Angeles County Electric Truck & Bus Coalition; Los Angeles IBEW 11 & National Electrical Contractors Ass.; Madison Area Bus Advocates; Maryland Legislative Coalition; Medical Society Consortium on Climate & Health; MI Air MI Health; MI Assoc for Pupil Transportation; Michigan Clinicians for Climate Action; Mobilify Southwestern Pennsylvania; Moms Clean Air Force; Mother's & Others For Clean Air; Mothers Out Front.

National Consumer Law Center; Natural Resources Defense Council; New Mexico Interfaith Power and Light; New Urban Mobility Alliance (NUMO); New York City Environmental Justice Alliance; New York Lawyers for the Public Interest; New York League of Conservation Voters; New York Public Interest Research Group; New Yorkers for Clean Power; O.U.R.S. (Organized Uplifting Resources & Strategies); Pacific Environment; Peoples Climate Movement—NY; Plug In America; Proterra; Raise Green.

Renew Puerto Rico; Respiratory Health Association; Rhombus Energy Solutions, Inc.; Rivian; RMI; Save the Sound; Sierra Club; Sierra Club DC Chapter; Southern Alliance for Clean Energy; Southern Environmental Law Center; Southwest Energy Efficiency Project; The Center for Transportation & the Environment (CTE).

The Greater Prince William Climate Action Network; The Mobility House; The Reno + Sparks Chamber of Commerce; Transportation for America; Tri-State Transportation Campaign; U.S. PIRG; Ulupono Initiative; United Methodist Women; United We Stand of New York; Virginia Conservation Network; Voices for Progress; Zero Emission Transportation Association.

ENVIRONMENT

Mr. CARPER. Mr. President, I would like to point out I like to work out. I showed up at Pensacola at the age of 21 right out of Ohio State, invited by the Navy as a midshipman. Before they put us in airplanes, as you may recall, they put us through some really rigorous

conditioning. So I worked out, like, 6, 7 days a week then, and I come pretty close to that today.

And a couple of days a week I like to run. I always like to run outside. And all this work we were doing this last week—we were doing a lot of work not only on the Senate floor, but behind the scenes on electric school buses, to make sure that we would be able to provide funding for a lot of them going forward.

And one morning, I went out running, and it was still almost dark, and I was almost run over by two electric buses, and I said: Don't worry, I am on your side. And I had a nice chat with a couple of drivers.

So I came here to present this message and these unanimous consent requests today.

I also wanted to say that we did get to work yesterday—Democrats and Republicans working together. A bunch of amendments were adopted; one or two not. But it was a good spirit last night, well into the night, and good work has been done and has continued in through the evening and again this morning on both sides of the aisle to find some additional compromises.

I am told that several amendments are ready to be brought to the floor. I would just say to my colleagues: Bring them. If you got something you think is ready for prime time, whether it is Democrat or Republican, and it is a combined bipartisan amendment, bring it. Let's hear about it. Let's have a chance to discuss it and to vote on it.

We could be up late into the night. We are going to be up really early in the morning. I think there is a 7 o'clock flight, maybe out of Andrews. At least we leave from here to Andrews to go catch a 7 o'clock flight to attend the memorial service for Senator Enzi in Wyoming tomorrow.

I think we would be smart not to stay up half the night, and do as much as we can this morning, and then—oh, it is noon, high noon. Get started now. I think we will be glad that we did.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SCHATZ). Without objection, it is so ordered.

REMEMBERING RICHARD TRUMKA

Mr. SCHUMER. Mr. President, I rise today with some sad, some horrible news about the passing of a great friend, Rich Trumka, who left us this morning.

The working people of America have lost a fierce warrior at a time when we needed him most. Just yesterday, Rich was lending his support to the striking miners in Alabama.

Following in his father's footsteps, he worked in the mines. He went to

Penn State, earned his law degree. He didn't practice. He didn't go to some fancy place. He went right to work for the United Mine Workers, which he lead for so many years, and then he became head—first, secretary-treasurer—of the AFL-CIO.

He had in his veins and every atom of his body the heart, the thoughts, the needs of the working people of America. He was them. Rich Trumka was the working people of America. He never had any airs. He never put it on, and he cared about his fellow workers so.

He was a great leader. He knew that the labor movement and working people had to expand and be diverse. One of his passions as a labor leader was immigration reform, which I talked to him about repeatedly because they were working people, too, no matter where they came from or what they looked like.

It is just horrible news. I will have more to say about it later, but I wanted to inform my colleagues that we have just lost a giant, and we need him so.

We will remember him forever, and his memory will, I know, importune all of us to do more, even more, for the working people of America, who Rich Trumka so dearly and deeply loved.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I just wanted to lend words and support to what Majority Leader SCHUMER just said about Rich Trumka.

I send my prayers and love to Barbara, his family, and everyone in the labor movement.

What a strong, vibrant, committed leader. We have worked together on so many different issues, and it was always about: Is this going to create good-paying jobs? Are workers going to be able to have their voice in the workplace? Is their standard of living going to increase? What are we doing for folks? Are we bringing jobs home? Are we creating jobs here? What are we doing for the backbone of our country, which are working men and women?

So I just want to indicate my profound sadness and shock and my love and support for all of those who I know are very sad and grieving at this moment.

Thank you.

The PRESIDING OFFICER. The Senator from Michigan.

H.R. 3684

Mr. PETERS. Mr. President, I rise today to highlight an important component of the bipartisan infrastructure legislation that we are now debating. This legislation includes new investments that will help communities in Michigan and across the country address the serious risk posed by severe flooding, shoreline erosion, and other natural disasters.

As a result of climate change, we are continuing to experience an increase in the frequency and intensity of severe

weather events. In June, Southeast Michigan faced yet another severe flooding event that, tragically, led to two deaths, damaged small businesses and thousands of homes, and devastated families.

The Federal Government has spent many billions of dollars to help respond to and recover from disasters. However, until very recently, we chronically underinvested in mitigating the effects of disasters before they occur, despite the fact that it protects lives, safeguards property, and saves taxpayer dollars. In fact, studies show that every dollar invested in hazard mitigation or prevention saves as much as \$6 for the taxpayers.

This package provides critical investments to a number of mitigation programs, but I want to highlight just one in particular, the STORM Act. Last year, I authored bipartisan legislation to create a new revolving loan program to be overseen by the Federal Emergency Management Agency, or FEMA. In January of this year, that bill was signed into law, establishing a new program to help our communities tackle this rising threat.

As the Senate crafted this important bipartisan infrastructure package over the past few weeks, I was able to work with my colleagues to secure \$500 million in initial funding for this program, the first Federal investment that will kick-start loans for communities all across our country to begin addressing this serious problem.

With this downpayment, States will receive funding to create revolving loan funds to support local government investments in hazard mitigation projects that will help reduce natural disaster risk. The low-interest loans provided by this program will offer critical resources to cash-strapped local communities. Over time, repayment of those loans at an extremely low interest rate will provide States with a self-sustaining fund that they can use to continue improving resilience in other localities.

Because the revolving loan funds are managed at the State level, each State will have the authority to prioritize funding for the projects with the greatest need, rather than having the Federal Government make those decisions. This flexibility will allow States to focus on protecting vulnerable communities that are particularly hard hit by extreme weather events.

Additionally, unlike other mitigation programs, the STORM Act is the first program to allow States to invest in projects to mitigate shoreline erosion, rising water levels, and severe rainfall that can wreak havoc on public and private property alike. This is especially important for my home State of Michigan, where Great Lakes communities have endured flooded campgrounds, streets, and basements because of storm water drainage issues; boating problems due to submerged structures; and the destruction of beaches and homes from high water levels.

Funding for the STORM Act, along with other mitigation funds provided in this legislation, will help transform our country into a more resilient nation and save us money in the long run. I urge my colleagues to join me in supporting this critical investment in mitigation and enacting the bipartisan Infrastructure Investment and Jobs Act.

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

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

SURVIVORS' BILL OF RIGHTS ACT

Mr. GRASSLEY. Mr. President, I am reintroducing the Survivors' Bill of Rights in the States Act of 2021. This measure, which Senator SHAHEEN has joined me in sponsoring, builds on an initiative on which the two of us worked together in 2016.

Entitled the "Survivors' Bill of Rights Act," that earlier legislation cleared the Senate Judiciary Committee in June of 2016, during my tenure as its chairman. The House of Representatives introduced a similar package of rights some months later, and that version was enacted in the fall of 2016 with my strong support.

The 2016 statute provides very important rights for victims of sexual violence, but that act only accomplishes those cases that are Federal. Such rights include, for example, the right to know the results of your forensic exam, the right to have evidence preserved for a certain period, and lastly, the right to notice before your forensic kit is destroyed.

A young sexual assault survivor, Amanda Nguyen, who advocated for these rights at the Federal level, now is leading the effort to persuade other jurisdictions to adopt the same rights for all sexual assault victims. One of those jurisdictions is my home State of Iowa, which this summer adopted a package of rights that is closely modeled after the Federal Survivors' Bill of Rights.

I want to take the opportunity to again thank Amanda, who arrived in my office 6 years ago and convinced me of the importance of working with her on this important initiative. Amanda also later testified before the Judiciary Committee, not once but twice, at my invitation, about the importance of protecting the rights of victims of sexual violence in our criminal justice system.

Amanda worked with Senator SHAHEEN on this same legislation, as well as this Senator, and I am pleased to partner with Senator SHAHEEN again in introducing today's measure that will hopefully affect more States adopting this legislation.

This bill that we sponsored, then, gives each State a financial incentive

to adopt new rights for survivors in all sex crime cases, modeled on the same rights that victims in Federal cases now enjoy. Each State that extends these same rights to survivors of sexual violence would then be eligible to receive a Federal grant under the legislation that we have introduced. The amount of each State grant would be calculated based on the formula that is used to calculate STOP grant funding to States under a program that is authorized by the Violence Against Women Act.

Finally, this measure that we have introduced would authorize \$20 million annually for each of the next 5 fiscal years to support the implementation of the new grant program established by this bill.

Once again, I want to thank Senator SHAHEEN for joining me in leading this legislation and for her commitment to working to increase protections for victims of sexual violence.

I also want to thank the National Alliance to End Sexual Violence for working with us on the bill's development.

Finally, I thank Congresswoman JACKIE SPEIER and Congressman KELLY ARMSTRONG for initiating this measure in the other Chamber.

I urge my colleagues to join us in co-sponsoring this bipartisan, bicameral legislation.

I yield the floor.

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

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

The Senator from Indiana.

THE ECONOMY

Mr. YOUNG. Mr. President, when I first ran for Congress in 2010, then-Vice President Biden was on a "recovery summer" tour. You see, on the heels of a trillion-dollar stimulus package, he argued millions of jobs would magically appear.

Happy days are here again.

When that summer ended, the unemployment rate was 9.4 percent, and 280,000 jobs vanished. If ever there was a show that did not deserve a sequel, this was it. But that is exactly what the American people are living through right now.

When they passed their \$1.9 trillion "son of stimulus" package earlier this year, the President and his friends in Congress promised millions of jobs and another summer of recovery. Like the original, this sequel is a flop. That is because, once again, our friends across the aisle are confusing taxpayer priorities with a liberal wish list.

I see at home the cost of living is rising for Hoosier families and job creators. You take a trip to my hometown grocery in Greenwood, IN, the cost of steak and chicken and bread have all

increased. Across the board, the cost of putting food on the table has gone up over 5 percent since last year.

It is not just groceries. The cost of gas and energy and housing and household goods are at historic highs, all while America endures a nationwide crime wave and our borders are overrun.

Now, I know my Democratic colleagues don't want to use the I-word, but let's call it what it is: Inflation. Taxation without legislation. And inflation is at its highest level since 2008.

We know they want to raise taxes on Americans, including those in the middle class, but this is probably not what Democrats had in mind.

But the President, evidently, he is not worried. He says the rising cost of living is only temporary. It is transitory.

Look, this is easy for him to say. His pocketbook isn't impacted by inflation. He isn't buying groceries at the local grocery store or a new fridge for the White House. He is not gassing up the Presidential limousine. Maybe that explains why he is urging Congress to spend another \$3.5 trillion taxpayer dollars—\$10 billion here for environmental justice, \$174 billion there for electric cars, a massive expansion of Medicare and Medicaid, and trillions more in taxes on American families as we emerge from a global pandemic.

Trust me, I can tell you, Hoosiers don't want any of that, nor do the majority of the American people: no more trillion-dollar tax-and-spend rescue plans. They aren't rescuing Americans; they are raising their cost of living.

Don't take it from me. Take it from Larry Summers, President Obama's economic adviser. He is warning President Biden about inflation—has been for a number of months. In fact, he described recent fiscal macroeconomic policy, including the last round of nearly \$2 trillion in stimulus as "the least responsible fiscal macroeconomic policy we've had in the last 40 years." With friends like these—but, you know, he speaks the truth.

I wish the President would listen to Secretary Summers. He certainly won't listen to us. We are not arguing for inaction, though. In fact, we are willing to collaborate. We know there is need for targeted and responsible government spending tied to actual results on core infrastructure, on workforce training, on cutting-edge technology.

We just believe that every taxpayer dollar is a sacred trust, and we should treat it accordingly. If we are going to invest it, the American people better see returns. What they are seeing in the Democrats' \$3.5 trillion budget proposal is a rerun of a failed trillion-dollar tax-and-spend spectacle from just a decade ago.

Now, the final act of that show, by the way, was not recovery. It was the American people handing control of the House of Representatives over to the Republican Party. The President

should keep that in mind. The President should keep that in mind.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

REMEMBERING RICHARD TRUMKA

Mr. BROWN. Mr. President, I rise with—I don't know if I ever actually said this on the Senate floor—I rise with a heavy heart because of the death earlier today of a longtime friend, Rich Trumka, who was the longtime President of the National AFL-CIO.

I call him a friend because my wife Connie—who is in the Gallery with our grandson Clayton. My wife Connie and I have walked picket lines with Rich Trumka, done rallies with Rich Trumka, and spoken on behalf of workers with Rich Trumka.

He was a son of our part of the country—Pennsylvania, West Virginia, Ohio. He was a coal miner, not just the son of a coal miner. I believe he once told me he was the grandson of a coal miner, but he was a coal miner early in life.

He embodied the soul of the labor movement. He understood workers. He was for them and of them in ways that are unusual in America in the 21st century.

He understood and lived and fought for the dignity of work, the idea that hard work should pay off for everyone. He understood what a woman from southern West Virginia said to me some weeks ago at a "Dignity of Work" hearing in the Banking, Housing, and Urban Affairs Committee that I chair. She said the words "working" and "poor" should not be in the same sentence. Think about that. The words "working" and "poor" should not be in the same sentence.

Rich Trumka understood the dignity of work. When you work hard—whether you punch a clock or swipe a badge or work for salary or work for tips or take care of children or grandchildren or children or grandparents—that hard work should be rewarded; that no one who works hard should not have a decent standard of living.

Few in this country have done more for workers than Rich. Giving workers a voice has been his life's work. From his days in the mine, when he was an outspoken advocate for trade unionism, he understood it was unions; that carrying a union card was about empowering workers. If you join a union; you make better wages; you get better benefits; you get health insurance; you have more power over your schedule. You have a safety net often when tragedy strikes. Rich understood that. He understood that unions helped build careers and provide for families.

Our hearts are with Barbara, his wife, and their son and with all the workers around the country. I can't even imagine how many workers Rich Trumka touched.

I looked at the impact of just the work he did with me, let alone with so many in this body; the work he did

fighting for pensions, and with his support—leading the charge, really—a million families in the United States—more than a million families—had their pensions restored back in March when we passed the American Rescue Plan.

He understood the importance of the child tax credit. He understood the importance of the Affordable Care Act. He understood the importance of protecting the right to organize, which 47 Senate Democrats are cosponsors of. He was even, yesterday, on a call with workers in Alabama, helping to encourage them to organize. He knew that his job as a labor leader was to represent the hundreds and hundreds and hundreds of thousands of members and their families but to always try to recruit new people to join the labor movement, and he knew that it was an uphill fight because of the way the system is rigged toward corporations and toward employers.

He would say, if he were here, how important it is to carry on with or without him, carry on his life's work by standing in solidarity with all the men and women of the labor movement, who built the strongest middle class the world has ever seen.

We see that middle class shrinking day by day, slowly shrinking, and the reason is because we see the number of union members shrinking. He knew the way to turn that around was the Protecting the Right to Organize Act. He knew the way to turn that around was to get more people organized, to give them the option.

Half of America would like to join a union, surveys say—at least half—if they had the opportunity. Most don't because of the outmoded, outdated, rigged-against-them labor laws in this country, but Rich understood that. He understood people staying in the middle class. The union card helped people join the middle class, expand the middle class.

Also, one other point is, I thought of what Rich Trumka did. One of the things I worked most of my career on is a better fair trade policy. I voted against every single trade agreement that came in front of me until 2 years ago, and that is because Rich Trumka played a major role in changing NAFTA, in changing the USMCA, the United States-Mexico-Canada Agreement, and put in language that Senator WYDEN and I worked on that will put workers at the center.

The way that Rich Trumka understood government is, if you put workers at the center of our policy—workers at the center of our trade policy, workers at the center of our tax policy, workers at the center of everything we do here; call it dignity of work; call it putting workers at the center—if you do that, everything right will flow from there. We will have a more just society. We will have a more prosperous society. We will have more opportunity for our children. That is what Rich Trumka was. That is what

he stood for. That is what he was all about. That is the fight that we need to carry on on his behalf and in his memory.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Nevada.

Ms. ROSEN. Mr. President, before I begin, I want to take a moment to acknowledge the passing of Richard Trumka, just as my colleagues have been speaking of him so wonderfully.

You know, during his time leading the AFL-CIO, he was a tireless defender of workers and the rights of working Americans all across our country. He recognized the capability of what Americans—of what they could achieve by working together. He fought fiercely to help build something better for our country and for our country's workforce.

My thoughts are with his family and his loved ones.

H.R. 3684

Mr. President, let us all take inspiration and lessons from the trail that he blazed, which is why I rise today to discuss a bill that would also help to build something better for our country as well as our country's workers: the Infrastructure Investment and Jobs Act.

This bipartisan bill is an opportunity for the U.S. Senate to make a major investment in our communities, in our States, in our country. The goal of the G-22 bipartisan working group, which I was proud to join earlier this year, has been to develop bold, comprehensive legislation that will make a real, meaningful difference in people's lives, and now—now—we are close to seeing that goal achieved.

This bill has been years in the making. During my time in Congress, we have gone from one infrastructure week to the next with never much to show for it until now.

It is not hyperbole to say that our bipartisan bill will be the most significant investment in American infrastructure since we built the Interstate Highway System. I know that for my State, for Nevada, these investments—well, they are going to make a real difference because this bill takes steps to support our traditional infrastructure: our roads, our bridges, our rail, our transit.

You know, in Nevada, there are over 1,000 miles of highway in our State that are in need of repair and well over two dozen of Nevada's bridges that need to be restored. We have all experienced driving on cracked roads and broken-down bridges. We know the toll it takes. And this degradation—it poses serious safety concerns. It increases commute times. It costs Nevada drivers hundreds each year in costs, maybe thousands, due to poor conditions. And now, right now, we have an opportunity to make critical upgrades and repairs both for those who call the Silver State home and for the millions—millions—of travelers that visit us from far and wide.

Our bill would also provide funding to expand our roads, bridges, and highways in Nevada and across the whole country, from the Presiding Officer's State of Maine all the way down to us in Southern Nevada.

As a member of the group who negotiated this bipartisan legislation, I am proud that our bill provides flexible funding to States and communities to address their unique challenges. In Nevada, that means meeting the needs of a growing population and making our State accessible to visitors who contribute to our economy and support our job-creating businesses. The Infrastructure Investment and Jobs Act—well, it meets that need by providing growing Western States like mine, Nevada, critical funding for surface transportation investments.

The bill would also make significant investments in accessible public transport and rail systems to ease travel for people in our cities and to connect our rural and suburban communities to our urban cores.

Through the bill's investment in western water systems, we can transport water across communities to better meet needs swiftly and develop important water recycling and reuse projects that will go a long way to providing greater access to water—something especially needed in my State and so many others as we deal with the current historic drought conditions.

But beyond traditional infrastructure investments, this bill is also forward-thinking in its scope and in its intent. The Infrastructure Investment and Jobs Act—well, it just doesn't invest in solutions to our current problems; it will help invest in the success of our Nation's future and our ability to overcome emerging problems through energy and cyber security infrastructure, like my Cyber Sense Act, bipartisan legislation that is included in this legislation to ensure the cyber security of technologies used in our bulk power system.

You know, in addressing these emerging challenges, it took hard work, and it took compromise—exactly what our constituents expect of us but which Congress far too often fails to deliver.

Many of you know that the process of bringing this bill together involved numerous meetings, long hours, and many discussions across party lines on all the issues involved. I was proud to take part in helping put this bill together because I wanted to be the voice at the table for Nevadans, that voice at the negotiating table that they need me to be, and I wanted to make sure that we addressed the issues important to our State. I am here to say that this bill does just that.

This bill includes investments that will uniquely benefit Nevada now and for years to come by increasing access to broadband, by upgrading our State's airports—two sections of the legislation that I took a leading role in drafting.

I don't have to tell anyone, but fast, reliable access to the internet—it is critical for all of our daily lives, and it has been for decades. The pandemic—well, it only put a spotlight on our current digital divide and the challenges that far too many Americans face getting connected.

During COVID-19, many Nevadans went online, well, to conduct business, to seek medical care, or pursue education, but our State's broadband disparity limits many Nevadans, from rural and Tribal communities to our underserved areas and our large cities, from using or even having the most basic of internet services.

The Infrastructure Investment and Jobs Act is going to bring broadband to communities that have long gone without access. It makes an unprecedented investment in building out broadband infrastructure. Never before has Congress taken such a bold step to get all Americans connected. Our bill includes over \$42 billion for State broadband deployment grants to connect unserved and underserved communities to high-speed internet.

Finally, we will tackle the “last mile” challenges that have plagued so many of our communities for years. This bipartisan legislation also includes my Middle Mile Broadband Deployment Act, which I drafted to fund critical broadband infrastructure that connects internet carriers to local networks and community institutions that will serve as a launching-off point and connector for getting broadband out to all households in their areas. It would also make the cost of broadband more affordable to Nevada families, providing low-income households support to help pay for this service via the new infrastructure that we are building.

Initial estimates are that our bipartisan legislation will make broadband access accessible to more than 120,000 Nevadans who currently lack it, and it will provide subsidies to about a quarter of our State's residents most in need so that they can afford it. Through this bill, we are taking steps to get Nevadans connected for success in the 21st century and beyond.

The Infrastructure Investment and Jobs Act—well, it is also going to help support a key industry in the Silver State: travel and tourism. It does so by providing much needed funding for airports to expand and upgrade their terminals and facilities. As we prepare for a postpandemic world, these critical investments will allow us to bring in travelers and tourists in even greater numbers. As they come, these visitors will support our State's local businesses; they will boost our communities and our economy.

As chair of the Senate Subcommittee on Tourism, Trade, and Export Promotion, I made it my priority to fight for Nevada's travel, tourism, and hospitality economy as a member of the G-22, and I will continue to do so.

In addition to securing robust funding for our airports, I am also proud

that this legislation includes my bipartisan TOURISM Act, which requires the Department of Transportation to update its national travel and tourism infrastructure strategic plan to develop an immediate-term and long-term strategy to use the infrastructure investments that we make today—that we are going to make, this week, possible—to revive the travel and tourism not just in Nevada but, of course, all across this Nation as we come out of a deadly pandemic.

Through the investments provided in this bill, Nevada's travel and tourism industry and hopefully all of our tourism can soar once more. To make all of these things happen, this bill, our bill, invests in creating jobs, jobs that will help repair and strengthen our infrastructure and jobs that will build our country's new foundation.

With the Infrastructure Investment and Jobs Act, we can rebuild; we can revamp; we can work through all of our infrastructure. Through that, we will create good-paying jobs, and we will improve the lives of hard-working families and communities all across this country.

I urge all of my colleagues to choose to make this investment with us. Join us, please, in investing in our families and investing in our communities and investing in our States and in our country's future.

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

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

CLEAN SCHOOL BUS PROGRAM

Mr. CARPER. Mr. President, for almost two decades, I have worked on policies to clean up dirty diesel engines, especially our Nation's schoolbuses.

And our Presiding Officer—as am I, a recovering Governor—has thought a lot over the years about schools and education and more than a little bit about schoolbuses and how to get kids where they need to go to get educated.

During a normal school year, I am told that more than 25 million American children—more than 25 million American children—ride a schoolbus every day—at least every schoolday to school.

Ninety-five percent of these buses are powered by diesel fuel; and the majority are old, dirty engines that pollute the air, in many cases make our kids sick, and impact our climate.

When we clean up schoolbuses, it is a win-win situation. Our kids get healthier air to breathe, our businesses get the message that it is time to invest right here in America on the latest and cleanest technologies, and we add to our toolbox for tackling the challenge of climate change.

Electric schoolbuses make this win-win possible. Schoolbuses have a set

route and can be predictably recharged. Schoolbuses, unlike other heavy-duty vehicles, do not often travel more than 150 miles a day and, therefore, do not have the range issues with current battery technology.

However, electric schoolbuses today are expensive compared to diesel buses; and, too often, buying an electric schoolbus is hard for schools that are already strapped for cash, especially schools that serve low-income and minority populations.

The EPA Diesel Emission Reduction Act, known as DERA—the original co-sponsors of whom were George Voinovich of Ohio and yours truly—helps schools replace dirty diesel engines with all types of technologies, including electric vehicles.

With the death of George Voinovich, gosh, close to a decade ago, JIM INHOFE, a colleague from Oklahoma, has taken up the torch from our good friend George to champion through the Diesel Emission Reduction Act, the focus of replacing dirty diesel engines, including for schoolbuses.

However, the DERA program is woefully underfunded and is not structured specifically to meet school needs. DERA also does not prioritize low-income schools, nor provide funds specifically for electric schoolbuses.

With a new EPA Clean School Bus program, we can build on the lessons learned from the Diesel Emissions Reduction Act and help make it easier for schools to buy zero-emitting schoolbuses and other schoolbuses to meet emission standards.

Through this new Clean School Bus program, we also will use the Federal purchasing power to increase the demand for electric schoolbuses, buses that are manufactured here in America in places, among others, like Georgia, which, in turn, will bring down the overall cost of schoolbuses for everybody.

Here is what the clean schoolbus language in this legislation does. The Clean School Bus program amends the EPA Clean School Bus program that was originally authorized in the Energy Policy Act of 2005, but never funded by Congress or implemented by EPA 16 years ago. EPA is authorized to create a national program to fund the replacement of existing schoolbuses with zero-emitting schoolbuses and other clean schoolbuses through grants and rebates.

The Clean School Bus program places a priority on schools that serve low-income students, are on Tribal lands, or are located in rural areas, and the program can fund up to 100 percent of the cost of a new schoolbus.

The legislation provides \$5 billion in funding for this new Clean School Bus program over 5 years, with \$2.5 billion allocated exclusively for zero-emission schoolbuses. The remaining \$2.5 billion can be used on buses that run on liquefied natural gas, compressed natural gas, on hydrogen, propane, or biofuels, and can be used for zero-emission schoolbuses.

My Environment and Public Works Committee staff and I, along with the administration, worked hard to make sure that zero-emitting schoolbuses had dedicated funding in this program and would be eligible for all program funding. This agreement does just that.

I expect EPA to work to implement this program in a way that focuses on pushing zero-emission technology out into the market. Technology that uses fossil fuels is readily available and economic today and should not be broadly subsidized by taxpayer dollars.

My hope is that this is just a down payment, and that Congress will invest in the future even more in zero-emitting schoolbuses. Our kids and our climate can't wait. They deserve it, and we need to deliver it to them.

With that, I yield the floor to the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

CLIMATE CHANGE

Mr. GRASSLEY. Mr. President, on January 27 of this year, the Biden administration put out a wide-ranging Executive order on tackling climate change. Tucked in that Executive order was a line directing Secretaries of Agriculture, the Interior, and Commerce to develop a plan to conserve at least 30 percent of our lands and waters by 2030. This plan is commonly referred to as the “30 by 30.”

To reach the Biden administration's goal of 30 percent of the land in conservation by 2030, the Federal Government will have significant work ahead of them to accomplish that.

This is what 30 percent means. Thirty percent of the land would mean that we will need 440 million additional acres in permanent conservation.

To put 440 million acres of land into perspective, it is the equivalent of taking the State of Iowa and putting all of Iowa's land into permanent conservation. But that is still not enough to get to 440 million acres. You would repeat that 11 more times to reach the Biden administration's goal of 30 percent of the land in conservation by 2030.

This is not really an attempt at conservation; it is an attempt at confiscation, even though the confiscation would be rewarded, presumably, by annual payments from the Federal Government. Between the 30 by 30 land grab and the Waters of the U.S. rewrite, it is clear that this administration simply does not understand rural America. If they did understand, then they would realize that farmers are the first and best conservationists because it is good for their pocketbook and good for the environment.

If the United States decides to go forward with the 30 by 30 plan, we already know what will happen. This rhetoric empowers our Nation's corn and soybean competitors to increase their output.

Now, Brazil is the best example of our corn and soybean competitors, so let's look at Brazil. This week, the Brazilian House of Representatives ad-

vanced a bill that their President, President Bolsonaro, supports, that allows the squatters on public lands in the Amazon rainforest to more easily receive deeds to their properties. Now, there is nothing wrong with deeds to property, but what this is going to do is allow squatters to burn the forest to plant corn and soybeans.

Let me tell you how significant this burning is, and this was a few years ago that I read this. I read something from the astronauts in our space station circling the globe. They said there were two significant things that stand out on the Earth's surface when you look down: No. 1 is the Great Wall of China, and No. 2 is the smoke coming from the burning of the rainforest.

Now, Brazil has already plowed under more than half of the Cerrado, which is tropical savanna. The Cerrado is a vital storehouse for carbon dioxide that has been disappearing at rates faster than even the Amazon rainforest.

If we tie the hands of American farmers, our competitors, like the ones in Brazil, will continue to meet the needs of a growing, hungry world. By 2050, the world population will grow to 9 billion people, and we are going to have to feed them.

I don't think the United States should cede our leadership in production agriculture to other countries that already have poor environmental standards. So what you are saying is, in this Cerrado, where the carbon is already sequestered for millennia, that somehow we ought to have a policy here to store more carbon by more conservation to let them plow up more in Brazil.

The 5-year farm bill already does a great job of encouraging farmers and landowners to preserve fragile lands, enhancing environmental benefits for all Americans. These farm bill provisions are referred to as “working lands programs”—programs like the Environmental Quality Incentives Program that goes by the acronym EQIP, or the Conservation Stewardship Program we call CSP. These programs provide incentives to help producers adopt management practices on their ground that allows the land to stay in production while improving environmental outcomes.

If the Biden administration focuses on these longtime conservation programs, my speech today would be praising those efforts; but, instead, this administration has proposals that take productive farmland out of production, placing the U.S. at a competitive disadvantage.

We have learned from the Conservation Reserve Program—the CRP we call it in agriculture—the CRP program we have had around for decades. About 24 million acres is in CRP now. But we learned a lesson from the early days of CRP that if you take too much land out of production in a certain area, it hurts the small business people who either serve farmers after the products leave their farm or serve farmers with input into agriculture.

So later on, we had to put a requirement that no more than 25 percent of one county can be put into the CRP. Even in doing that—we have counties in southern Iowa that have 25 percent of their land in CRP—and we know even there that with the limit of 25 percent, we still have lost a lot of small business people who work with farmers, and we ruin the small communities of States that have that problem.

So I would be praising these efforts if this is what the administration was satisfied with, but, instead, they have these proposals to take productive farmland out of production and putting our competitors in a financial advantage.

These ideas also make it harder for new and beginning farmers to compete on rental rates and gain access to land—another lesson we learned in the years '13, '14, and '15. We changed it in the 2018 farm bill, but what we learned in '13, '14, and '15, is when the Government is paying more for farmers to take their land out of production than is the going rate for cash rent in those areas, when the government becomes an unfair competitor and pays more, then the farmer landlords put their land in the CRP. Then those farmers that were farming that land can't farm it anymore because they can't afford to compete with what the Government is paying.

Now, there is a limit that cash rent from the Government can't be more than 80 percent of the average cash rent in a particular county. So we have kind of overcome that problem. But if you pay farmers now to put 30 percent of the land out of production, you are going to lose a lot of farmers that are cash renters, and we shouldn't be having the Government be an unfair competitor against the farmers that pay cash rent.

So these farmers understand how conservation and sustainable agriculture affects productivity and generational prosperity. It is important for us to leave the land better than we found it for our children and grandchildren.

So far the Biden administration has said their 30 by 30 plan focuses on voluntary measures. Well, farmers can make a choice to do it or not, but to get to 440 million additional acres in conservation, you would be foolish to think that voluntary measures are going to get to the goal this administration wants.

Instead of focusing on taking more land out of production agriculture, let's work on a strategy that allows farmers to continue to farm their land while improving environmental outcomes.

I yield the floor.

REMEMBERING RICHARD TRUMKA

Mr. VAN HOLLEN. Mr. President, I came to the floor today to make remarks in support of the bipartisan infrastructure modernization plan. But before I do that, I do want to take a

moment to remember a real giant of the American working people, and that is Richard Trumka, the head of the AFL-CIO, who is somebody who got up every single morning thinking about how to make life better for working people in America.

He was passionate about it. He was a fellow Marylander. We are going to miss him, but I know that we will continue to be inspired by his example and his understanding that when working people ban together to form a union, that is the best way for them to be able to bargain for better wages and better benefits and a better retirement and a better life.

So I know that we will all carry on in his memory. And as we take up this bill to modernize our infrastructure, it was something that he worked with us on to ensure that as we modernize our infrastructure, we also create good-paying jobs. And I do think that this bill will modernize our infrastructure and generate millions of good-paying jobs for the American people.

INFRASTRUCTURE

Mr. President, it was just about 6 months ago that I came to the floor to urge my Senate colleagues to heed the call of the American people and pass the American Rescue Plan. At that time, the country was being ravaged by the COVID-19 pandemic. The economy was in a slump. The country was hurting, and the American people were hurting.

The American Rescue Plan was designed to accelerate the deployment of vaccines to defeat the pandemic, to extend a hand to those who have been hardest hit, and to boost an economic comeback. We knew we had to be bold, we had to be quick, and we had to be decisive in our actions or risk a drawn out recovery and a weakened public health response.

That legislation, the American Rescue Plan, promised immediate action to meet the urgency of the moment, and that is exactly what it did. Thanks to the American Rescue Plan, we jump-started the deployment of the coronavirus vaccines in faster and fairer ways, distributed around the country. Thanks to the American Rescue Plan, millions of American households received a new round of direct payments, bringing their total relief payment—including the December relief bill—up to \$2,000 per person.

The American Rescue Plan also expanded the child tax credit to cut child poverty nearly in half this year, with millions of American families receiving up to \$300 each month for each child. And because of the American Rescue Plan, State and local governments are receiving the direct funding they need to keep frontline workers on the job and continue essential benefits to lift up our communities.

And thanks to the American Rescue Plan, we secured Federal funds to keep restaurants and small businesses afloat, assist children with disabilities, get our kids back in school more quick-

ly and more safely, bolster childcare, and help more people get connected to the internet during this time when we had to experience so much social distancing, and much more.

That plan was a victory. It was a victory for our families, for our workers, for small businesses, for communities, and for the country. And while we know we have more work to do to defeat the Delta variant of the virus, today, more than 70 percent of the adult population has gotten at least one shot of the COVID-19 vaccine. And last quarter, our economy grew at an annualized rate of 6½ percent, and our gross domestic product rose for the first time from the beginning of the pandemic to the point where it had been before that started.

Thanks to the American Rescue Plan and the resilience of the American people, we are building back from this crisis. But while building back is good, it is not good enough. As President Biden has said, we need to not just build back but build back better. And building back better means not only growing our economy bigger and faster but providing for more inclusive growth and more shared prosperity. We cannot accept an economy where the already-rich grow ever richer while everyone else is running in place or falling behind. A rising tide must lift all boats, not just the yachts.

President Biden has laid out two important pieces to advance the better part of the Build Back Better agenda. One is the American Jobs Plan, and the other is the American Families Plan. Both of these plans, and more, are key to building an economy that works for everyone and not just those who are already at the top.

The bipartisan infrastructure plan that we are considering now contains many elements of the Biden American Jobs Plan. And while I wish it included even more, it is a very important start, and I strongly support it.

And I appreciate the bipartisan cooperation that helped advance this plan, including the efforts of the Presiding Officer. These combined efforts have produced a plan that will make key investments in virtually every part of our infrastructure.

It will include investments in our transit systems and railways and help repair our roads and bridges and tunnels and more. It makes the largest investment in clean drinking water and wastewater infrastructure in American history. And, very importantly, this legislation includes essential investments to build the backbone of the modern 21st century economy, including funds to expand broadband so we can bridge the digital divide and funds to start building out our clean energy grid and the deployment of electric charging stations.

I was proud to work with my colleague and friend from Maryland, Senator CARDIN, to secure some key elements that will directly support our home State of Maryland and the people

who live there. I would like to take a moment to discuss the impact of this legislation here in Maryland, starting with the funds that it provides to repair and restore our roads, our bridges, and our tunnels.

Under this plan, the State of Maryland will receive \$4.1 billion for Federal highways and \$409 million for bridge replacement and repairs over the next 5 years. These funds will be absolutely vital as we work to restore 273 bridges and over 2,000 miles of Maryland highways that are in poor condition and in desperate need of repair.

This plan also makes a historic investment in public transit and rail systems in Maryland and the DMV area. Maryland will receive \$1.7 billion over 5 years to improve public transportation options across our entire State.

And this legislation will make an important down payment on our Amtrak passenger rail systems by addressing the big repair backlog along Amtrak's Northeast Corridor and by supporting projects like the B&P Tunnel in Baltimore, which is used by 9 million travelers every year but has faced challenges of structural deterioration and fire safety concerns for far too long. Restoring this tunnel could slash the time it takes to get from Baltimore to Washington down to just 30 minutes and create 30,000 jobs. And it is a shining example of the type of projects that could be funded by this bill and we expect will be funded by this bill.

As you know, we are not just talking about heavy rail. This plan also authorizes transit monies and, importantly, it continues the \$150 million annual Federal contribution to the Washington area Metro system, known as WMATA. We call it the Nation's Metro system.

This bill will extend the Federal authorization of \$150 million for another 8 years. This is especially important since that authorization has now expired. It is also important because this new version includes provisions to strengthen WMATA's inspector general's authority in order to improve oversight and passenger safety. It is a big win for passengers and transit employees alike, and I am delighted to see that 8-year authorization in this bill.

That is good news for this part of the region and for this part of Maryland that is covered by WMATA, but in the Baltimore area, many residents don't have easy access to accessible, affordable transit that can get them where they need to go around the city or the region when they need to go there. That is why we also secured a provision in this bill to keep alive future Federal funding for the Baltimore Red Line Metro system.

This is a project that had been years in the making, and, if completed, would boost jobs and economic growth, reduce travel times in the Baltimore region, alleviate congestion, and reduce air pollution. The Maryland delegation fought for years to get this project to the front of the line, and, in

2015, we were pleased to secure \$900 million in Federal funds for the Baltimore Red Line project.

But then something happened. The Maryland Governor pulled the plug on the entire Red Line project, turning down the jobs and improved transportation network for the Baltimore area. Other cities and regions around the country were celebrating when they got those funds instead of Baltimore. Senator CARDIN and I have not given up. And while the Federal Government cannot, by itself, bring this project online, this bill states that the Federal Government is still a willing partner on the Red Line when State and local officials signal that they are ready and willing to move forward again.

At the end of the day, the transportation investments made in this bill will facilitate people and products moving more quickly throughout their regions and throughout the country. It invests in airports and ports, including \$17 billion in ports like the Port of Baltimore and others around the country.

This funding will benefit our port, the Port of Baltimore, which is a key asset in our State and a powerful engine for economic and job growth. It is currently a hub for 15,000 jobs, with room for growth that can be fueled by this bill.

I was pleased to join others in welcoming our Secretary of Transportation, Pete Buttigieg, to Baltimore just last week where he underscored the Department's commitment to investing in our ports and the men and women who work there. This legislation helps us make good on that commitment.

I partnered with colleagues over the years to secure over \$500 million in Federal funds for that port, including funds to dredge channels in the Chesapeake Bay and the Baltimore Harbor so that they are deep enough to accommodate the biggest ships.

Speaking of the Chesapeake Bay, every Marylander knows that the health of the bay is deeply bound to Maryland's local economy and Maryland's environmental well-being, and I am pleased that we secured \$238 million in funding for the EPA Chesapeake Bay Program to help us meet the pollution reduction targets that are spelled out in the most recent multistate Chesapeake Bay agreement as part of this legislation.

While this legislation provides important investments to modernize the infrastructure for this century, we, the Federal Government, should also take responsibility to help eliminate some of the past projects that, rather than helping unite communities, divide them and harm them. And there is no clearer example of such a project than what is known as the "highway to nowhere" in West Baltimore.

As many Marylanders know, the "highway to nowhere" was a project conceived in the 1960s as a way to link Baltimore with the growing U.S. Interstate Highway System. Instead, it tore

West Baltimore apart. Developers started dividing up the community to make room for the highway, residents were evicted from their homes, businesses were shut down, and a Black community was split down the middle by that "highway to nowhere." It is estimated that 971 houses and 62 businesses were destroyed, and over 1,500 residents were displaced.

And that has been the story of several other Federal infrastructure projects from the 1960s, projects that too often place pavement over people. I am pleased that this bipartisan plan makes at least an initial down payment for the first time to put Federal dollars toward removing harmful infrastructure projects like the "highway to nowhere" so we can reconnect these communities and make them whole.

This provision was based off a pilot program I authored in 2019. I want to thank my colleagues, Senator CARDIN and Senator CARPER, for helping make this vision a reality, and President Biden for including it as part of his American Jobs Plan. While we didn't get the full amount of funds that we would like, this is a very important first step.

As we dismantle some of the harmful legacy from the 1960s and 20th century projects, we must build out and meet the new needs for the 21st century, like universal, affordable access to high-speed internet.

I am very pleased that Maryland will receive a minimum of \$100 million from this legislation to help provide broadband coverage across the State, including providing access to the at least 148,000 Marylanders who currently lack it—they are not connected—and it would provide over 1 million Marylanders access to the affordability connectivity benefit plan to help lower income families afford internet access. It doesn't do you much good to be connected to the internet if you can't afford to use it.

This bill also will make important progress, a first step, toward building out clean energy grid and a network of charging stations to facilitate long-distance travel and provide convenient charging options for electric vehicles.

In short, and for all of these reasons, this bipartisan bill is an important step to helping us build back better and stronger than before the pandemic.

That work starts here with this bill, and I strongly support it. But while that work starts here, it does not stop or end here.

To pass this legislation and then call it quits would be to leave a big part of our job undone. We still have urgent work to do in our mission to enact all of President Biden's Build Back Better agenda and address the profound challenges facing our communities that have been exacerbated by this pandemic.

While this bill provides important downpayments in many areas, it does not do everything we need to do. That

is especially true when it comes to infrastructure in the area of clean energy. We need to make sure we take up the other big pieces of the clean energy agenda in President Biden's American Jobs Plan and other proposals that many of us have put forward here in this body, including the clean energy standard, including a clean energy accelerator financing system, and many other provisions, in order for us to be true to the science and really confront the climate crisis that is upon us.

And as we take those next steps to fully modernized our physical infrastructure, we also have to dramatically expand opportunities for every child and every family and every worker in America. Much of that is laid out in President Biden's American Families Plan, including universal access to early education so every single child, regardless of ZIP Code, has a chance and a good start in life; making workforce training more affordable and college more affordable, whether it is 2 years of community colleges or more.

And we also have to make sure that we continue to provide support for families in the form of affordable childcare and, very importantly, extend the child tax credit payments that so many families are now receiving up to \$300 a month. That ends at the end of this year if we don't extend it.

While it is always a good thing to reduce child poverty in America—and that reduces it by about half—that would only be true to the end of this year. We need to finish the job and keep going.

We also need to reduce the costs that are squeezing the pocketbooks of every American family. We need to reduce the skyrocketing costs of prescription drugs. We need to reduce the costs of childcare. We need to make sure that families don't have to spend more than 8.5 percent of their budget on their annual healthcare premiums. And we need to provide more security for everybody, including our seniors, by expanding Medicare coverage to cover dental and vision and hearing needs.

Those are just some of the additional things that we need to do as part of the American Families Plan and as part of passing the overall Build Back Better agenda.

I look forward to working with my colleagues to do all of that. But every journey begins with a big step, and this is a very important big step forward on that Build Back Better agenda.

So I am pleased to join many of my colleagues, and I urge my colleagues to support this bipartisan infrastructure modernization bill as part of a very important first step to implement the Build Back Better agenda and make sure that we truly build an economy that works for every American.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

THE ECONOMY

Mr. BARRASSO. Madam President. I come to the floor today to comment on

statements made by the majority leader earlier today on this Senate floor, and he made those after President Biden, this morning, signed another expensive Executive order relating to climate change.

The President at the time said it was his goal of making half of all new cars emission-free in less than a decade. In practice, that means making half of all new cars electric.

Well, after the President signed his Executive order, the majority leader came to the floor, and he talked about his own plans to give more of American taxpayer dollars to the manufacturers and purchasers of electric vehicles.

He said:

[W]e hope to add large parts of the plan.

Well, where does he want to add it? Well, he wants to add it to the reckless Democrat tax-and-spending plan.

The American taxpayers are already giving billions and billions of taxpayer dollars to electric vehicle manufacturers and owners. Electric vehicle makers have been given free tax dollars for 30 years. The truth is, electric car buyers don't need more taxpayer money. They have plenty of their own.

Today, the market for electric vehicles is very well established. There are more than a million electric vehicles on the road today. They are being made by everyone: General Motors, Mercedes-Benz, U.S. manufacturers, foreign manufacturers. They are being made all around the world.

In fact, the U.S. Energy Information Administration projects that sales of light-duty electric vehicles is going to reach 4 million by the year 2025. Electric vehicle makers are doing just fine.

They are also receiving free money from just about every State. So who benefits from these taxpayer handouts to electric vehicle makers and users?

Well, customers are usually wealthy. They don't need more money.

Now, seniors on fixed incomes, certainly in Wyoming, are not trading in their cars for expensive electric vehicles. Middle-class families who are trying to make ends meet are dealing with inflation that is hitting them every day under the Biden economy. They are not going out to buy expensive new electric vehicles. Seniors and middle-class families are hurting right now because of inflation hitting them when they buy gas, when they buy groceries, when they buy other goods. And this is, of course, triggered by massive Democrat spending, including the borrowing and spending that has occurred under the last coronavirus—the so-called coronavirus relief bill.

So Democrats aren't looking out for them under the proposal. Oh, no.

Nearly 80 percent of tax credits for electric vehicles go to households that earned at least \$100,000 a year. Let me repeat that. Nearly 80 percent of the tax credits for electric vehicles go to households that have earned over \$100,000 a year, not to mention the fact that these drivers don't pay for the use and the abuse that occurs to the roads

from them driving on the roads. The rest of us do. Anybody who puts gasoline in their car pays the gas tax. It goes to the highway trust fund. It goes to repair damage done to the roads.

We are in a debate over infrastructure. Electric vehicles, no gas tax—that is the ordinary source of funding to do repair of our roads and our highways.

Now, even though a Tesla puts as much wear and tear on the road as a Ford Focus, the Tesla driver pays next to nothing to fix the roads. They contribute nothing to the highway trust fund—one more Democrat giveaway to the rich.

Electric vehicle owners don't need our tax dollars. They have enough. They should pay fair share for the use and abuse that they do to the roads on which they drive.

That is why I have introduced legislation called the ELITE Act. It stands for End Lavish Incentives to Electric Vehicles. We need to make sure to end these incentives to electric vehicles. The bill would end the billion-dollar giveaways to electric vehicle makers.

According to the Manhattan Institute, my bill would actually save taxpayers \$20 billion. At a time when middle-class families are hurting from inflation caused by Democrat spending, it is unconscionable that Democrats want to raise taxes to give more handouts to the rich. It is certainly bad economics, and it is bad news for hard-working American taxpayers.

Rather than increasing the giveaways, we should be bringing them to an end. We should stop this wasteful waste of taxpayer dollars. Any waste of taxpayer dollars is wrong, and this is certainly a case where taxpayer dollars are not necessary to be spent.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Connecticut.

REMEMBERING RICHARD TRUMKA

Mr. BLUMENTHAL. Before I begin the remarks that brought me here today, I want to say a word about Richard Trumka, a hero to all of us who care about working people and a good friend to many of us.

I am proud to call him a friend and proud to have been with him as an ally in causes and principles that are so important to the present of America and the future of America. I am proud to have been with him on picket line and platform, to have stood with him and behind him in supporting the rights of working men and women to decent pay, fair treatment, and safety on the job.

He came from America, and he never forgot where he came from. His life is

a lesson to so many of us who seek to emulate his devotion to the public interest.

As a leader of the labor movement, his life also reminds us that unions count; that collective bargaining means something; that the rights of working men and women succeed because they come together in unions, and we ought to respect those unions and listen to them and champion their right to represent fairly and freely and to organize men and women on their jobs.

So we will miss Richard Trumka, but his legacy is going to be an inspiration to all of us—certainly to me—in fighting even harder for the great convictions, sense of conscience, the wonderful heart and spirit that embraced people who disagreed with him. A life's lesson for all of us.

(The remarks of Mr. BLUMENTHAL pertaining to the introduction of S. 2654 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The ACTING PRESIDENT pro tempore. The assistant majority leader.

Mr. DURBIN. Madam President, let me say a word of support for the Senator from Connecticut as well as the Senator from New Jersey. I couldn't agree with them more. There is no reason why this information—full disclosure of this information—has not been made known first to the families but certainly to the people of this country at this moment in history, 20 years after that terrible tragedy. It is time for the truth to be known.

I support your efforts completely, Senator BLUMENTHAL, and I will help you in any way that I can.

REMEMBERING RICHARD TRUMKA

Madam President, when I grew up in East St. Louis, IL, I knew I was from a railroad family because, well, both Mom and Dad worked for the railroads. I knew we had a pretty comfortable life. I have come to learn that we weren't by any means rich, but we did well enough—two older brothers and myself. I knew that my mom and dad worked for a railroad, and eventually all of us in the family did in some capacity.

I also knew that we were a union family, and I didn't realize until much later in life a couple facts: No. 1, there were a lot of families around us who weren't that lucky. We were fortunate to be a union family. Secondly, what the union did for my family in East St. Louis, IL, it did for millions of families across America throughout our history. Those labor unions could stand up and fight for people who couldn't fight alone and have a chance to win.

I have a healthy respect for unions. I believe that, more than any other force in American history, the American labor movement, the union movement, created the middle class in America. I am living proof of that. My mom and dad had eighth grade educations. My mother was an immigrant to this country. But hard work, a good work ethic,

and a strong support of a labor union gave them a chance to earn a decent living on a safe job and to raise a good family.

I reflect on that at this moment because we have lost one of the pillars of the union movement in the United States of America, Richard Trumka.

What an amazing biography. I used to think back. I had heard he was the son of immigrants, and I knew that he worked in the coal mines, but then I knew he also went to law school, and he became head of the AFL-CIO, the largest gathering of unions in our country.

If you ever met him, with his little brush mustache and the gruff way about him, you knew he was no pushover. How could you be a pushover and head of the United Mine Workers union which he was at a very early age? How could you be a pushover and be head of a national labor organization like the AFL-CIO? He did that, and he was an amazing advocate for the women and men whom he represented in the labor movement.

I can't even start to count the number of meetings that I attended with Richard Trumka. When we wanted labor's voice, we called Richard Trumka, and we knew that when that door was closed, he was going to be brutally honest with us. He would spend a few minutes thanking us, and then he would spend the rest of the meeting telling how we needed to do better: The working families of America were expecting us to stand up and fight for them. And he took no prisoners when he went through the roster and the rollcall of how people had voted and where they stood on union issues. It was an amazing performance by a man who had the credentials to deliver it, a man who was part of the labor movement from working in those coal mines, and a man who had developed the skills and talents at law school and beyond to be able to fight for those men and women.

It is stunning to think that we lost him today at age 72. That is way too young. He did such an amazing job as the son of a coal miner himself. You never had to ask ever which side Rich Trumka was on—ever.

I have got to be honest with you. There are some people who are fighting for causes in Washington, DC, because there is a paycheck at the end of the day, but there are some people who are fighting for causes who couldn't give a damn about a paycheck. They are there because they believe it. Trumka was one of those people. He was fighting for working people across the United States night and day, endlessly, 24/7. He was on the side of workers who built America's roads and bridges and of the men and women who were not in the labor movement but trying to become part of it. He fought for the men and women who kept our powerplants running and our schools, homes, offices running.

He always asked for one basic thing: respect and fairness for working men and women.

He was with me on the Dream Act. He understood, as the son of immigrants, that immigrants are a vital part of this country, and they should be for years to come.

Trumka was on the side of growing this American economy the right way, not from the top-down, not trickle-down, but from the bottom-up. He believed, growing up in Pennsylvania and the life that he led, that it was critical that we be there for families when they made the basic decisions about whether or not they were going to buy a new home, buy a new car, be able to pay for their kids to go to college. He believed, as my old friend Paul Wellstone would say, "We all do better when we all do better."

He was a giant who led the labor movement in America through one of the most challenging periods in our history, when his leadership was needed the most.

It is on us now—isn't it?—those of us who think about Rich and what he said to us so many times privately, publicly. The responsibility that we have is to stand up for the men and women who work in this country who don't have a voice otherwise. Our responsibility is to give those in the labor movement the respect they deserve for fighting for the right cause.

My wife Loretta and I send our condolences to Rich's wife Barb and their son and family.

I understand that he was with his grandson when he was stricken this morning. As a grandfather, I will tell you it is a happy moment when you are with your grandkids, and that is the way it should have been for Rich.

President Trumka's friends, his sisters and brothers in the labor movement, and to all the families to whom Rich Trumka devoted his life, they and we have lost a true champion.

America is better for Rich Trumka having lived and been part of fighting for those who worked to make America a great nation.

I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Massachusetts.

Ms. WARREN. Madam President, I am here to honor the memory of my friend and the friend of every working person in America, Rich Trumka.

We lost Rich this morning, and all I kept thinking is the kind of man we have lost and what that means to all of us.

Rich was real. He was a third-generation coal miner who rose to become the president of the United Mine Workers and the president of the American Federation of Labor. Rich was also a hunter, and he had the patience of a hunter—the planning, the long hours, sometimes long days, but always on his target. And Rich was a fighter. He was relentless. When Rich got in a fight, Rich never gave up. Might not plan every one of those fights, at least not the first time out, but he never gave up.

From his growl to his laughter, Rich was real all the way through. He lived his heart every single day. He was always Rich.

Back during the financial crash in 2008, 2009, we were trying to build an idea for a consumer agency to make sure that people wouldn't get cheated next time around the way they had been, and what led up to that crash. Rich was there, and he was there because he had seen firsthand what it is like. He had seen his brothers and sisters in the labor movement, who had lost their homes, had lost their jobs, and seen their pensions disappear because a handful of greedy banks and feckless regulators had permitted the rich and powerful to take over our government and to take over our economy, and they brought that economy to its knees. It fell hard on working people, and Rich was determined that would not happen again.

I remember the day when President Obama announced that they were ready to lay out the first—first outlines of what the financial response should look like, what kind of laws we should pass here in Congress in order to make sure that this didn't come again. And there were a bunch of folks who were invited to the White House. I was invited. It was my first time there. I am looking around—wow.

And a bunch of people crowded, and all we cared about was: Hand us the list. I want to see what is on it. Is there a consumer agency on this?

And we get in our assigned seats, and I am sitting on these tiny, little chairs, jammed together so they can get as many people as possible. And Rich, who was a man of considerable size, is sitting directly behind me, kind of mashed up against the back of my chair and leaning out, and we were on the aisle, both of us, and furiously going through it to see what is there.

And, sure enough, the White House had said there is going to be a consumer agency, or at least that is what they are going to ask for.

So I am smiling. I turn and I say: See this? You see this?

And he said: Yeah.

And I said: You know, it makes me a little nervous for you to be right behind me here.

And he leaned over and he whispered in my ear and he said: I will always have your back, Elizabeth.

And I reached back, patted him on the leg.

And it was true. I never got in a fight for working people that Rich Trumka wasn't already there, that he was already in that fight, that he already saw what was happening to working people on the ground, and what it was that we needed our government to do by way of response.

Rich fought for decades for working people. It was his true north. He never varied from that. He never wanted anything for himself. All he wanted to do was to see workers get more power so that they were playing on a level play-

ing field, to see workers be able to work in safe conditions, to see workers get a chance to build some real security for themselves and for their families.

Rich measured everything that came his way against that test: What is it going to do for working people? And if you could show him this is going to help working people, Rich was in it all the way.

During COVID-19, Rich was here back and forth and back and forth, trying to push this government to get more workers' safety in place, more regulations that were going to protect people so people weren't out there dying trying to do their jobs.

Rich was there, trying to protect the economic security of workers, people who had been laid off, people who had been shut out of the workplace. It was Rich who helped lead the charge, watch out for working families.

He didn't need the glory. He didn't need the spotlight, but, boy, he was in there pushing in the way that only Rich Trumka could do it.

Rich understood that when we put workers at the center of our policies, then families win; when we put workers at the center of our policies, then our economy wins; when we put workers at the center of our policies, then our Nation wins. That is how Rich lived, and that is how Rich died.

To Rich's family, I am so sorry for your loss. For Rich's brothers and sisters in the labor movement, I am so sorry for your loss. Rich is gone, and that is a hard blow to you and to our whole Nation, and this is the moment to honor Rich's legacy not just with words, but by staying in the fights that Rich led us on, by staying in the fights relentlessly for workers' rights.

We are going to miss Rich.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Texas.

INFRASTRUCTURE

Mr. CORNYN. Madam President, since last March, State and local governments have received about a half trillion dollars in Federal funding to bolster their fight against COVID-19. Leaders in my State have used this funding to cover the mounting costs of expenses at the start of the pandemic. It enabled them to stand up testing, increase bed space for ICUs and hospitals, and provide grants to small businesses without the fear of cutting other critical services.

As time has gone on, the battle against this virus has shifted, and so have the needs of my State and our local communities. Many simply don't have the continued need or even opportunity under the guardrails Congress imposed to spend this money within the set timeline.

That is especially true in some of the rural parts of my State or places where COVID numbers are, thankfully, low. Qualifying pandemic-related expenses are few and far between in some of those places, as strange as that may sound here in Washington, DC.

I have heard from State and local leaders who are frustrated by the strict rules on the funding. They have needs, but somehow the limitations that Congress has put on their access to the money are stifling their ability to deal with priorities that they have at the local level.

They are able to use these dollars on some of the tough financial dealings of the pandemic, but not all. One of the greatest needs they have is to deal with infrastructure. When folks hunkered down at home to stop the spread of COVID-19, State and local transportation budgets took a big hit. As a result, many infrastructure projects ended up on the chopping block.

In 2020, States and cities across the country delayed or canceled transportation improvement projects totaling about \$12 billion. Many of these projects are still in limbo. Without sufficient funding, there is no timeline when that planned construction might actually begin.

For months now, there has been a clear need to bridge the gap. Back in March, nearly three dozen organizations wrote to Treasury Secretary Yellen urging her to make transportation infrastructure an eligible expense. They said the pandemic had impacted every State and community differently, and they wanted and asked for flexibility. They said that flexibility will be critical to ensuring funds are used expeditiously and with maximum impact.

I have gotten the same sort of requests from the people I represent in Texas, so I drafted an amendment to this legislation to provide that flexibility. Thankfully, I found a partner in Senator ALEX PADILLA of California, and our bipartisan amendment, which will, I believe, when we vote on it, receive broad bipartisan support. I am hopeful we can vote on that amendment sometime later today.

This amendment puts decision-making power at the local level and gives these leaders more flexibility to invest in the most critical projects for their communities, whatever those might be. In some places, that may still mean pandemic-related expenses.

The Delta variant has thrown us a curve ball, to be sure, and is surging in some places, and leaders in those areas are going to continue to use this funding to bolster the fight against the virus.

But this change doesn't interfere with those plans in any way, because what Senator PADILLA and I propose is to make that strictly an option—not a mandate, but an option—so leaders at the State and local level can decide what fits their particular need.

It simply gives States and localities that aren't facing a mountain of COVID-related expenses the ability to invest this funding in—you guessed it—infrastructure projects, something that the bill we are currently considering is designed to do.

But one of the things I have noticed since I have been in the Senate is, frequently, we will appropriate money, and it takes not just months, but sometimes years to get to the intended beneficiary. I know the Presiding Officer has seen with me the fact that we appropriated \$46 billion to prevent evictions for people that can't pay their rent, and yet that money has simply not made its way to the intended beneficiaries in a timely and expeditious way. Hopefully, that will improve. But this is money that is available immediately to our local and State officials to use now.

This infrastructure bill, to the credit of the bipartisan infrastructure negotiating committee, I think, has some good, very positive elements to it. But the truth is, what we are doing in this bill probably will not flow quickly to local jurisdictions in our States, like the money that they already have but are handcuffed from using for infrastructure purposes.

Whether it is widening highways, constructing bridges, extending railways, or expanding access to broadband, the list of new qualifying expenses is a long one. As I said, there is simply no requirement that they spend a penny on infrastructure if they don't want to or if they think they need to hold more of this money that the Federal Government has appropriated in reserve. All we are doing is simply giving them the freedom to use these Federal dollars on these projects if that makes sense for these communities.

Senator PADILLA and I have worked with our colleagues to make some changes that support a vast array of infrastructure projects. We added additional qualifying infrastructure projects to ensure unique, but no less important, needs in the various States are eligible.

The White House initially raised concerns about the amount of funding that we might authorize under our amendment, and worried it would take away from necessary COVID-19 expenses. Well, Senator PADILLA and I have worked with the White House, and I believe we have come up with a good-faith resolution of their concerns and our interest in getting this money to be available.

Under our amendment, up to 30 percent of the unspent COVID-19 funds would be available to the States and local government for infrastructure projects. It is difficult to quantify exactly how much of the money will be spent on infrastructure projects because, as I said, the States and local governments are not required to spend a penny of that money on infrastructure.

But should they wish to do so, and should local conditions permit, this will open up tens of millions of dollars for infrastructure projects in communities across the country. This can help critical projects that were delayed by the pandemic get back on track and

put this funding toward its intended purpose, the very purpose we are debating right now, to both alleviate the burden of the pandemic on cities and States, as well as to refurbish and expand our critical infrastructure, including broadband.

So this isn't just a win for our local communities; it is a win for taxpayers too.

Here is something that may be a little unexpected: The cost of this amendment is zero. It is nothing because the money has already been appropriated and already been scored on previous COVID-19-relief acts. All it does is it removes the handcuffs from the local jurisdictions and allows them to meet their needs based on their best judgment. So this does not increase the deficit and does not add to the debt.

This amendment has been endorsed by more than two dozen organizations representing a diverse set of stakeholders. The National Governors Association—which, as you know, is a bipartisan group of Governors—has endorsed this amendment. The U.S. Conference of Mayors and a long list of organizations have thrown their support behind this commonsense change.

This will give communities in Texas and Nevada and all the other States the ability to use pandemic-relief funding when and where it is needed most.

They know the needs of their communities far better than we do sitting here in Washington, DC. And I hope this amendment will be adopted to give these leaders greater decision-making flexibility.

I want to thank Senators on both sides of the aisle who have worked with Senator PADILLA and myself on this amendment. And, later today, I hope we will receive broad, bipartisan support for this amendment. And I anticipate we will, because I know the circumstances in my State dealing with my constituents is really no different when it comes to giving flexibility and access to those Federal COVID-19 dollars, that the story is probably largely the same in whatever State you represent.

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

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

REMEMBERING RICHARD TRUMKA

Mr. WARNOCK. Madam President, before I begin, I want to take a moment to pause and remember an effective leader in the labor movement and a real champion for working families, Richard Trumka.

Richard Trumka believed in the dignity of work, and he also believed in the dignity of workers and that they should share in the prosperity they provide for others.

His family is in my prayers as we remember and honor his legacy as a vital leader in the labor movement and in the larger quest to make us a more just society, providing opportunity for all of us.

HEALTHCARE

Madam President, I am back on the floor of the Senate because I believe that healthcare is a human right, and it is certainly something that the richest Nation on the planet can afford to provide for all of its citizens.

I have come to the Senate floor with the same message week after week because I think it is vital and important. With all of the incentives on the table for my home State of Georgia to expand Medicaid, it is past time for Georgia and the other 11 nonexpansion States to finally expand Medicaid.

My home State of Georgia has the opportunity to provide affordable healthcare to 646,000 people who could qualify. Instead of allowing Georgians to continue to suffer and be cut off from care while politicians are playing games, I introduced the Medicaid Saves Lives Act. This is legislation that would provide people in States like mine that have not expanded Medicaid an alternative path to health coverage.

In the richest country in the world in 2021 and amid a once-in-a-century pandemic that has both illuminated and exacerbated the consequences of longstanding disparities in healthcare, too many Georgians are still struggling to get what they deserve and what is already available if we would just expand Medicaid.

And for far too many, access to affordable, reliable, and continuous healthcare is quite literally the difference between life and death.

We do policy here, but we can only do policy in an effective manner when we keep in front of us the human faces behind the policy we would create or the consequences for real people when we fail to do what we were sent here to do.

So I want to share the story and remember the life of a Georgian who fought to expand Medicaid. She and other Georgians live in the coverage gap. She advocated for herself and others like her.

This is Lorie Davis and her husband Bob, both from Covington, GA. Lorie was one of our heroes. She spent much of her life serving her neighbors as a trauma nurse at the Grady Memorial Hospital. I have been to that hospital time and time again as a pastor and now as a Senator. I have seen firsthand the important work that they do.

She was a trauma nurse there at Grady, and while working as a healthcare professional in Georgia, Lorie was diagnosed with pelvic adhesive disease. The chronic pain associated with this condition eventually pushed her to leave the nursing profession.

After that, while also working to manage her own chronic condition, Lorie struggled to maintain steady employment in the restaurant industry—a

healthcare professional no longer able to serve in her profession as a trauma nurse, working as hard as she can, as hard as she could in the restaurant industry.

She believed in working. She understood the dignity of work. But while working, she could not afford health insurance. She made too much to qualify for Medicaid but not enough to afford other insurance plans. And while in this limbo, Lorie had to wait many years for her Social Security disability claim to be adjudicated. She finally qualified for benefits in 2017, but even then, she was unable to qualify for Medicaid because of her and Bob's combined marital income. This left Lorie in the coverage gap, unable to purchase coverage because it was financially out of reach.

Lorie went without health insurance for years, relying on her own medical training and free healthcare clinics to treat her chronic condition—a trauma nurse who had cared for others, unable to receive any care.

Then, in August of 2020, Lorie began feeling ill, and her condition got noticeably worse. Fearful of costs, she delayed seeking healthcare. Unable to follow the advice that she, no doubt, had provided to other patients: Seek healthcare early. Many things are preventable if you can get there earlier rather than later. She was not able to follow her own advice. But I want us to think about that. She put off seeking the care she needed because she was afraid she would not be able to afford it.

As Members of this body, we should be ashamed that in the richest Nation in the world, a country with all of our resources, with all of our medical technology, that some citizens would choose not to seek treatment even when they know better because they fear they cannot afford the pricetag of lifesaving care. That is Lorie's story.

The next month, in September of 2020, Lorie was admitted to the hospital with pneumonia. And while there, she learned, sadly, that she had lung cancer, a treatable condition had she received an earlier diagnosis.

Put together, it was too much. On September 17, 2020, Lorie passed away.

This is the human face of our public policy. These are the tragic casualties of the games that politicians play.

As a pastor, I am praying for Lorie's family as they mourn her unspeakable and, perhaps, unnecessary loss and the legacy she left behind.

As a Senator who believes that healthcare is a human right, a sacred obligation, I refuse to stop fighting until Georgians, like Lorie Davis, have access to the care that they need when they need it.

Like Lorie, who advocated Members of this body for healthcare during her lifetime, I am committed to gaining ground in this fight to improve access to healthcare for Georgians in every corner of the State. She can no longer speak. We must be her voice.

She is not the only one. There are millions of hard-working people all across our country who went to school, played by the rules, and they don't have access to lifesaving care, costing them their lives and costing us more money.

So we need to pass the Medicaid Saves Lives Act. It is not just the name of a bill; it is actually true, Medicaid saves lives.

Until we get this done, I am going to keep lifting up Lorie's story and the stories of others who would benefit from this lifesaving legislation.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Pennsylvania.

H.R. 3684

Mr. TOOMEY. Mr. President, I want to address an opportunity that we have in this body to fix a flaw in a provision in this infrastructure bill.

I want to thank my colleague from Oregon and our colleague from Wyoming. The three of us have been working on this, and I really hope we get this done. I am going to insist on having a vote on this.

Let me just give a little context here. So we are all aware of this new category of assets some describe as currencies, which are also called cryptocurrencies. And this is a fascinating development. Actually, some have been around for some time now, but they have come into the public eye in a much, much bigger way in recent years—very recent years.

And while sometimes we think of this as some kind of unit of value that is traded and has some pretty spectacular volatility sometimes, for me, while that is very interesting, what is much more interesting is the underlying technology and what that might make possible. I am still trying to understand. I am still on a steep learning curve about all the possibilities of the distributed ledger technology, the methodology by which cryptocurrencies can be exchanged without an intermediary. There is no bank that the money has to go through.

It is an amazing and fascinating technology where individuals scattered around the globe actually validate the legitimacy of a transaction and it becomes immutable. And there is a permanent record in some cases. There are other models where it is different. But this is an amazing technology. It has tremendous potential.

We had a hearing in the Banking Committee just last week, at my request—the chairman agreed to a hearing—where we talked about some of the use cases for this underlying technology, and we heard some amazing things.

So the most common activity now is trading in these digital currencies, whether it is Bitcoin or Ethereum or others. There are many, many of them. And that is the biggest single activity,

but there are very, very important and interesting additional use cases that are occurring.

One of the things that I am fascinated by is the potential to have this dispersed mechanism for validating ownership. Think of all the amount of time and money and effort we spend on all kinds of transactions where, ultimately, we are trying to validate someone's ownership: the title to their house, the title to their car, your ownership of the stocks that you bought from your broker.

We have developed very expensive, actually, and sometimes time-consuming processes by which we do this. This can all be done on a blockchain. This can all be done almost instantly, at almost no cost, and I think that this is the direction that we are going to be heading in.

That is just one example. There is another whole category that is fascinating to me, which is what people refer to as programmable money.

Think about it, programmable money; what is that? Well, here is a great example that we heard at our hearing from a witness who works for a company that actually provides these kinds of services. But here is an example. You know, one of the things that has always been a challenge is, how do you ensure that, say, a person who has a copyright is properly compensated when that copyright is used in one form or another?

I used to have a restaurant. And when we played music in the background to create a certain ambiance in our restaurant, how do you make sure that the people who have the copyright on those songs gets paid properly for that? I will tell you, it is a terrible system. It is completely arbitrary, and there is no precision to it. There is no way to monitor it.

Well, how about an idea where you have a programmable capability where, if I listen to a music app on my iPhone, for every second of a particular artist's music I listen to, it automatically sends a corresponding tiny fraction of some currency to the person who owns that copyright? That is completely doable in the context of this kind of technology.

I just mention these two things just to provide a little, tiny glimpse and illustration of the kinds of amazing things that I think this underlying technology is capable of, and it is likely going to change the way we do an awful lot of things in the coming years.

I say that as background because in this legislation, there is a very reasonable intent, but I think the drafting doesn't get it quite right. The intent is to say: for those exchanges, for those places where people go to buy and sell cryptocurrencies—and there are centralized exchanges where that happens every day in huge, huge volumes—we want to require these exchanges to have the same kind of reporting requirements that a conventional broker would have when a security is bought.

So, in other words, we want the folks who run the exchange to report the name, some identifying number—maybe it is a Social Security number—the dollar amount. And all of this is because people buying and selling these cryptocurrencies are generating capital gains and losses. It is an asset. If you sell it later after a gain, you should have to pay a capital gains tax on that asset, depending on how long you have held it. If you have lost money on it, then you ought to be able to take that loss against gains that you may have elsewhere.

It is completely reasonable to have a provision that requires the reporting of the transaction. That, I think, is the intent of this legislation. But, unfortunately, the way it got drafted, to my reading, and to—I am certainly not alone; I think this is almost universally acknowledged—the language would impose this reporting requirement on people involved in the cryptocurrency world who don't even have the information about the person making the purchase or the sale.

So, for instance, it might very well be interpreted to impose this reporting requirement on the miners, the people who are involved in the arithmetic process by which you validate transactions. They don't even know the names. They have a numerical representation of the transaction. They don't know who is buying it. They have no idea. They have no way of knowing. So it is not a reasonable—not an even slightly reasonable burden to impose on them.

That is one little example of how badly flawed this language is. It wasn't intended that way. The good news is, it can be fixed. And Senator WYDEN and Senator LUMMIS and I have come up with language that fixes this problem. It would make sure that the reporting requirement on a centralized exchange, the folks running that who have this information, would, in fact, have to report it. They don't right now. There is no statute. There is no regulation that requires that. This would require the reporting.

And the industry is fine with that. They recognize that they should have to report this. But they also recognize that it should only be imposed on people for whom it makes sense, right? The people who actually have that information. So our amendment addresses this. It fixes this. It solves this problem. I think it achieves the intent. And we are having a little trouble getting the ability to offer this as an amendment here on the Senate floor on this bill.

I am not here to ask that we simply adopt it by acclamation. I welcome debate and welcome a vote, but we ought to be able to have a vote. We absolutely should have this debate and have a vote before we go ahead and impose this requirement. And if we were not to adopt this amendment, then we could be doing a lot of damage. We could have a very chilling effect on the devel-

opment of this technology, and that is what I am most concerned about. That is what I want to avoid.

This technology is very, very exciting. It has tremendous potential. And the last thing we should do is allow a flawed drafting exercise to have this chilling effect on the further development of this technology.

I see the Senator from Oregon is here on the floor, and I want to thank him for his leadership on this effort, for his work. He and I, I think, have a very similar way of viewing this. And if he would like to make some comments, I will yield some time to him.

Mr. WYDEN. I thank my colleague, and I will be brief.

As Senator TOOMEY has indicated, he and Senator LUMMIS and I have an amendment to the infrastructure bill dealing with cryptocurrency and taxes. And I am going to go into some of the philosophical underpinnings of what we are doing, but I want to note something at the outset.

Our amendment, this bipartisan amendment, ought to be accepted when the author of the underlying provision has said publicly he will vote for it if the Senate gets a chance to vote, as Senator TOOMEY and I have indicated.

So let me just outline a couple of fundamental propositions about our proposal and start with one that ought to bring the U.S. Senate together. People avoiding taxes they owe on money through cryptocurrencies is a serious issue. It is fundamentally unfair to every working person whose taxes come straight out of their paycheck.

Now, my view is the Senate needs to make sure that new rules addressing this tax avoidance ensure that it is possible to run down the crooks, have strong tax enforcement, while leaving a clear field for an innovation here at home.

We want that innovation here. The fact is, when you don't innovate somewhere, it goes somewhere else. We want it here at home.

Without our amendment, this bipartisan amendment, it seems to us that essentially the whole notion of dealing with tax avoidance somehow is going to get lost in approaches for the brick-and-mortar rule. And, as I said, those rules run the very real risk of chilling innovation in the digital economy and driving the core innovations in crypto to places far beyond the reach of the U.S. Treasury and other law enforcement.

So two sentences about what we do in our amendment: We want it stated the tax enforcement rules should focus on the companies that deal with buying, selling, and trading cryptocurrencies. These rules don't need to sweep up other uses of blockchain technologies that have nothing to do with tax avoidance.

Senator TOOMEY and I serve on the Senate Finance Committee. I am the chair; Senator TOOMEY, a senior member. We have been struck by how many people in that space—the various as-

pects of blockchain technologies—don't even have the tax documents that they would have to file, normally, if they were one of these big crypto exchanges.

Now, the fact is, making changes in both tech and tax policy is hard work that takes time. When I wrote the Internet Tax Nondiscrimination Act that ensured that the rules online and the rules offline would be the same, we had hearings; we had debates; we focused on the issues and produced bipartisan legislation.

The Senate is going to debate these issues further in the months and years ahead. As the chairman of this committee, I am open to working with anybody who wants to show that tough, effective tax enforcement and promoting innovation is not mutually exclusive. Smart policy—smart targeted policy—will get you both.

Our amendment simply says that nobody can use crypto to avoid paying the taxes they owe, and anybody acting as a broker in the cryptocurrency industry must comply with reporting requirements, the same as brokers in every other industry. That is because they are brokers. They are not the people who Senator TOOMEY and I have been concerned about with going to be swept up in this treatment of crypto exchanges and the like.

We advocate a smart, targeted approach and we make sure that reporting requirements, just like brokers in every other industry, are complied with. That is the kind of policy in the crypto area that lays the foundation for future debates.

What Senator TOOMEY and I are doing is very focused in one specific area: Making sure we come down hard on tax avoidance by brokers and people in crypto exchanges, but we also make sure we are not discouraging innovation in other areas.

This is going to be a debate that is going to play out over the years, but when the author of the provision in the bipartisan proposal on crypto, the author of the underlying provision in the legislation in front of us today, has publicly said in the last few hours he will vote for what Senator TOOMEY, Senator LUMMIS, and I have developed, we certainly ought to get a vote. My own view is it ought to be accepted by this body.

I yield the floor.

Mr. TOOMEY. Reclaiming my time.

I want to thank my colleague from Oregon for his thoughtful leadership on this.

I thank the Senator from Wyoming. Senator LUMMIS, is on her way down. She is going to join us, as she has been an integral part of this effort to just correct this.

This is a big deal in a number of respects. I would point out—I want to stress, right now there is no statutory reporting requirement in this whole space. There is no regulatory requirement. I don't think you could have a regulatory requirement without a statute authorizing it.

So this is a big deal. It would require the companies operating these exchanges to report this financial information so that it dramatically enhances the likelihood that capital gains taxes would be collected. This provision scores as a source of revenue because it increases the likelihood of compliance.

I don't know why anyone would object. I am not aware of any objection of the substance of this on my side of the aisle. I know Senator WYDEN has like-minded folks on his side of the aisle.

It is really important that we not overreach, that we not do this wrong. We have not gone through the ordinary process for developing tax legislation. Tax legislation is notoriously complicated and difficult to get exactly right and prone to unintended consequences.

Normally, we have hearings in the Finance Committee. We get input from all kinds of experts. We make drafts. We circuit the drafts. It is a long process to make sure you get it right. This has gone through none of that, zero.

What we are trying to do is say let's restrict this to where it belongs, let's clean this up the best we can.

You know what?

This space is changing. A year from now, there will be new innovations we haven't thought of, that probably nobody has thought of, and we will probably have to go back and revisit this. What we wouldn't want to do—shouldn't want to do—is have an overly broad mandate, a reporting requirement on people who can't possibly comply with it because they don't have the information. We wouldn't want to impose that and have a stifling impact on the development of a really, really exciting and potentially powerful new technology. That is what this is about.

As I said earlier, I am going to insist on having a vote on this. I don't know why we wouldn't win by a big margin since, after all, we are just ensuring that we get the intent of this legislation rather than a miscarriage of it.

As the Senator from Oregon pointed out, Senator PORTMAN from Ohio, who has worked so long and so hard on this infrastructure bill, supports us getting a vote on this. He supports the amendment that we have drafted.

I am hopeful that this is going to pass. I will be insistent that we get our vote. That is something we ought to do.

I yield the floor.

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.

The PRESIDING OFFICER. The Senator from New Hampshire.

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

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

SURVIVORS' BILL OF RIGHTS ACT

Mrs. SHAHEEN. I had intended to come to the floor earlier today with

Senator GRASSLEY so that we could talk about our legislation that we are introducing this week, that would build upon our efforts to protect the survivors of sexual assault in the criminal justice system.

Unfortunately, I got delayed, but Senator GRASSLEY was here on the floor. I want to recognize all of his efforts to address this critical issue, and appreciate, again, his willingness to work with me.

The effort to extend rights for sexual assault survivors across the country is critically important, and I am hopeful that when the bill that we introduced gets to the floor, that all of our colleagues will join us in passing this bipartisan legislation.

I first became involved in the precursor to this legislation in 2015, when a young woman named Amanda Nguyen of the Rise organization contacted my office. She had been traveling from office to office here in the Senate, trying to find somebody to listen to her story.

Amanda is a survivor of sexual assault, and she is a fierce advocate for change in the way our criminal justice system treats survivors. When she detailed her harrowing story of sexual assault and subsequent interactions with the criminal justice system, it was very clear something had to change.

Amanda described a system that further traumatized survivors and provided scarce protection of their rights. Evidence of assaults was being destroyed without survivors even knowing about it, and survivors were forced to periodically follow up with law enforcement to preserve evidence of their assaults.

The broken process that survivors were forced to endure resulted in a system where they were often revictimized. This system forced survivors to confront the trauma of reliving their attacks each time they sought to preserve evidence or gather information about their cases.

Working with Amanda, I introduced the Sexual Assault Survivors' Rights Act to ensure survivors were guaranteed basic rights while pursuing justice. The legislation created the first legally recognized set of rights for survivors to enforce in a court of law.

I am so grateful that Senator GRASSLEY worked on this effort with me, and he included the legislation in the Adam Walsh Reauthorization Act so that it could be signed into law.

The legislation that we passed back in 2015–2016 provided survivors with greater protections in Federal cases with a focus on notice, access, and the preservation of sexual assault evidence collection kits.

By creating this set of court-enforceable rights at the Federal level, Congress established a model for all States to adopt similar legislation to protect the rights of survivors. And that has happened in many States, including in my home State of New Hampshire. States have adopted legislation to

guarantee survivors certain basic rights in the criminal justice system.

Unfortunately, we have a lot of other States that have not followed suit and don't have legislation that protects survivors. That is why the bill that Senator GRASSLEY and I came to the floor today to discuss is just so important.

The Survivors' Bill of Rights in the States Act would establish a grant program accessible to States that have in place a law which guarantees the rights contained in the Sexual Assault Survivors' Rights Act. States could then use the funds to implement survivor rights, preserve sexual assault evidence collection kits, reduce the backlog of kits, and provide support for victim services.

Now is the time to pass this legislation. The risk of sexual assault and domestic violence has increased during this coronavirus pandemic. We can look at any of the statistics and they show us that.

We need to ensure that States provide the same level of protection for these survivors as they receive at the Federal level. No survivor should be compelled to bear the indignity of petitioning law enforcement merely to ensure that they are given a fair shake in the criminal justice process.

It is my hope that this legislation will lead to an increase in States passing bills that protect survivors' rights. Let's again show survivors that Congress is behind them and that we will stand up for their rights. Let's pass the Survivors' Bill of Rights in the States Act.

Again, I want to thank Senator GRASSLEY for all of his efforts. I hope together, with the support of other sponsors in this body, that we can get this bill across the finish line.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I would like to ask unanimous consent to speak as if in morning business for, let's say, 22 minutes.

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

U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, these speeches on the scheme by dark money interests to seize control of the Supreme Court are designed to describe it in all its repulsive intricacy.

My last speech discussed an operation in this scheme within the Federalist Society. This speech will take you literally down the hall from the Federalist Society to something called the Judicial Crisis Network, or JCN. They share the same purpose, the same hallway, and likely the same controlling donors.

Remember David Koch's disastrous bid for Vice President on the Libertarian Party ticket that showed how unappetizing his rightwing extremism was to normal people. And remember the Lewis Powell playbook, which advised:

Strength lies in organization . . . and in the political power available only through united action and national organizations.

No one corporation or wealthy individual needs to, as Powell said, “get too far out in front and . . . make itself too visible a target.” Let intermediaries do that work.

Corporate interests like Big Tobacco and the fossil fuel industry have, for a long time, used coordinated webs of national front groups in their plots to fend off accountability for the dangers of tobacco and carbon emissions.

These front group webs grew and multiplied and specialized, all while concealing their true interests and funders. They got more numerous, and they also got smarter and more strategic over time, polishing up front group names, like the not-too-subtle Tobacco Institute, to names like the more wholesome-sounding Heartland Institute.

It is quite a web. They created science groups to counter real scientific research on public health and climate change with fake science; think tanks to churn out white papers and hire sound bite-friendly fake experts; legal organizations to challenge and delay government regulation of harmful products; academic hothouses in which to grow donor-friendly, right-wing judicial philosophies; identity-laundering screens to hide the true donors and controllers and their interests; and political attack groups to pressure elected officials. People who study this have reported these groups numbering in multiple dozens, and their backers play the front groups like keys on a piano.

Apply this method to the scheme to capture the Court, and you see that the dark money donors needed more than just the nominations turnstile that they ran out of the Federalist Society. They also needed a bare-knuckle political brawler.

One night in early 2005, at an upscale Italian dinner, with special guest Justice Antonin Scalia, major donor and corporate lawyer Ann Corkery, California real estate tycoon Robin Arkley, and Federalist Society executive vice president Leonard Leo got together and celebrated George W. Bush's second term. The political importance of the Supreme Court would have been on everyone's mind there as it was the five Republicans on the Supreme Court who gave George W. Bush his first term.

According to reporting by OpenSecrets and the Daily Beast, this dinner linked to the creation of a 501(c)(4) dark money group, then called the Judicial Confirmation Network. By the end of that year, this group would spend money—lots of money, lots of big donor money—and they would spend it anonymously, first to boost John Roberts as Chief Justice and then Samuel Alito as Associate Justice, cementing rightwing corporate control over the Court and shifting its decisions further in big donors' favor.

There are a few things to note about the Judicial Confirmation Network's early days:

One, it began work fast. Just months after starting, JCN ads hit the air in support of Bush nominees.

Two, it had lots of money. Beginning in 2008, Ann Corkery took control of something called the Wellspring Committee—a dark money, identity-laundering group, seeded with funding from Charles and David Kochs' donor network. Thereafter, Wellspring funneled seven- or eight-figure dark money donations to JCN every year—millions of anonymous dollars.

Three, they brought on a lawyer with heavy rightwing chops to run the place. Wendy Long, a former clerk to Justice Clarence Thomas, became chief counsel and mouthpiece.

Thus, in just a few months, JCN appeared and became a polished, powerful, anonymized campaigner for the big donor scheme to take over the Court.

And then came the election of Barack Obama, and JCN had to go from offense for nominees to defense against nominees. That “C” in JCN, for “confirmation,” no longer made much sense, and the scheme now faced a crisis—the crisis for it of a President nominating judges who had not been screened by them, judges whose fealty to the corporate rightwing could not be confirmed, judges who might even rule against the rightwing donors' agenda. So they quickly rebranded JCN as the Judicial Crisis Network, but even in the Obama years, the Republican 5-to-4 majority on the captured Court delivered big things for JCN and its secretive backers.

In the administration's first term, the Roberts Court handed down *Citizens United* and other decisions opening donor pipelines to 501(c)(4) groups like JCN. This caused the tsunami of slime we saw in our politics, and corporations and rightwing donors rushed to the feast. Anonymous money flooded in. Annual donations laundered through Wellspring to JCN rose from millions of dollars to many millions of dollars. JCN even expanded the scheme to seek to influence State supreme courts and State attorney general seats. The scheme was flourishing.

Then, on a 2016 all-expenses-paid trip for Justice Scalia to a luxury hunting ranch in Texas, the Justice died, leaving a Supreme Court vacancy, with the better part of a year left before the Presidential election. Now there really was a crisis. The big donors suddenly faced the prospect of a Democratic President appointing Scalia's replacement, shifting the balance of the Court 5 to 4 against them, taking away their precious majority, undoing the scheme.

So the donors swung into action. Within days, MITCH MCCONNELL quickly pledged to hold the seat open, and within days, Republican Senators uniformly lined up behind that decision—a decision very possibly explained by the overlay between dark money donors to the scheme and dark money donors to Republican Senate political operations. History will have to judge the extent of that overlay.

In any event, dark money funding of JCN hit escape velocity during this period. According to tax records obtained by OpenSecrets and others, JCN received big donations in fiscal year 2015 to 2016. One single anonymous donation alone totaled \$17.9 million. Wellspring separately channeled \$23.5 million in dark money to JCN in 2016, then another \$14.8 million the next year. When Wellspring dissolved in 2018, big slugs of dark money continued to flow through other conduits. JCN received four separate, individual, anonymous donations, each of \$15 million or more following Justice Scalia's death. We cannot say for sure because the donors hide behind the dark money screen, but these donations, over \$60 million in all, could well have all come from the same donor.

And one wonders, what are the odds that someone willing to spend \$60 million anonymously to influence the makeup of the Supreme Court is someone who has business before the Court?

Pretty high, I would say, but dark money scheming keeps this information secret.

How did JCN spend all this money? Attack. Leonard Leo's Federalist Society operation had handed Trump a list of approved nominees. JCN spending poured into TV ads, pressuring Senators, and to media blitzes to sell the Federalist Society list. The group spent \$7 million to attack Merrick Garland; \$10 million to boost Neil Gorsuch; \$10 million or more to prop up Brett Kavanaugh's deeply troubled nomination with its—now we know—fake FBI tip line; and \$10 million in under 2 months to support Amy Coney Barrett.

On its own, this anonymous \$37 million barrage smells terrible, but it is only part of the Judicial Crisis Network operation. JCN has a corporate twin, the Judicial Education Project, each group backing up the actions and finances of the other. Let me walk you through this setup because it is a capsule summary of how political scheming is accomplished in our corrupted dark money era.

First, you pair a 501(c)(3) and a 501(c)(4). The Judicial Crisis Network was chartered as a 501(c)(4) social welfare group, the Judicial Education Project as its allied 501(c)(3) nonprofit organization. Under a perverse reading of the law, the 501(c)(4) organization is allowed to operate as a dark money political attack group. We see this arrangement commonly now in the clandestine world of dark money politics.

In fact, a recent Supreme Court case about dark money was brought by a group called Americans for Prosperity Foundation, which was the 501(c)(3) associated with Americans for Prosperity, which is the Koch brothers' 501(c)(4) that spent millions of dollars to help Amy Coney Barrett get her seat, and yet she didn't recuse herself from the case involving the 501(c)(3).

So, second, you operate the two as one unit: Judicial Crisis Network and

Judicial Education Project are connected by staff, by dollars, and by location.

According to the most recent tax records, long-serving JCN staffer Carrie Severino is also the sole and principal officer of—you guessed it—the Judicial Education Project. Severino is not listed on JCN's tax forms, but she serves as its public-facing "chief counsel and policy director." JCN and JEP tax records both list the same address in Washington, DC, which, by the way, is right down the hall from the Federalist Society at the same address, and both groups share day-to-day staff. There is a doctrine in the law called piercing the corporate veil. In this case, the corporate veil between these two is a web of holes.

What is the next thing you do? You soak up dark money together.

It is hard to know much about these two groups' dark money funding—that is why they keep it dark—but we know the Wellspring Committee has funded both groups. Both have also paid money to something called BH Group, which is a mysterious LLC that Leonard Leo once disclosed as his employer, that made a \$1 million mystery donation to Trump's inaugural. It seems to do no other business. They used the 501(c)(3) and 501(c)(4) status precisely because it lets them hide their donors and controllers.

And the last thing is that you get to play shell games with your name. A couple of years ago, those two organizations formally changed their legal names in Virginia. Now, follow this for a minute. Judicial Crisis Network changed its name, and it became the Concord Fund. Judicial Education Project changed its name, and it became the 85 Fund.

The Concord Fund then registered its old name, Judicial Crisis Network, as what is called a fictitious name, a kind of corporate alias under Virginia law, and continued to operate as the Judicial Crisis Network.

Here is the Virginia law that allows them to do that:

A fictitious name is a name that a person (individual or business entity) uses instead of the person's true name, usually in the course of transacting or offering to transact business.

It also registered the name "Honest Elections Project Action" as an additional fictitious name to carry out a new voter suppression project. The 85 Fund likewise registered its old name, the "Judicial Education Project," as a fictitious name, and it separately registered as the "Honest Elections Project" as an additional fictitious name.

It gets even better than this because, as I said before, when the Washington Post exposed the \$250 million scheme that Leonard Leo was at the center of to pack and control the Supreme Court, to capture it like a captured agency, he wasn't much use any longer. He was like a blown agent in a covert operation. He had to go someplace.

Where did he hop to? He hopped from the Federalist Society to the Honest Elections Project so he could get to work on the Presiding Officer's favorite cause, voter suppression. Same guy, same corporate network, new name, and new purpose: voter suppression.

As if this weren't enough, both of these groups have now filed new fictitious names. This is to help them wade into the rightwing fuss over what the rightwing likes to call critical race theory. So the Concord Fund has now added the fictitious name "Free to Learn Action," and the 85 Fund has now added the fictitious name "Free to Learn." Again, you see the pairing of the 501(c)(3) and the 501(c)(4) as part of the basic structure for dark money political influence operations.

By the way, the same person filled out all these forms for both organizations and is listed with various titles on each.

So now we have one group that calls itself the Concord Fund that operates simultaneously as the Judicial Crisis Network, the Honest Elections Project Action, and the Free to Learn Action, and we have a sister organization, the 85 Fund, that operates simultaneously as the Judicial Education Project, the Honest Elections Project, and Free to Learn—all with overlapping staff, locations, and funding.

By the way, when you are the funder of these groups, you are their controller.

Now, imagine this level of complexity multiplied many times over, because that is what the Washington Post disclosed. And I borrow a photograph from their video of their investigation.

That Washington Post exposé on the covert court-capture operation exposed the Judicial Crisis Network as one part, just one part of a massive—there it is, Judicial Crisis Network—one part of a massive web of groups, a web of groups that took in over \$250 million in dark money between 2014 and 2017.

This effort to capture the Supreme Court? They are not kidding around. Spending \$250 million in dark money is a serious investment that demands a serious return. And guess what. Expert testimony before my Senate Courts Subcommittee has since raised that number to \$400 million through 2018.

Through all these allied and coordinated front groups—the keys on the dark money piano that the big donors can play in chords and singly as they wish—dark money donors can, from hiding, covertly channel tens if not hundreds of millions of dollars in anonymized money toward the scheme's court-capture goals.

Colleagues, this is a scheme akin in complexity and trade craft to an intelligence agency covert operation—only this one is not being run by one country against another; this one is being run in and against our own country by a handful of creepy billionaires and their foundations, trying to impose their self-serving ideology on the rest

of us through our least democratic branch—the branch that doesn't care if normal people hate this stuff because they are in robes for life. That is our Federal courts, and particularly, it is our Supreme Court.

The big dark money donors have pretty well pulled it off, too, following Lewis Powell's old admonition to use "strength . . . in organization" and "united action" of all of this complexity. They have just made it all clandestine, which is why I am going to keep digging.

To be continued.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

REMEMBERING RICHARD TRUMKA

Mrs. MURRAY. Mr. President, I rise today to join my colleagues in saying I am deeply saddened to learn of the passing of my great friend Richard Trumka.

To say Rich was a champion for workers is really an understatement. He dedicated his life to fighting to secure and strengthen workers' rights. Everyone who knew Rich knew just how deeply committed he was to that mission. He understood how hard people in this country work for their families. He understood the dignity of work. He grew up understanding it. His grandfather was a coal miner, his father was a coal miner, and so was he.

It is because he knew how hard people across the country work that he was driven to work so hard himself, to hold Washington accountable and make sure our country was looking out for working families.

For decades, Rich led the charge in creating a country that treats all workers with the dignity and respect they deserve and where every worker had the right to join a union, including by fighting to root out systemic inequities and racism in this country.

Rich once said:

There's no evil that's inflicted more pain and more suffering than racism and it's something we in the labor movement have a special responsibility to challenge.

He worked to live up to that challenge and to push others as well, and this country is better because of it.

I have worked with Rich for years and seen firsthand how hard he fought every day to make sure workers had a seat at the table on healthcare, education, taxes, climate change. Whatever the issue, you could expect to hear from Rich because of how those issues affected working people.

I will always remember working together to develop and draft the PRO Act, which embodied our vision to give workers and their families a fair shot in this country—something Rich not only fought for every day, but, in my mind, will always be remembered for on this floor, in the halls, and all across our country.

If you didn't hear him in a meeting, you would hear him over the bullhorn soon enough because he was as comfortable on a picket line as he was in a

boardroom or in the Halls of Congress, if not more comfortable, which is why, even as Rich shaped national policy conversations and led one of the Nation's biggest unions in the country through some of the most trying times in its history, including a recession and a pandemic, his legacy stretches far beyond his legislative accomplishments and beyond his leadership of the AFL-CIO, and it will stretch onward still as we continue his lifetime work of fighting for our workers. That is how we can honor Rich's legacy.

Rich may have been a recognizable face on television, especially with his mustache; he may have met with Presidents regularly; he may have changed the history of our Nation for the better; but perhaps the most remarkable thing is, even at his tallest, he never talked down to people. Even at his biggest, he fought for the small. Even after all that he accomplished, he never stopped fighting to do more, which is why we must not either.

My heart goes out to his wife Barbara and his son Rich Junior during this tragic time.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

H.R. 3684

Mr. MENENDEZ. Mr. President, I come to talk about the process that we are in here; first of all, the process that brings us the legislation that is before us.

Now, I respect my colleagues on both sides of the aisle have come together to draft the legislation that we have been debating on and off, voting even less, but that process shortchanges, I think, the Senate and the American people.

It is a process that our colleagues—well-intentioned and working incredibly hard but had no geographic diversity, had no ethnic diversity, had no racial diversity, and that is consequential. It is consequential in the legislation that we are dealing before us. For example, this legislation does very well in taking care of dealing with abandoned mines, but it doesn't do all that well with dealing with Superfund sites—the sites that most Americans who happen to be from disadvantaged communities ultimately reside along.

This legislation does much to help with the challenges of wildfires in our country, which I support, but doesn't do very much for the questions of flooding—flooding that takes place along the Mississippi, flooding that takes place in Louisiana, flooding that takes place in my home State of New Jersey and along the Atlantic coast.

So that lack of diversity is not only consequential in terms of the legislation—geographic, ethnic, and racial—it is also consequential to disadvantaged communities.

For too long, our infrastructure and transportation system have often been used to divide communities, split communities, where a highway goes through it and ultimately divides the community into the “right side of the

track” and “wrong side of the track.” This was an opportunity to actually change that dynamic. This was an opportunity to create equity in our infrastructure system, to make sure that those divided communities no longer were divided and that all of them had a highway to opportunity, to make sure that transit access to minority communities struggling for employment could be realized. Even though, you know, there is a transit provision, it is \$9 billion less than what we were originally told, but other elements are much, much higher.

Those provisions not only have a consequence to the communities for which transit mobility is a critical element in order for employment, it often deals with minority communities that find themselves disadvantaged in terms of mobility for minority communities to opportunities for employment.

Look at the pay-fors. The pay-fors, it is pretty remarkable, one of them particularly ends a rebate that is supposed to ultimately end up for consumers at the prescription drug counter. I often hear from people across the spectrum that we need to ultimately ensure that the cost of prescription drugs are lowered, but then here we have a pay-for that has absolutely nothing to do with lowering the cost of prescription drugs.

Then I hear that, “well, we are waiting for amendments.” Well, I have bipartisan amendments, amendments on flooding, amendments on our national ferry system that many parts of our Nation depend upon, amendments about eligibility for bus terminals; and they are bipartisan, but the gatekeepers are keeping us away.

Here we are. It is 5:30 in the evening. We have yet to vote on one single amendment. We have yet to vote on anything today. So this cannot be the process by which the world's most deliberative body operates under.

And I just want to serve notice that, as it relates to this Senator, this Senator has no intention of supporting legislation that comes through this process again and that ultimately does not have that diversity of geography, of ethnicity, of race. It doesn't have a committee process which provides for that diversity to be represented and those points of view. I may not win, but I would like to have my point of view and those of the communities I represent have a shot. After all, that is what the American dream is all about, having a shot at it.

So 5:30, no votes. This is a fantastic process, but one that I can serve notice on, I have no intention of supporting in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. PETERS. Mr. President, I rise in support of two nominations to critical positions within the Department of Homeland Security: Robert Silvers to be the Under Secretary for Strategy,

Policy and Plans; and Jonathan Meyer to be General Counsel.

Both nominees are well qualified for these important roles, and both of them have strong bipartisan support, including from former national security officials who served both under Democratic and Republican Presidents.

Mr. Silver's public service includes several senior roles in the Department of Homeland Security, including Deputy Chief of Staff and Assistant Secretary for Cyber Policy during the Obama administration.

As a lawyer in the private sector since 2017, Mr. Silvers has been a leader on cybersecurity, data privacy, and artificial intelligence issues. As Under Secretary for Strategy, Policy and Plans, Mr. Silvers will help the Department to take a strategic and coordinated approach to address challenging policy areas, including domestic terrorism, border security, and cybersecurity.

Jonathan Meyers' previous government service spans 17 years and includes senior roles in the Department of Justice, the U.S. Senate, and as Deputy General Counsel for DHS during the Obama administration. Since returning to private practice in 2016, Mr. Meyers' legal work has continued to focus on cybersecurity, technology, and Homeland Security.

DHS needs qualified Senate-confirmed leaders in place to effectively carry out its critical mission of safeguarding our Nation, and I urge my colleagues to confirm these qualified nominees today.

Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 158; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate, that no further motions be in order to the nominations, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Reserving the right to object.

I would say this is a complicated issue to walk through the issues of immigration, and there are a lot of questions that hang out there. Secretary Mayorkas was in front of our committee on May 13 to be able to walk through the issues we are facing.

Just as a quick review, we had a record number of people illegally cross the border in March. That was beaten in April. That was beaten in May. That was beaten in June. That was beaten in July.

In July, we had 210,000 people illegally cross our border, that we know of.

The DHS, in a recent court filing—actually filed in a court filing where they made this statement:

Based on current trends, the Department expects that total encounters this fiscal year are likely to be the highest ever recorded. . . . The Department also expects that these numbers will climb even higher if the CDC Order [Title 42] is enjoined.

There is a real issue that is going on. So when Ale Mayorkas was in front of our committee, our committee had direct jurisdiction for oversight in what is happening in Homeland Security. There have been a lot of changes that have been done this year in how we are enforcing or not enforcing the border.

We have record numbers of individuals crossing the border. The border wall and that whole infrastructure, as well as the technology on the southern border, all the construction has stopped on that. The best we can tell, we have spent \$2 billion this year not building the wall.

Currently, it is not getting better. It continues to be able to get worse. We have 10,000 migrants in the Rio Grande Valley currently being held right now. That is 783 percent overcapacity in the Rio Grande Valley right now.

And on the Interior enforcement side with ICE—we have 6,000 ICE agents—and the last number that we saw last month, they did 3,000 deportations among 6,000 ICE agents in a month. The standard for them to actually interdict, detain, or deport an individual has now reached such a high standard that they have to contact regional leadership and ask permission by name to be able to interdict someone.

That has dramatically slowed down what is happening in Interior enforcement, what is happening at our border area.

And as we continue to be able to watch the number of individuals cross our border that are COVID positive, we have this odd situation where the Nation and the President are talking to companies and telling companies, “you need to mandate vaccines and you need to mandate masks,” when at the whole time we are literally bringing people from all over the world across our southern border and releasing them into the United States.

We have legitimate questions that need to be answered. May 13, when Ale Mayorkas was in front of our Committee, there were multiple questions that I had. It was a very cordial interchange and very frank going through the issues. I asked him very specific questions for specific numbers.

He said: I will follow up with that.

We wrote him a list of specific questions and asked for specific answers for that. To their credit, 2 months later—2 months later—we got a list of answers to the questions that I had asked. That was 24 hours ago.

The very specific answer on the issues—I asked about the volunteer force in DHS. The humanitarian exceptions to Title 42, including the policy

documents, they were very commendable on how they actually answered those.

To DHS, I would ask specific questions on how they are handling sex offenders, because ICE agents have told me over and over again sex offenders are not being interdicted in the numbers they were in the past. They gave us very specific answers on that.

But the problem was, half of the questions they gave us answers to and half they did not. For instance, we asked about the study that they started January 20th on the border wall. That study was supposed to be 60 days. It has now been more than 200 days. We just asked for the status of that study and, if we could see any of it, what were the findings.

Instead, I was sent a press release that they had put out. That is not what I need. In fact, that press release was copied in multiple places in the document to say “this is responsive.” That is not responsive.

There is a new process that has been put in place by this DHS called notice to report, where literally there is a large number of people crossing the border at once. They are taking those individuals out, doing biometrics, background checks and releasing them into the country with the statement of: Turn yourself in at an ICE office somewhere in the country.

No administration has ever done that. As far as we can tell, 55,000 people this year have been released into the country under a notice to report. That is a new process that is undefined. The questions we asked about that were completely unresponsive.

The Supreme Court made a decision on what is called a notice to appear just this year that should change the process from how DHS handles notice to appear. We asked very specific questions on how DHS is handling this issue based on the Supreme Court decision that was made a few months ago. They were completely unresponsive on that.

We asked about cost analysis for the border construction, what is happening on eminent domain on those issues and areas where they are choosing not to do eminent domain, and they were completely unresponsive to that.

So literally half our questions they answered completely, and half our questions they sent us fluff.

I am the only one who is holding this up—I am very aware—but it is also my committee of jurisdiction that specifically has border management. I am the one who is supposed to ask these questions, and I am asking these questions, and they are not unreasonable questions.

We are just asking to be able to get an answer to the questions so we can figure out what is the process and what is happening.

As recently as today, I learned that ICE is currently looking at a facility in western Oklahoma to do what they are calling a surge overflow temporary facility. That surge overflow temporary

facility they are looking to open is in western Oklahoma, to move people from the border, process them in western Oklahoma, and then release them from western Oklahoma.

It is not an unfair question for me to ask: What is this facility? What is its purpose? And will individuals who are not legally present in the country be released in western Oklahoma?

This is the same question that has been asked by mayors and leaders in Arizona, who have a facility like this in Arizona, where processing was done there and then they were released from there. And mayors and individuals there have asked the question: Why are individuals who are not legally present in the country being brought from the border to my town, and then released in my town?

It is not unfair for me to be able to ask that as well. I have already had that conversation with the Secretary of DHS. I do not have an answer.

So, yes, I object because we need to get some straightforward answers to some very straightforward, very fair questions.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. PETERS. Mr. President.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. PETERS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 159; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate, that no further motions be in order to the nomination, that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. LANKFORD. I object.

The PRESIDING OFFICER. Objection is heard.

The PRESIDING OFFICER. The Senator from Michigan.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. PETERS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination, Calendar No. 158.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The bill clerk read the nomination of Robert Peter Silvers, of the District of Columbia, to be Under Secretary for Strategy, Policy, and Plans, Department of Homeland Security.

Thereupon, the Senate proceeded to consider the nomination.

Mr. PETERS. Mr. President, I ask unanimous consent that the Senate