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No. 69

## House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mrs. DINGELL).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

April 21, 2021.

I hereby appoint the Honorable DEBBIE DINGELL to act as Speaker pro tempore on this day.

NANCY PELOSI,

*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Be gracious to these, our lawmakers, O God. Shower Your mercy on them as they continue to take on the challenges of their office.

Schedules press on them; obligations pursue them all the day long. No one more than You knows the pace they keep, the long days and restless nights, the unrelenting schedule they juggle to master, and the countless and circuitous flights home to their districts.

In You may they find their respite. Keep their feet from falling, that they may walk before You in the light You shine on their lives.

In You may they place their trust. Keep their consciences clear and their motives pure as You guide their decisions.

In You may they be assured that their worries and concerns are known. Keep them in Your care, that nothing can snatch them from Your hand.

To You, then, may they turn, confident of Your deliverance and sure in the stamina You provide. To You may they offer their praise, and to Your Word may they turn.

In Your saving name we pray.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. VARGAS) come forward and lead the House in the Pledge of Allegiance.

Mr. VARGAS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

### RECOGNIZING THE LIFE OF CODY LYSTER

(Mr. CROW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROW. Madam Speaker, it is my honor today to recognize the life of Cody Lyster, son of Kevin and Lea Ann Lyster, of Aurora, Colorado.

Cody passed away on April 8, 2020, and is Colorado's second youngest victim to die from COVID-19. He was a criminal justice major at Colorado Mesa University, following in his father's footsteps to become a law enforcement officer.

Cody was an avid baseball player. As a freshman, Cody was named team captain of his school's club baseball team,

a first for Colorado Mesa University history. He helped others through his love for the game and had a knack for bringing people together and could be counted on during times of calm and times of crisis.

Cody made his community better. In his honor, a \$1 million scholarship was established at Colorado Mesa University, and a sportsmanship award and scholarship at Arapahoe Little League were dedicated to a life well-lived.

Cody was an inspiration to others, and I can think of few as deserving of this honor today. I honor Cody and thank the Lysters for drawing strength from tragedy to make sure Cody's story is heard and to save as many lives as they can during this pandemic.

### CONGRATULATING DRIPPING SPRINGS FOR TAKING 5A SOCCER STATE CHAMPIONSHIP

(Mr. WILLIAMS of Texas asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS of Texas. Madam Speaker, I rise today to congratulate the Dripping Springs Tigers women's soccer team for their outstanding win in the UIL Class 5A final.

Dripping Springs finished the season as the Class 5A State Champion with a record 26 wins. They outscored their opponents this season 104-8.

The team showcased their amazing talent and skills on the field, and I am proud that all of their hard work and dedication throughout the year ultimately paid off.

Congratulations again to the Dripping Springs Tigers. Texas' 25th Congressional District is extraordinarily proud of their achievement, and we cannot wait to see what they will do next. Go Tigers.

In God We Trust.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H2001

## MUSLIM TRAVEL BAN

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, the Muslim ban enacted under the previous administration is a stain on our country and our Nation's history. As we work to rebuild a humane and just immigration system, we must start by outlawing any type of this State-sanctioned religious bigotry. We do that today by passing the NO BAN Act.

This bill strengthens the Immigration and Nationality Act by banning discrimination on the basis of religion. Importantly, it will prevent any future President from enacting something like the Muslim ban in the future by placing appropriate checks and balances on the President's authority in this area.

Discrimination based on religion is not who we are as a nation. Today, we can take the first step towards a more just and humane immigration system, and I urge all my colleagues to join me in voting "yes" on the NO BAN Act.

## HONORING J. MICHAEL MYER

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Madam Speaker, I rise today to honor the life of my friend, Mike Myer of Wheeling, who passed away earlier this year.

Besides being a loving husband and father, Mike was an incredibly gifted editor at the Ogden newspaper chain and was a personal friend. Over the years, Mike and I had lively discussions on politics, the fossil fuel industry, and what would make West Virginia better. He was both a pragmatic and authentic editor, and he cared deeply for the livelihoods of men and women in the coal and natural gas fields of our valley.

Out of frustration, Mike would repeatedly ask why Members of Congress would intentionally inflict harm on so many of these families. His passion was his community and the people who lived there.

Our thoughts and prayers are with his wife, Connie, and their two children and two grandchildren as we all mourn Mike's passing.

Mike, you made a difference. You are already missed.

## TRI-CAUCUS RESOLUTION ON COVID-19 VACCINE EQUITY

(Ms. CHU asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. CHU. Madam Speaker, as chair of the Congressional Asian Pacific American Caucus, I rise today to join my colleagues in the Tri-Caucus to ensure equitable access to the COVID-19 vaccine for communities of color.

While we are all equally susceptible to the coronavirus, we are not all equally impacted by it. Communities of color are disproportionately likely to be in frontline jobs with greater exposure to the virus; have less access to quality healthcare; and, as a result, have been experiencing higher infection and mortality rates throughout the pandemic.

With over 150 deaths per 100,000 cases, Native Hawaiians and Pacific Islanders have one of the highest mortality groups of all groups from this virus.

That is why we will be introducing a resolution to address this. If we rely on communities of color to get us through this pandemic, then we need to ensure they are provided equitable access to the vaccine so they can stay healthy. We must ensure all Americans have an equal shot to be vaccinated.

## LIFETIME ACHIEVEMENT AWARD GOES TO CONGRESSMAN BOBBY SCOTT

(Mr. WITTMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WITTMAN. Madam Speaker, I rise today to congratulate my good friend, Congressman BOBBY SCOTT, on receiving the Lifetime Achievement Award from the L. Douglas Wilder School of Government and Public Affairs at Virginia Commonwealth University on April 15, 2021.

The Lifetime Achievement Award recognizes an individual Virginian whose career represents the highest values of public service and citizenship, and who has made a substantial contribution to the good of the Commonwealth.

Congressman BOBBY SCOTT is incredibly deserving of this recognition and award. He has spent more than four decades in public service, serving in the Virginia General Assembly for 15 years prior to being elected, and now serving Virginia's Third District in the U.S. House of Representatives, where he has been since 1992.

It is my honor to serve the Commonwealth of Virginia with a servant leader like BOBBY SCOTT. We share the same desire to work tirelessly for Virginians and to advocate for the needs of the Commonwealth.

Please join me in congratulating BOBBY SCOTT on receiving the Lifetime Achievement Award and in thanking him for his dedicated service on behalf of all Virginians.

## PROMOTING COVID-19 VACCINE EQUITY AMONG COMMUNITIES OF COLOR

(Mr. VARGAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VARGAS. Madam Speaker, I rise today in support of a resolution promoting COVID-19 vaccine equity among communities of color.

Communities of color continue to be disproportionately impacted by the ongoing COVID-19 crisis, highlighting longstanding health, social, and economic inequities.

The resolution calls for the prioritization of areas with a high Social Vulnerability Index, SVI, for COVID-19 vaccination efforts and working with trusted community partners to implement culturally and linguistically appropriate strategies, among other efforts.

The resolution is going to be introduced during this month of April, during the National Minority Health Month to promote the health and well-being of racial and ethnic minority communities and to underscore the need for these communities to get vaccinated.

Vaccinate, vacunen. It is very important that they get vaccinated, es muy importante que se vacunen.

Madam Speaker, vaccinate yourself. It is very important.

I am so proud to support this resolution.

## 106TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

(Mr. VALADAO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VALADAO. Madam Speaker, I rise today in recognition of the 106th anniversary of the Armenian genocide.

From 1915 to 1923, the Ottoman Empire engaged in the systematic and organized murder and deportation of an estimated 1.5 million Armenians.

Around the world, leaders have rightly identified these horrific events as genocide. However, despite both the House of Representatives and the Senate passing resolutions in 2019 recognizing this tragedy, no United States President has ever joined in this acknowledgment.

This week, I and my colleagues in the Congressional Caucus on Armenian Issues sent a letter to President Biden urging him to formally recognize the Armenian genocide.

Many of the men, women, and children forced to flee Armenia immigrated to the United States and have raised their families and embraced their new communities in our country. They deserve our recognition.

I ask my colleagues to join me in honoring and remembering those whose lives were lost and forever changed by the Armenian genocide.

## AFGHANISTAN TROOP WITHDRAWAL

(Mr. AUCHINCLOSS asked and was given permission to address the House for 1 minute.)

Mr. AUCHINCLOSS. Madam Speaker, I rise today to commend the President's decision to end the war in Afghanistan.

Now Congress must ensure that future Commanders in Chief can never

again wage failed forever wars. This is also a critical moment to show we can defend America and protect the global commons without a \$740 billion defense budget.

We must repeal the Authorization for the Use of Military Force; reassert congressional oversight of war powers; and cut the Pentagon's budget by at least 10 percent as we invest instead in diplomacy, humanitarian assistance, and solving global challenges like climate change and pandemic preparedness.

The war in Afghanistan cost our country more than \$2 trillion, the lives of 2,400 American servicemembers, and credibility at home and abroad. The generation that fought in this war must now govern in light of its mistakes. Let us resolve to learn from them.

□ 1215

#### RECOGNIZING GOLD STAR SPOUSES DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today in recognition of Gold Star Spouses Day. Earlier this month, we honored the spouses who lost a loved one in service and remember their sacrifices.

As the son of a Navy veteran and the proud father of an Army soldier, I recognize the challenges our military families face. It is important to remember that our freedom is not free. Gold Star Spouses Day reminds us of the cost of war. Each year on April 5, it is important to take the time to remember, respect, and honor the spouses and their families of our fallen servicemembers.

Madam Speaker, Gold Star spouses and their families deserve our gratitude today and every day. God bless the brave men and women who put their lives on the line to protect us and God bless their families.

#### RECOGNIZING THE LIFE OF MAJOR GENERAL DAN HELIX

(Mr. DESAULNIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DESAULNIER. Madam Speaker, I rise to recognize the life of Major General Dan Helix.

Dan grew up in West Berkeley, California, and enjoyed a distinguished 41-year career with the United States Army and Army Reserve.

On top of his service in the military, he served on the Concord City Council for 8 years before serving as a director of the Bay Area Rapid Transit District.

After being away for some time, Dan eventually returned to the city council and served two terms as mayor during both of his tenures.

In 1989, Dan retired from the U.S. Army as a major general. As a Korean

war veteran, Dan earned numerous recommendations including: the Army Distinguished Service Medal, the Silver Star, the Legion of Merit, the Bronze Star with "V" device, and the Purple Heart with Oak Leaf Cluster.

Sadly, Dan passed away last month at the age of 91. He was a cherished resident of Concord who dedicated his life to helping others. He was a mentor to me and to many others.

Please join me in honoring Major General Dan Helix for his many contributions to my community and to this country.

#### COMMEMORATING 46TH ANNIVERSARY OF BLACK APRIL

(Mrs. STEEL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. STEEL. Madam Speaker, today I rise to commemorate the 46th anniversary of Black April.

April 30, 1975, marked the fall of Saigon and the end of the Vietnam war. Many Vietnamese Americans who were alive during the war remember this as the day that signified the loss of a country they once called home.

The people left everything they knew to flee communism. Hundreds of thousands of Vietnamese people have resettled in the United States and built vibrant communities here. California's 48th District is the proud home of Little Saigon, which is home to more Vietnamese Americans than anywhere else in the United States.

On Black April, I will join the Vietnamese Americans in our community and around the country in honoring those who served in Vietnam, and those who lost their lives attempting to flee Communist rule.

#### TRI-CAUCUS COVID-19 VACCINE EQUITY RESOLUTION

(Mr. GARCÍA of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARCÍA of Illinois. Madam Speaker, as a proud member of the Congressional Hispanic Caucus, I rise in strong support of the Tri-Caucus resolution promoting COVID-19 vaccine equity among communities of color.

I represent the large immigrant population that has been especially hard hit by this crisis, and now these are the same communities who are still struggling to get the vaccine.

Yes, vaccine hesitancy remains an issue, but the reality is that access is an even bigger problem. If we are serious about fighting COVID-19, we need to meet people where they are and bring vaccines to those who need it most, and we can't do this without engaging with trusted community leaders.

I want to take this opportunity to acknowledge one of these leaders in Chicago. Illinois Unidos, a coalition of

health professionals and community leaders, is one of a kind and stands as a national model. From testing, to the vaccine rollout, to housing and food assistance, Illinois Unidos has stood shoulder to shoulder with the Latino community in Chicago.

#### GREEN NEW DEAL

(Mr. CLINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINE. Madam Speaker, there is no denying that we need to support an all-of-the-above solution for energy policy to secure our energy independence. But the Green New Deal which was recently introduced, yet again, seeks to fundamentally change our way of life, cripple American businesses, and explode our national debt—\$93 trillion, with a T, which is how much their proposal will cost over the next 10 years.

Let's put that into perspective. \$93 trillion is more money than the Federal Government has spent for the entire period from 1979 until the present. Madam Speaker, that is absurd. Worse yet, how do the Democrats propose that we pay for it? By raising the taxes, of course, up to 70 percent. This is outrageous.

It crushes jobs, costs an average American household nearly \$700,000 through 2029, provides paychecks for people unwilling to work, abolishes airplanes, cows, and fossil fuels, and would require rebuilding and retrofitting every building in America. This is a crazy policy.

#### ENCOURAGING COSPONSORSHIP OF TRI-CAUCUS COVID-19 VACCINATION EQUITY

(Mr. RUIZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUIZ. Madam Speaker, I rise today to encourage cosponsorship of the Congressional Hispanic Caucus-led Tri-Caucus COVID-19 Vaccination Equity resolution.

Hispanic, Black, Asian American, Native Hawaiian, Pacific Islander, and Native American communities continue to bear the brunt of the COVID-19 pandemic.

Not only are communities of color suffering disproportionately from COVID-19 complications, but they are receiving vaccines at a lower rate than their White counterparts. These inequities are not new. They highlight longstanding health, economic, and social disparities.

As chair of the Congressional Hispanic Caucus, I worked with my Tri-Caucus colleagues to introduce this resolution, promoting equity in COVID-19 vaccinations. The resolution calls for solutions like prioritizing vaccines to communities with the highest rates of infections and deaths, working

with trusted community partners, and implementing culturally, linguistically appropriate strategies.

During National Minority Health Month we must promote vaccine equity to the benefit of all Americans.

#### INFRASTRUCTURE BILL

(Mr. BAIRD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAIRD. Madam Speaker, today I rise for the concerns over the President's \$2 trillion infrastructure plan. One concern is the steep price tag, but my bigger concern is what the administration is trying to classify as infrastructure.

We are to the point of changing the definition of what that is. We are throwing everything in except the kitchen sink and the kitchen table and calling it infrastructure. I think that is irrational and I think that is irresponsible.

How can you call this an infrastructure bill when less than 6 percent of it goes to roads and bridges, 5 percent goes to broadband infrastructure, and less than 2 percent goes to the waterways, locks, dams, ports, and airports?

Less than 2 percent of our waterways and ports is unacceptable. This type of infrastructure is critical for Hoosiers in transporting our manufactured and agriculture exports to the global market.

If we are going to ask the American taxpayers to make these critical and substantial investments, it is our duty to make sure our dollars are spent wisely and efficiently on true infrastructure.

#### GREEN NEW DEAL FOR AMERICA

(Ms. JACOBS of California asked and was given permission to address the House for 1 minute.)

Ms. JACOBS of California. Madam Speaker, I rise today to call for a Green New Deal for America.

As one of the youngest members of this body, I am proud to represent a generation that is taking on climate change with the urgency that it deserves.

The Green New Deal is a call to action and a blueprint for positive change. It is about choosing justice and progress over scarcity and inequality. It is about choosing to have a plan instead of waiting for a miracle.

San Diegans are all too familiar with how devastating unchecked climate change has been for our community, and those who can least afford it have paid the highest price.

This plan is to mobilize and rebuild our economy around clean energy, empowered workers, and good jobs.

Madam Speaker, my generation knows that we can't take small steps to solve big problems. We have to think differently and reimagine a better future.

#### PAYING TRIBUTE TO GERALD CLARK

(Mr. BURCHETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURCHETT. Madam Speaker, I rise today to pay tribute to my good friend, Gerald Clark, a true American hero from my district who passed away on April 19.

Gerald dedicated his life to helping his fellow veterans and their families and patriotically served his country during World War II.

Gerald viewed his time with the U.S. Army as an adventure. He fought with the 75th Infantry Division at the Battle of the Bulge and lost his leg defending our country fighting the Nazis.

He was awarded a Purple Heart for his service and sacrifice. He was honorably discharged after being hospitalized over a year. Then he returned to Tennessee; married his wife, Bea; raised five children; and continued to serve his community.

For decades, Gerald held memberships in the American Legion, AMVETS, Disabled American Veterans, Military Order of the Purple Heart, and the Veterans of Foreign Wars, in the belief that his support lent strength to the voice of each organization.

Gerald was also a leading advocate for opening a Tennessee State Veterans' Home in Knox County. Thanks to his efforts, Ben Atchley Tennessee State Veterans' Home opened in 2006, and my father actually passed away in that veterans' home, so I hold it very close to my heart, Madam Speaker.

It is my honor to salute Gerald Clark one final time here on the House floor. He will be greatly missed.

#### COVID-19 TASK FORCE AND CITIZEN CORPS OF DELAWARE COUNTY

(Ms. SCANLON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCANLON. Madam Speaker, I rise today to recognize the incredible staff of the Delaware County COVID-19 task force, led by Rosemarie Halt, for their amazing work, along with the thousands of volunteers from the DelCo Medical Reserve Corps and the DelCo Citizen Corps who have created and implemented new systems to test, feed, and vaccinate tens of thousands of people in our community.

These folks have been working day and night to help guide the residents of Delaware County through the challenges of a once-in-a-century pandemic. In an ever-changing landscape, they have distributed supplies, coordinated communication, and are now helping to ensure that everyone gets vaccinated.

I am proud to honor them today during National Volunteer Week to cele-

brate those working behind the scenes to get us back to normal.

Rosemarie, her staff, and the DelCo volunteers have been critical to the response and relief efforts in our district. For over a year, it has been all hands on deck, and we cannot thank them enough for their service.

#### CONGRATULATING TONY SCHMITZ ON HIS ACCEPTANCE TO WEST POINT

(Mrs. MILLER-MEEKS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER-MEEKS. Madam Speaker, I rise today to recognize a young man in Iowa's Second Congressional District with an incredibly bright future.

On June 28, Pella High School senior Tony Schmitz will enroll as a cadet at the United States Military Academy in West Point, New York.

Everyone knows just how tough it is to get into West Point, with its 12 percent acceptance rate, but getting in is only the beginning. As a 24-year veteran of the Army myself, I can speak firsthand of the challenging, fulfilling, and exciting journey Tony is about to begin.

As the school year starts to wind down, I also want to remind all rising seniors in the Second District to reach out to my office if you have an interest in applying to any or attending one of our four amazing service academies.

Once again, congratulations to Tony, and always remember: Go Army, beat Navy.

#### WISHING LIEUTENANT COLONEL RETIRED SAM MULRAIN A HAPPY 104TH BIRTHDAY

(Ms. MACE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MACE. Madam Speaker, today I rise to wish a very happy birthday to a South Carolina hero, a community leader and someone who just yesterday turned 104 years young, Lieutenant Colonel Retired Sam Mulrain.

Lieutenant Colonel Mulrain has done so much in his life and I am proud to recognize him today, and I am grateful for all of his accomplishments. His legacy is inspirational to our Nation and the Lowcountry. We owe Lieutenant Colonel Mulrain so much for his contributions, both in military service and in his humanitarian efforts.

He was part of the Greatest Generation, storming the beaches of Normandy where he was wounded and received the Purple Heart. He played baseball with Hall of Famer Phil "The Scooter" Rizzuto.

In and around Hilton Head, the community knows him for his tireless dedication to public service.

Today, we in Congress, wish Sam a very happy birthday.

□ 1230

STANDING UP FOR THE  
VOICELESS

(Mrs. MILLER of Illinois asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Illinois. Madam Speaker, I proudly signed a discharge petition in order to vote on the Born-Alive Abortion Survivors Protection Act.

Along with my Republican colleagues, we are standing up for the voiceless to end this ongoing tragedy once and for all. We must end infanticide.

Seventy-seven percent of Americans support protections for babies born alive after a failed abortion, but Speaker PELOSI refuses to bring up the Born-Alive Abortion Survivors Protection Act for a vote.

This legislation is long overdue. It is time to stand up to Speaker PELOSI and the radical Democrats' lack of regard for human life and pass the Born-Alive Abortion Survivors Protection Act.

My heart aches in all instances when the dignity of human life is violated. As a Christian, I believe that the image of God in each one of us gives us intrinsic worth that cannot be assaulted.

This bill simply requires an abortionist to give lifesaving treatment to a child who survives a botched abortion rather than let them die slowly.

COMMUNICATION FROM THE  
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 21, 2021.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on April 21, 2021, at 11:51 a.m.:

Appointments:  
United States-China Economic and Security Review Commission.

United States Senate Caucus on International Narcotics Control.

With best wishes, I am,  
Sincerely,

CHERYL L. JOHNSON,  
Clerk.

NATIONAL ORIGIN-BASED ANTI-  
DISCRIMINATION FOR NON-  
IMMIGRANTS ACT

Mr. NADLER. Madam Speaker, pursuant to House Resolution 330, I call up the bill (H.R. 1333) to transfer and limit Executive Branch authority to suspend or restrict the entry of a class of aliens, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 330, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1333

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

## SECTION 1. SHORT TITLE.

This Act may be cited as the "National Origin-Based Antidiscrimination for Non-immigrants Act" or the "NO BAN Act".

## SEC. 2. EXPANSION OF NONDISCRIMINATION PROVISION.

Section 202(a)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(1)(A)) is amended—

(1) by striking "Except as specifically provided in paragraph (2) and in sections 101(a)(27), 201(b)(2)(A)(i), and 203, no" and inserting "No";

(2) by inserting "or a nonimmigrant visa, admission or other entry into the United States, or the approval or revocation of any immigration benefit" after "immigrant visa";

(3) by inserting "religion," after "sex,"; and

(4) by inserting before the period at the end the following: "except as specifically provided in paragraph (2), in sections 101(a)(27), 201(b)(2)(A)(i), and 203, if otherwise expressly required by statute, or if a statutorily authorized benefit takes into consideration such factors".

## SEC. 3. TRANSFER AND LIMITATIONS ON AUTHORITY TO SUSPEND OR RESTRICT THE ENTRY OF A CLASS OF ALIENS.

Section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)) is amended to read as follows:

"(f) AUTHORITY TO SUSPEND OR RESTRICT THE ENTRY OF A CLASS OF ALIENS.—

"(1) IN GENERAL.—Subject to paragraph (2), if the Secretary of State, in consultation with the Secretary of Homeland Security, determines, based on specific and credible facts, that the entry of any aliens or any class of aliens into the United States would undermine the security or public safety of the United States or the preservation of human rights, democratic processes or institutions, or international stability, the President may temporarily—

"(A) suspend the entry of such aliens or class of aliens as immigrants or nonimmigrants; or

"(B) impose any restrictions on the entry of such aliens that the President deems appropriate.

"(2) LIMITATIONS.—In carrying out paragraph (1), the President, the Secretary of State, and the Secretary of Homeland Security shall—

"(A) only issue a suspension or restriction when required to address specific acts implicating a compelling government interest in a factor identified in paragraph (1);

"(B) narrowly tailor the suspension or restriction, using the least restrictive means, to achieve such compelling government interest;

"(C) specify the duration of the suspension or restriction;

"(D) consider waivers to any class-based restriction or suspension and apply a rebuttable presumption in favor of granting family-based and humanitarian waivers; and

"(E) comply with all provisions of this Act.

"(3) CONGRESSIONAL NOTIFICATION.—

"(A) IN GENERAL.—Prior to the President exercising the authority under paragraph (1), the Secretary of State and the Secretary of Homeland Security shall consult Congress and provide Congress with specific evidence supporting the need for the suspension or restriction and its proposed duration.

"(B) BRIEFING AND REPORT.—Not later than 48 hours after the President exercises the authority under paragraph (1), the Secretary of State and the Secretary of Homeland Security shall provide a briefing and submit a written report to Congress that describes—

"(i) the action taken pursuant to paragraph (1) and the specified objective of such action;

"(ii) the estimated number of individuals who will be impacted by such action;

"(iii) the constitutional and legislative authority under which such action took place; and

"(iv) the circumstances necessitating such action, including how such action complies with paragraph (2), as well as any intelligence informing such actions.

"(C) TERMINATION.—If the briefing and report described in subparagraph (B) are not provided to Congress during the 48 hours that begin when the President exercises the authority under paragraph (1), the suspension or restriction shall immediately terminate absent intervening congressional action.

"(D) CONGRESSIONAL COMMITTEES.—The term 'Congress', as used in this paragraph, refers to the Select Committee on Intelligence of the Senate, the Committee on Foreign Relations of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, the Committee on the Judiciary of the House of Representatives, and the Committee on Homeland Security of the House of Representatives.

"(4) PUBLICATION.—The Secretary of State and the Secretary of Homeland Security shall publicly announce and publish an unclassified version of the report described in paragraph (3)(B) in the Federal Register.

"(5) JUDICIAL REVIEW.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, an individual or entity who is present in the United States and has been harmed by a violation of this subsection may file an action in an appropriate district court of the United States to seek declaratory or injunctive relief.

"(B) CLASS ACTION.—Nothing in this Act may be construed to preclude an action filed pursuant to subparagraph (A) from proceeding as a class action.

"(6) TREATMENT OF COMMERCIAL AIRLINES.—Whenever the Secretary of Homeland Security finds that a commercial airline has failed to comply with regulations of the Secretary of Homeland Security relating to requirements of airlines for the detection of fraudulent documents used by passengers traveling to the United States (including the training of personnel in such detection), the Secretary of Homeland Security may suspend the entry of some or all aliens transported to the United States by such airline.

"(7) RULE OF CONSTRUCTION.—Nothing in this section may be construed as authorizing the President, the Secretary of State, or the Secretary of Homeland Security to act in a manner inconsistent with the policy decisions expressed in the immigration laws."

## SEC. 4. VISA APPLICANTS REPORT.

(a) INITIAL REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Secretary of Homeland Security and the heads of other relevant Federal agencies, shall submit a report to the congressional committees referred to in section 212(f)(3)(D) of the Immigration and Nationality Act, as amended by section 3 of this Act, that describes the implementation of Presidential Proclamations 9645, 9822, and 9983 and Executive Orders 13769, 13780, and 13815, during the effective period of each such proclamation and order.

(2) PRESIDENTIAL PROCLAMATION 9645 AND 9983.—In addition to the content described in



paragraph (1), the report submitted with respect to Presidential Proclamation 9645, issued on September 24, 2017, and Presidential Proclamation 9983, issued on January 31, 2020, shall include, for each country listed in such proclamation—

(A) the total number of individuals who applied for a visa during the time period the proclamation was in effect, disaggregated by country and visa category;

(B) the total number of visa applicants described in subparagraph (A) who were approved, disaggregated by country and visa category;

(C) the total number of visa applicants described in subparagraph (A) who were refused, disaggregated by country and visa category, and the reasons they were refused;

(D) the total number of visa applicants described in subparagraph (A) whose applications remain pending, disaggregated by country and visa category;

(E) the total number of visa applicants described in subparagraph (A) who were granted a waiver, disaggregated by country and visa category;

(F) the total number of visa applicants described in subparagraph (A) who were denied a waiver, disaggregated by country and visa category, and the reasons such waiver requests were denied;

(G) the total number of refugees admitted, disaggregated by country; and

(H) the complete reports that were submitted to the President every 180 days in accordance with section 4 of Presidential Proclamation 9645 in its original form, and as amended by Presidential Proclamation 9983.

(b) **ADDITIONAL REPORTS.**—Not later than 30 days after the date on which the President exercises the authority under section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)), as amended by section 3 of this Act, and every 30 days thereafter, the Secretary of State, in coordination with the Secretary of Homeland Security and heads of other relevant Federal agencies, shall submit a report to the congressional committees referred to in paragraph (3)(D) of such section 212(f) that identifies, with respect to countries affected by a suspension or restriction, the information described in subparagraphs (A) through (G) of subsection (a)(2) of this section and the specific evidence supporting the need for the continued exercise of presidential authority under such section 212(f), including the information described in paragraph (3)(B) of such section 212(f). If the report described in this subsection is not provided to such congressional committees in the time specified, the suspension or restriction shall immediately terminate absent intervening congressional action. A final report with such information shall be prepared and submitted to such congressional committees not later than 30 days after the suspension or restriction is lifted.

(c) **FORM; AVAILABILITY.**—The reports required under subsections (a) and (b) shall be made publicly available online in unclassified form.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. NADLER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to

revise and extend their remarks and insert extraneous material on H.R. 1333.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, H.R. 1333, the National Origin-Based Antidiscrimination for Nonimmigrants Act, or NO BAN Act, is an important step toward reining in executive overreach and preserving the power of Congress to establish our Nation's immigration laws.

Section 212(f) of the Immigration and Nationality Act, the INA, authorizes the President to suspend the entry of noncitizens when the President finds that their entry would be detrimental to U.S. interests.

From 1952, when this provision was enacted, until January 2017, Presidents of both parties invoked section 212(f) to exclude only narrow groups of individuals, such as human rights violators, North Korean officials, and individuals seeking to overthrow governments, for reasons that would clearly serve the national interest.

But former President Trump abused this authority, twisting it in ways that were never intended. He first used it to deliver on his campaign promise to ban Muslims from the United States, an immoral and disastrous policy that traumatized children and families and made us no safer, while weakening our standing in the world.

The former President then used this section to rewrite immigration laws with which he disagreed. For example, the INA expressly provides asylum eligibility to any individual who arrives in the United States “whether or not at a designated port of arrival.” However, President Trump invoked section 212(f) to deny asylum to persons who cross the southern border between ports of entry, in direct conflict with the statute. Fortunately, the judiciary agreed that this was unlawful and stopped the policy from taking effect.

H.R. 1333 will prevent such executive overreach by amending section 212(f) to ensure it is used in a manner consistent with its intended purpose and historical norms.

Although President Biden has repealed the egregious orders of the Trump era, including the Muslim ban, we must pass the NO BAN Act to ensure that this authority is never abused again. In advancing this legislation today, we uphold our Nation's founding ideals and reaffirm our commitment to the rule of law.

This should not be a partisan issue. Members on both sides of the aisle should agree that no President, Republican or Democratic, should be permitted to usurp the powers of the legislative branch enshrined in the Constitution. The separation of powers is fundamental to our democratic Republic, and it must be protected.

I would like to thank my friend and colleague, Representative JUDY CHU,

for her leadership and her steadfast commitment to this issue. Her efforts led to the introduction of the NO BAN Act, and I urge all of my colleagues to support this important legislation.

I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield 3½ minutes to the gentleman from California (Mr. MCCLINTOCK), the ranking member of the Immigration and Citizenship Subcommittee.

Mr. MCCLINTOCK. Madam Speaker, this bill presents a very simple question: Should we all but strip the President of his authority to restrict travel from countries that pose a danger to the United States?

Ronald Reagan and George Bush used this authority to protect our country. So, too, did Barack Obama and even Joe Biden as recently as January 25.

President Trump invoked this authority against countries that were hotbeds of international terrorism and that were not cooperating with the United States in providing basic information about travelers coming from these countries. Now, the left calls it a Muslim ban. What nonsense. The President's orders affected only a tiny fraction of Muslim-majority countries and a sizable number of non-Muslim countries. The Supreme Court cited this obvious truth when it fully upheld the President's actions. In fact, when a rogue government changed its policy and cooperated with us, the restrictions were lifted.

Without this authority, the President would have been powerless to take simple, prudent precautions against terrorists and criminals from entering the United States.

The President's ability to protect against threats, negotiate security protocols, and, when necessary, retaliate against discriminatory actions by other countries depends on his having this power at his immediate disposal.

This bill, instead, forbids the President from taking action until he can show that it is the weakest possible measure at his disposal. It requires him to get his own Secretary of State's permission, which is a constitutional absurdity, and it gives anyone who claims any harm the standing to block an order in Federal district court.

So, I ask, in this world that is becoming increasingly threatening and unstable, does this bill make us more safe or less safe? The answer should be self-evident to anyone who is not completely besotted with the woke insanity of the radical left.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. CHU), the author of this legislation.

Ms. CHU. Madam Speaker, I rise today in strong support of my legislation, the NO BAN Act.

The Muslim ban was always wrong, needless, and cruel. Today, we can make sure it never happens again.

First, this policy was wrong. America does not ban people because of their religion, and the Supreme Court acknowledged this. When they upheld the

third iteration of Trump's Muslim ban, the Court insisted that, in order to prove this wasn't just a religious ban, the Trump administration would have to issue waivers to allow those we know not to be a threat to travel here. But that waiver process was a sham, with almost all requests ignored, proving the purpose of the ban was to keep Muslims out of the country, just as Donald Trump always said it was.

Second, the policy was needless. As the Supreme Court's waiver requirement recognized, America has the best and strongest vetting system in the world. Many of those stopped by the Muslim ban had been vetted by U.S. officials many times over many years. I have met with many of them myself. These are people who are trying to escape dangerous situations or who simply wanted a chance at a better life. They turned to the U.S., as countless others have done over the generations. But instead of opportunity, they were met with bigotry, sometimes just days before they were supposed to arrive here.

Which is why, thirdly, this ban was about cruelty. Afraid to leave America out of fear they wouldn't be able to return, or unable to visit here at all, families were intentionally isolated from each other, missing weddings, funerals, births, and graduations.

This past year has shown us what the impact of missing such milestones feels like. To do it deliberately is inexcusable.

Thousands of families were separated by this policy simply because of a lie that Muslims are dangerous, a lie that encouraged bigotry and xenophobia, even as hate crimes are on the rise.

Fortunately, President Biden understood the harm of this policy and rescinded the Muslim bans on his first day in office. But we must make sure no President is ever able to ban people from coming to the U.S. simply because of their religion, which is why I am so pleased that we are voting to pass the NO BAN Act today.

While preserving a President's ability to respond to national emergencies like pandemics, this bill amends the Immigration and Nationality Act to require that any future travel ban is based on credible facts and actual threats. The bill also requires the President to work in consultation with the Departments of State and Homeland Security to provide evidence of why a ban is needed in the first place.

I am so grateful to Chairman NADLER, as well as my House and Senate cosponsors, for their support, and I urge my colleagues to vote "yes."

Mr. JORDAN. Madam Speaker, I yield 2½ minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Madam Speaker, if this bill passes, the President may only act if the Secretary of State allows him to act, and that is backward. The Secretary of State should not be authorized in statute to tell the President, the Secretary of State's boss, that the

President may act. It is antithetical to the executive powers as set forth in the United States Constitution.

Let me say that again. H.R. 1333 gives the authority to initiate a suspension of entry not to the President but to the Secretary of State in consultation with the Secretary of Homeland Security.

But it is the President, in whom all executive power vests, who should determine whether to suspend entry and not just in consultation with or the permission of the State and Homeland Security Departments.

While we are discussing this, we have a crisis on our border, a crisis created by this President. For months, he refused to acknowledge the crisis. When he accidentally slipped and said it was a crisis, we were later told he didn't really mean it was a crisis.

Well, here is the deal. You are housing illegal aliens in hotels. That is the kind of crisis this has become. The situation is so bad that the Biden administration has reopened and expanded facilities to house illegal aliens who have surged across the border.

President Biden inherited a secure border and policies that were working and, instead, has created an inhumane border crisis.

If he wants to solve the crisis, he needs to finish construction of the wall; reinstate the migrant protection protocols; reinstate the asylum cooperative agreements with Honduras, Guatemala, and El Salvador; and remove the other incentives to come, like \$1,400 from the COVID package that was just recently passed.

He can bring it under control, but the best way to bring it under control is to move immigration judges to the southern border to deal with asylum cases that are occurring today, not the backlog. Those people are already in here. Deal with those cases today.

Getting back to this bill, it is representative of an executive branch that is willing to give over and cede Presidential authority to Cabinet members instead of the President himself. This bill should not be passed. It should not even be considered.

□ 1245

Mr. NADLER. Madam Speaker, I yield 2½ minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Madam Speaker, I rise in strong support of H.R. 1333, the NO BAN Act.

This legislation would prevent future abuses of power committed by the previous administration through its xenophobic Muslim ban, a despicable policy which undermined one of our Nation's founding principles, freedom of religion.

My home State of Rhode Island was established by Roger Williams on the principle of religious liberty and separation of church and state, and his leadership inspired the Framers of our Constitution to incorporate these principles into our founding documents.

This legislation will help to preserve that principle.

From the very beginning, former President Trump was clear about exactly what his policy was, an explicit attempt to keep out as many people from Muslim-majority countries as possible, regardless of whether they were seeking refuge or asylum. It was never designed to make us safer. It was simply a way to spark fear and hatred among our citizens.

On his first day in office, thankfully, President Biden rescinded this policy.

Yet the impact of the Muslim ban remains. After 4 years of having this policy in place, the time it takes to reimplement normal immigration and travel policies brings delays in otherwise routine procedures, such as obtaining visas, thus delaying the reunion of families.

Thankfully, however, with the Muslim ban rescinded, those families can take comfort in knowing they are a step closer to once again being with their loved ones.

Despite this, it remains necessary to pass this NO BAN Act. Without making the necessary reforms to prevent the abuses of power of the previous administration, they could simply be put back in place by a future President.

The NO BAN Act makes it unequivocally clear that we stand by the American ideal of freedom of religion. It will provide the necessary limitations on the President's ability to use overly broad terms to inappropriately and indiscriminately target and label entire groups of racial, ethnic, or religious minorities because of who they choose to worship.

We must not tolerate discriminatory actions that undermine our core values and threaten our Nation's health and safety.

Madam Speaker, I urge my colleagues to support passage of the NO BAN Act. I thank the chairman of the committee for his leadership, and I thank Congresswoman JUDY CHU for her extraordinary leadership in this regard.

Mr. JORDAN. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the distinguished Republican leader.

Mr. MCCARTHY. Madam Speaker, at the heart of Democrats' border security policies is the assumption that America can assume an unlimited number of illegal immigrants without considering its impact on jobs, communities, security, and, in today's world, health.

This assumption defies all historical evidence. More importantly, it defies the evidence right before our very eyes.

Madam Speaker, in the last month alone, Border Patrol apprehended the largest surge of migrants in 20 years, 172,000 individuals in one single month. By September, we are on track to encounter 2 million illegal immigrants. Now, that is about twice the size of the population of Delaware, President Biden's home State.

The surge was directly caused by the actions of the Biden administration. On day one, President Biden issued five executive orders that reversed the commonsense immigration policies that were working.

Then his administration sent mixed signals to migrants that now is not the time to come, but promising not to deport children and many families.

Now, as Monday's order demonstrates, the White House is more concerned with policing Border Patrol's language than it is protecting our border.

I am very glad that President Biden finally admitted that there is a crisis at the border, but what we really need is for him to admit that his policies and rhetoric caused the crisis to begin with.

The results of this crisis are as predictable as they are disastrous, for both migrants and American citizens. Just this past weekend, the Biden administration was forced to shut down a Houston migrant center for children because of unbearable conditions. Hundreds of unaccompanied minors had to be shuttled somewhere else.

I know everybody in this body understands that that is heartbreaking. It is also a public health risk. That is because the Biden administration is releasing migrants into American cities without negative COVID tests, without court dates, and without a way to track where they will go. Already, that number is up to 15,000.

Now, Madam Speaker, that doesn't come from me. I saw it on the news today from a Democratic colleague who put this number out and said it was disastrous.

But the border crisis isn't just a humanitarian and public health crisis. It is also a national security crisis. Last month, I shared some alarming news. When I was down on the border, I was speaking to the Border Patrol agents, and they informed me that individuals on the terrorist watch list were caught trying to enter our country.

Madam Speaker, I know how much you care about protecting this country from terrorism. I thought everybody on your side of the aisle would care just as much. Unfortunately, Congressman GALLEGO accused me of lying. Congresswoman ESCOBAR said I was trying to fuel division, Madam Speaker.

But the Customs and Border Protection agency confirmed that four suspected terrorists had been caught. Since then, more suspected terrorists have been caught at different times and different places, from Yemen, but not on the same day; two different individuals.

Now, I am sure, maybe because of the challenges with COVID and the distance we must keep, that I have not received the apology of being accused of being a liar on a national security issue, but I assume that will come shortly.

The security problem also includes a flow of drugs. When I was on that same

border in El Paso, talking to some of those same agents, they told me they have never seen the amount of fentanyl that has come across the border in the last month. Americans are dying because the cartels are exploiting the Biden border crisis to make a profit. Fentanyl overdoses are surging across the country.

Now, in my home State, Madam Speaker, the Speaker's hometown of San Francisco saw more fentanyl-related deaths last year than COVID-related deaths, according to The Wall Street Journal.

Madam Speaker, it is hard to imagine anything more shortsighted than doubling down on Biden's failed border policies. But, incredibly, as I sit on this floor, the House Democrats want to respond to this humanitarian, public health, and national security crisis by passing recycled legislation from the last Congress.

I know, Madam Speaker, the Speaker doesn't want us to work in committees and wants to do it from afar, but I still think we could have new ideas to a bigger problem created by a new administration.

They want to strip future Presidents of their authority to keep Americans safe. That is what the NO BAN Act does.

They also want to grant foreign nationals access to lawyers. But foreign nationals have never been entitled to this privilege before, and it will cost taxpayers \$825 million over the next 5 years. That may not sound like much if you just want to throw trillions out there, but that is hardworking taxpayers' money. It is a lot of money.

But are Democrats working to repair the crisis its radical policies caused? No.

Are they working to stop the mass flow of illegal migration? No.

Are they working to secure our borders? No.

Vice President Harris has refused to visit the border for 28 days.

By contrast, more than one-third of the House Republicans have been to the border and seen the crisis for themselves. There have even been some bipartisan trips, Madam Speaker. And I was very excited to hear that, in the bipartisan trip, questions were asked.

My understanding was the very first question one of our Democrat colleagues asked was: Is it really true we are catching terrorists?

And the shock on their face when the border agent said: Yes, from the terrorist watch list, we have caught them.

What is really concerning to me, if you read The Washington Post, is the thousands of people who come across per day who are not caught.

How many terrorists are in that group? How much fentanyl are those people carrying?

What we learned has led directly to the action we have taken here in Congress.

Two weeks ago, Dr. MILLER-MEEKS introduced a bill to require a negative

COVID-19 test before any illegal immigrant is released from custody.

Madam Speaker, I was shocked that your side of the aisle blocked it.

Last week, Representative CARTER and Representative PETER MEIJER offered a motion to combat the trafficking of fentanyl analogues, which are 100 times deadlier than regular fentanyl.

Democrats blocked it, even though 137 of them voted for the same motion last year.

Can you imagine that, Madam Speaker? 137 on your side of the aisle voted just last year for that amendment. I guess things have changed.

Madam Speaker, Congress needs to do the right thing here. We should not be wasting our time on recycled legislation that weakens our national security. We simply need to return to commonsense border security policies that work.

We need to finish the wall and deploy technology to the border.

We need to fully reinstate the "remain in Mexico" policy and maintain the robustly implemented Title 42 authority.

We need to require a negative COVID test before releasing migrants. I think that would be common sense. Most Americans have to have that.

We need to send a clear message: Do not come to the United States illegally.

Madam Speaker, if we want to fix the crisis, we need to fix its root cause. But that root cause isn't only in Guatemala, El Salvador, or Honduras; it is right here in Washington, D.C.

You see, Madam Speaker, before the crisis hit, there wasn't legislation that was passed. It was just on day one with executive orders. So all they have to do is do the exact same thing they did, take the pen and bring them back. Let's bring common sense back to solutions.

Madam Speaker, why don't we bring new ideas to committees? Why don't we have Members show up for work? And why don't we have committees actually work instead of just picking old ideas when they have created a new problem that will only expand it further?

Mr. NADLER. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I thank the chairman for his leadership, and I thank Congresswoman JUDY CHU for her leadership.

Madam Speaker, I rise with great enthusiasm for the National Origin-Based Antidiscrimination for Nonimmigrants Act, and that is the NO BAN Act.

I proclaim a breath of fresh air, and that was the election of 2020 and the inauguration of President Joe Biden and Vice President KAMALA HARRIS, who made it very clear what our position is as it relates to those who come to this country.



First of all, they did not turn a blind eye to the Statue of Liberty, which acknowledges the fact that we are a refuge for those who are fleeing persecution. They also understood that we are not a country that discriminates against individuals simply because of their religion. That is what the NO BAN Act represented. It had nothing to do with terrorism.

I wonder why President Trump never said anything about domestic terrorists? Why didn't they have a structure to ban them, the very terrorists that jumped this Capitol on January 6th?

I am reminded of a little 15-year-old on the day that the ban was issued. When I was flying in from Washington, I went straight over to the international terminal because my staff had called me and others had called me. This little boy, innocent, with legal documents, a tourist visa, coming to visit his family, innocently indicated who he was. And, of course, by law, those CBP officers had to detain him.

□ 1300

Do you know what was worse? He was not able to see anyone at that time, but more importantly, he wound up in Chicago.

And so I rise to support the NO BAN Act, and I indicate that there is a policy. The border is closed. The Vice President will be working on a broader plan for dealing with the border. The shelter in Houston was a temporary shelter. It was an emergency shelter. It was rightly closed when other beds were found. 130 of those children were reunited with their families. This bill is important.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NADLER. Madam Speaker, I yield an additional 15 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. Madam Speaker, I am delighted that this bill includes an important provision of mine offered last year during the committee markup, which requires the administration to report to Congress on the impacts, positive, negative, and unintended of any action by the President pursuant to executive orders.

We know that banning Nigeria was the wrong thing to do, and I support the NO BAN Act.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEUBE).

Mr. STEUBE. Madam Speaker, this is a dangerous piece of legislation that comes at a time when our national security and our public health are being threatened by a dire crisis at our southern border.

Only Democrats would bring a bill to the floor during a surge at our southern border that would make it easier for terrorists to enter our country. As someone who served in the war on terror and served in Operation Iraqi Freedom, the last thing we should be doing as a Nation is making it easier for terrorists in Iran, Iraq, Syria, and other

terrorist-harboring nations to travel to the United States.

Despite the harrowing statistics we see coming from the southern border with record-setting numbers of illegal crossings and unaccompanied minors, my colleagues on the left continue to ignore and downplay the actual facts, while terrorists and COVID-positive illegal immigrants are granted unprecedented access to our country.

The Biden administration has driven illegal crossings up to historic highs by encouraging more illegal immigration and loosening restrictions to give criminals a free pass. These policy reversals, and now this legislation, will be directly responsible for what will go down in history as our biggest failure of border security in our lifetime.

Now, rather than addressing the hundreds of thousands of illegal border crossings this year, my colleagues on the other side of the aisle are still spending their time trying to attack the successful policies from the Trump administration that actually drove our border numbers down and kept Americans safe.

Rather than attacking the Trump administration at the expense of the American people, my colleagues on the left should instead think about spending their time trying to reinstate some of his policies that were proven effective, like continuing border wall construction or ending chain migration.

Even more hypocritical, while telling American citizens to stay home from work, school and to refrain from normal life due to a global pandemic, legislation like this keeps sending the message to illegal aliens, even those from dangerous countries, that the United States is open for them to flood our borders and be taken care of by our taxpayers.

At a time when there is a border crisis, a global pandemic, and emerging national security threats, we should not be handicapping any current or future President from exercising their executive authority to keep our country safe.

In fact, the Obama-Biden administration used this authority 19 times during their administration. The only reason why my colleagues are pushing this is because of their hatred for President Trump and his actions to restrict entry from certain countries that protected our national security.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN), the distinguished chairperson of the Immigration and Citizenship Subcommittee.

Ms. LOFGREN. Madam Speaker, this is an important step towards the enactment of the NO BAN Act, which would prevent overreach in a President's authority to suspend the entry of noncitizens into the United States under section 212(f) of the Immigration and Nationality Act.

As a candidate for President, Donald Trump promised to ban "all Muslims" from entering the U.S., and he sug-

gested without any evidence that it would somehow make our country safer.

Immediately after his election and swearing in, he tried to deliver on that promise by using section 212(f), claiming the admission of individuals from seven Muslim-majority countries would be detrimental to the U.S. interests.

In court, the Trump administration claimed the ban was necessary to keep our country safe from terrorists. And yet, a bipartisan coalition of former national security officials strongly rebuked those claims.

In addition to this ban, President Trump also relied on section 212(f) to circumvent clear statutory requirements related to asylum. Section 208 of the Immigration and Nationality Act specifically allows individuals to apply for asylum "whether or not they arrive at a designated port of arrival."

The law could not be clearer. But apparently unhappy with it, the President invoked section 212(f) to categorically deny asylum to those who cross the border between ports of entry rather than seeking to amend the law by working with Congress.

This was an attempt to rewrite our Nation's immigration laws in direct violation of the constitutional separation of powers. The power to write the law is ours, not the President's.

Fortunately, this ban has now been reversed by President Biden, but this bill is still important. It is important to take action to prevent any future President from trying to usurp the legislative power of the Congress.

I thank Representative CHU for her persistence in pursuing this bill, and I think it is important to note that the President, if this bill passes, retains ample authority to act in the national interests of the United States to protect our security.

The bill allows the President to suspend the entry of individuals or class of individuals if he determines that they would undermine the security of the United States.

To be clear, under the current bill, if the President determines there is a national security issue related to a particular country that is so significant that it could only be addressed by suspending the admission of all nationals of that country, the President could still do so.

It is important that we also address the issue of children at the border. This bill isn't about children at the border.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NADLER. Madam Speaker, I yield an additional 15 seconds to the gentlewoman from California.

Ms. LOFGREN. Madam Speaker, we can do more than one thing at once. We need to make sure that the law is adhered to by the President. We also need to deal with the issue of unaccompanied children at the border and deal with the crisis in Central America that is causing it.

Mr. JORDAN. Madam Speaker, I yield 2½ minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Madam Speaker, 172,331 border patrol apprehensions in March, a 233 percent increase in fentanyl seized, the worst crisis in 15 years, but more than that, no peak in sight.

President Biden and the Democratic majority bury their heads in the sand. They have put the United States Government, charged with enforcing the border, in the service of Mexican drug cartels and their criminal enterprises. I have been there. I have heard from the CBP.

And Democrats choose this moment to advance this bill to hobble the authority of the President of the United States to protect the Nation by excluding foreign nationals he or she might identify as posing a danger. Think North Korea.

In fact, they strip the President and transfer to the secretary of state and Homeland Security the President's longstanding authority to protect the Nation in this way.

And in case you would have concluded otherwise by the rhetoric, this is not limited to a religious criteria for entry.

I offered an amendment in the Judiciary Committee to defer the effectiveness of this unwise legislation—to understate—until the current crisis can be brought under control by restoring the Trump administration's successful remain in Mexico policy. But Democrats rejected that and refused to consider it on the floor.

Customs and Border Protection advised us on our trip the week before last that they told the administration revoking the remain in Mexico policy would cause a disaster. But they did it anyway.

And here they have doubled down. Just the latest evidence that today's crisis is intentional. There is no intention to control it. There is an intention, yes, there is a plan, but the plan is to build out the capacity for bringing people illegally into the United States. This is a crisis. They serve not the people of America. You can't have a country if you don't have a voice.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Madam Speaker, I thank the distinguished chair for his yielding and for his leadership.

The foundational model of this country is *e pluribus unum*, out of many, one. It doesn't say out of many Europeans, one. It doesn't say out of many Anglo-Saxons, one. It doesn't say out of many Confederate sympathizers, one. It doesn't say out of many Christians, one. It certainly doesn't say out of many nations, except Muslim countries, one.

*E pluribus unum*. Out of many, one. That is what makes America a great country. And no matter what

xenophobic behavior is coming out of the halls of power in this country, we are not going to let anyone take that away from us; not now, not ever.

Vote "yes" on the NO BAN Act so we can continue our country's long, necessary, and majestic march toward a more perfect Union.

Mr. JORDAN. Madam Speaker, I yield 3½ minutes to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Madam Speaker, wow, the rhetoric is hot today. Bigotry, xenophobia, Muslim ban, racism, discrimination. This is what is coming from the left side of the aisle.

They say that Biden rescinded Trump's Muslim ban—that he has rescinded the Muslim ban. I want to ask them: Which Muslim ban are they talking about? Which one are they talking about? Are they talking about the one they voted for?

By the way, I think it is inappropriate to call it a "Muslim ban." But let's use their language. Are they talking about the bill that 165 of them voted for, including the chairman of this committee, the author of this bill, and the chairwoman of the subcommittee?

Are they talking about the bill that they all voted for in 2015 that Obama signed into law called the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015? I don't think Trump was President in 2015. Obama signed this bill.

What did it do? It named four countries, not seven. We will get to the seven later. It named four countries to ban.

What were those four countries? By the way, the ACLU was not happy about this when Obama and the Democrats on the other side of the aisle did it. Iraq, Syria, Iran, and Sudan.

And now the Democrats are complaining that the President has too much power to protect this country, and they want to take some of this back, but they gave Obama the power to add three more countries. What were the three he added? Libya, Somalia, and Yemen in 2016. Interesting.

So where does that bring us to? It gets us to seven countries. Did they overlap or are they maybe five of the same countries? It is the seven exact same countries that the Democrats voted for that everybody over on the other side of the aisle who is hurling these claims of xenophobia voted for. Those same seven countries are now in and on the website at the State Department that Joe Biden runs.

Now, what does this do? Again, I want to be clear. It is not a total ban. But, by the way, Trump's wasn't either. It was a temporary suspension. But what they have done, and what Joe Biden perpetuates on these same seven countries—this is not a Muslim ban, but he is doing it to the same seven countries, perpetuating the Terrorist Travel Prevention Act of 2015, he is saying you can't get a visa waiver if you are from one of those seven countries.

Now which is worse? I mean, you can say, okay, it is not racist to just make it harder to travel, if we do it for 5 years or do it forever, that is not racist or xenophobic. But if you do it for six months, like Trump proposed, 180 days, well, now that is racist right there.

This is so ridiculous. I can't even believe they have the audacity to pretend they didn't vote in 2015 to add these seven countries.

Let's just get back to protecting this country. Let's not use these bills and these provisions to say that one side is racist, or one side is xenophobic, or you are a bunch of bigots. President Obama was not xenophobic when he put these seven countries on his list, because they were the seven countries that the Democrats on the other side of the aisle chose. They are the seven countries that Obama chose.

I say, let's protect this country and get back to working together.

[From the State Department website]

#### VISA WAIVER PROGRAM IMPROVEMENT AND TERRORIST TRAVEL PREVENTION ACT OF 2015

Under the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015, travelers in the following categories must obtain a visa prior to traveling to the United States as they are no longer eligible to travel under the Visa Waiver Program (VWP):

Nationals of VWP countries who have traveled to or been present in Democratic People's Republic of Korea, Iran, Iraq, Libya, Somalia, Sudan, Syria, or Yemen on or after March 1, 2011 (with limited exceptions for travel for diplomatic or military purposes in the service of a VWP country).

Nationals of VWP countries who are also nationals of Democratic People's Republic of Korea, Iran, Iraq, Sudan, or Syria.

These individuals can apply for visas using regular appointment processes at a U.S. Embassy or Consulate. For those who require a visa for urgent travel to the United States, U.S. Embassies and Consulates stand ready to handle applications on an expedited basis.

If an individual who is exempt from the Act because of his or her diplomatic or military presence in one of the seven countries has his or her ESTA denied, he or she may go to the CSP website, or contact the CSP information center. The traveler may also apply for a nonimmigrant visa at a U.S. Embassy or Consulate.

U.S. Customs and Border Protection strongly recommends that any traveler to the United States check his or her ESTA status prior to making any travel reservations or travelling to the United States. More information is available on the Department of Homeland Security (DHS) website.

□ 1315

Mr. NADLER. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Madam Speaker, I rise in strong support of the NO BAN Act, and I thank Congresswoman CHU for her leadership.

Yes, let's get back to protecting America. That is what we want to do.

Madam Speaker, Anahita is an asylee from Iran. The last time she spoke to her father, he told her that, when she returned home, he would sit with her on the terrace and talk politics. That

never happened. Due to Trump's Muslim ban, Anahita could not get travel documents to see her dad before he died or to mourn with her family.

Madam Speaker, for 4 years, families remained separated. That is not the America we want to protect.

American businesses and universities couldn't recruit top candidates, and our Nation's doors were closed to people seeking refuge.

President Biden rescinded the bans, but we must pass the NO BAN Act to prohibit any future President from issuing discriminatory bans.

Now, that day, I was in my first month here in Congress, when the Muslim ban was passed. I rushed to the airport, along with our chairman and many other Members of Congress. We worked with attorneys to file the national lawsuits that called for an emergency petition that blocked the President's order from taking effect.

We were also able, at Seattle-Tacoma International Airport, to go onto the tarmac and stop a plane from taking off because of an emergency habeas from a judge there that allowed us to get two people back in who should have been here in the first place.

Madam Speaker, just imagine the hearts and souls of people whose lives were thrown into chaos, thinking that they were going to land in the United States with valid travel documents and then were turned away by a President who issued a Muslim ban. The reason we need this bill is to make sure that that can never happen again.

Madam Speaker, yes, we want to protect America's values. We believe that the way to do that is to pass the NO BAN Act.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Madam Speaker, I thank the gentleman from Ohio for yielding.

Madam Speaker, I would note, for all of our friends and fellow citizens who are watching at home on C-SPAN, that you are seeing something go across your screen that says, "Prohibiting Religious-Based Travel Restrictions."

Well, to C-SPAN, I say: Be better. Don't take the talking points from my Democrat colleagues about what we are actually debating here on the floor of the House because it is not that.

What we are talking about is a power grab by Democrats who, for some reason, want to continue to perpetuate the lie that there was ever a Muslim ban. It is literally not true. It is absolutely not true. No matter how many times they say it, it doesn't make it more true.

For example, the gentlewoman referred to litigation. Let's look at what the United States Supreme Court said precisely about what President Trump did to try to secure the United States from terrorists. Let's remember what we are talking about. The President of the United States, President Trump, working to secure the United States from terrorists, the Court said: "The

proclamation is expressly premised on legitimate purposes: preventing entry of nationals who cannot be adequately vetted and inducing other nations to improve their practices. The text says nothing about religion. Plaintiffs and the dissent nonetheless emphasize that five of the seven nations currently included in the proclamation have Muslim-majority populations. Yet, that fact alone does not support an inference of religious hostility, given that the policy covers just 8 percent of the world's Muslim population and is limited to countries that were previously designated by Congress or prior administrations as posing national security risks," as my friend from Kentucky just laid out.

Madam Speaker, these are the facts. Do not listen to Democrat talking points being thrown on the screen on your C-Span. Do not listen to repetitions and lies about Muslim bans when it is not true. The facts are completely opposite of that.

Let's also add one more point here. As we talk about this, our borders are wide open. As we talk about this, foreign nationals come in between ports of entry because Border Patrol is distracted, processing immigrants who come here because Democrat policies entice them to be abused by cartels while cartels have operational control of our border, while they create a narco-terrorist state in Mexico, and while they exist in the district that I represent, where children are in cars being driven by American citizen employees of the Cartel del Noreste, being taken to stash houses to be put into the sex trade.

Then, we sit here and listen to this? This is what we are focusing on, taking away the constitutional authority of the President to protect us from terrorists while terrorists are able to come into our southern border between ports of entry because my Democratic colleagues and this administration flat out refuse to do their job to secure the border of the United States?

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair and not to a perceived viewing audience.

Mr. NADLER. Madam Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore. The gentleman from New York has 13 minutes remaining. The gentleman from Ohio has 14 minutes remaining.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. CORREA).

Mr. CORREA. Madam Speaker, when the President first announced his Muslim ban, I immediately went to LAX. I went because constituents were telling me that they couldn't get their relatives into the U.S. Individuals who were traveling to the U.S. that had been approved by the U.S. State Department could not enter the U.S. I saw people who thought they were here for a regular, routine visit approved by the U.S. Government denied—denied on a whim.

This bill is simply about making sure that no future President—Obama or Trump—will ever be able to deny entry into the U.S. based on religion or race. That is what the bill is. It is not about any specific President. It is about doing the right thing in America.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. BURCHETT).

Mr. BURCHETT. Madam Speaker, I thank Ranking Member JORDAN for yielding.

Madam Speaker, right now, we have an immigration disaster at the southern border of the Biden administration's own creation. Instead of putting a stop to this madness, my colleagues across the aisle are encouraging this open borders agenda by bringing the NO BAN Act to the floor today.

The NO BAN Act limits the President's ability to make executive decisions about who should be allowed to enter our country. This would dangerously weaken the President's executive authority on important issues related to national security.

To put this reckless idea into perspective, Customs and Border Patrol agents recently caught two Yemeni terrorists at the southern border. Thank God, law enforcement caught these terrorists, but this is exactly why executive authority on immigration issues needs to remain in place.

Madam Speaker, a responsible President would notice what is going on at the southern border and use his authority to step in for the sake of national security. It is naive to believe there aren't bad actors who want to hurt Americans actively trying to exploit this ongoing crisis.

President Biden needs to use his executive authority to solve the immigration and national security crisis his administration has created. If he is not physically or mentally capable of doing this, he should step down.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the distinguished chairman for yielding and for his leadership. What a busy time in the Committee on the Judiciary, bringing two bills to the floor today, with all the work that went into them under Chairman NADLER's leadership.

Madam Speaker, here we are, under the gaze of our patriarch, George Washington, right there in this Chamber.

Madam Speaker, 230 years ago, our patriarch, George Washington, who watches over us in this Chamber, famously wrote to the Hebrew Congregation of Newport, Rhode Island. In that letter, he made a promise that would be our Nation's guide for centuries to come.

He wrote: All possess "liberty of conscience. . . . It is now no more that toleration is spoken of, as if it was by the indulgence of one class of people that another enjoyed the exercise of their inherent natural rights."

He went on to say: “For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens.”

Today, by passing the NO BAN Act, the House is upholding that fundamental promise—“to bigotry no sanction”—by taking action to ensure that no President or administration can ever again abuse its authority by waging discrimination on the basis of religion.

Madam Speaker, thank you to Chair JUDY CHU of CAPAC, our sponsor of this legislation and a national champion in combating discrimination and xenophobia, who has helped lead the Congress’ response to recent anti-AAPI attacks.

The NO BAN Act strengthens the Immigration and Nationality Act to prohibit discrimination on the basis of religion, and it restores the separation of powers by limiting overly broad executive action to issue future religious bans, which are fundamentally un-American.

As Justice Sotomayor wrote, echoing President Washington, in her dissent in the shameful *Trump v. Hawaii* Supreme Court case upholding the last administration’s Muslim ban: “The United States of America is a Nation built upon the promise of religious liberty. Our Founders honored that core promise by embedding the principle of religious neutrality in the First Amendment. The Court’s decision today” to uphold the Muslim ban “fails to safeguard that fundamental principle.”

Madam Speaker, I want to mention that when this happened 4 years ago, and the President came and did his Muslim ban legislation, we had a hearing. It wasn’t an official hearing because we weren’t in the majority, and the majority wasn’t interested in having it, but we had a hearing on it.

What we saw in that hearing were leaders of the security community saying that if this stays in place, it is going to hurt our national security because we will not be able to keep promises that we made to those who helped us in Afghanistan and Iraq. We won’t be able to because many of them are Muslim.

Madam Speaker, a thousand diplomats from the State Department—and this is highly unusual—signed on in opposition to what this did to us diplomatically in the world. Our rank-and-file men and women spoke directly to the problem that this would create, the danger it created, in people trusting our word when we asked them to help us and that we would help keep them safe.

Madam Speaker, you have heard me quote, and PRAMILA has heard me quote, again and again in that same hearing because many of the people who come here for asylum and refugee status because of religious persecution

where they are from, the National Association of Evangelicals testified the following: “The United States’ refugee resettlement program is the crown jewel of American humanitarianism.” They were speaking in terms of religious refugees.

Again, we cannot allow any President to abuse the power of his or her office in this regard.

Madam Speaker, if I may, I would like to also address another piece of legislation, and I thank the chairman for bringing it to the floor, the Access to Counsel Act, protecting the civil liberties of those who face prolonged detention as they seek legal entry into the United States. Some of them are little children.

This is a commonsense step to close a serious and dangerous gap in our immigration law that too often prevents the vulnerable from accessing not only legal counsel but also medical attention or contact with their families.

□ 1330

I am always proud to salute Representative PRAMILA JAYAPAL, the sponsor of the Access to Counsel Act and a champion for the dignity and rights of all newcomers to our Nation—in fact, everyone in our Nation; and I thank her for her efforts.

Passage of these bills, the NO BAN Act and the Access to Counsel Act, should not be controversial. Over 400 immigrants’ rights bills organizations, faith-based organizations, business groups, and civil rights organizations support the NO BAN Act, and many more support the Access to Counsel Act.

These bills are about honoring our Nation’s promise that, as President Washington said, we will give “to bigotry no sanction; to persecution no assistance.”

Madam Speaker, I urge a strong vote for both of these bills honoring the vision of our Founders, and the aspirations of so many people in our country.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ARRINGTON).

Mr. ARRINGTON. Madam Speaker, I am from the great State of Texas, and there is nothing great about the crisis at our border. It is unprecedented. It is unmitigated. It is ever-escalating. It is absolutely, absolutely self-inflicted and avoidable.

Because of the actions of our Commander in Chief, whose first job is to protect the American people, and the irresponsible and reckless unilateral actions, we have got chaos at our southern border. The American people are suffering for it. The poor, vulnerable people being abused by the cartels are suffering for it. Endless lists of tragedies because of what is happening and what is coming out of the White House.

The answer, the solution in the midst of this crisis and disaster like we have never seen from my Democrat colleagues is to offer legislation to grant

mass amnesty and citizenship; more green lights, more incentives, more welcome mats to continue to violate our sovereignty and to break our laws; not to be detained and deported, but to be released and rewarded, cut in line in front of millions of people. They don’t get a free lawyer paid for by the taxpayers.

I can’t believe this is happening in our great country. I can’t believe my Democrat colleagues are pouring gasoline and inflaming the situation with more of the NO BAN Act, tying the President’s hands to do his job, to prevent high-risk folks from coming to the U.S., giving legal counsel, giving navigators and people who can help aid and abet the exploitation of our laws.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. Madam Speaker, I yield an additional 1 minute to the gentleman from Texas.

Mr. ARRINGTON. Madam Speaker, it makes no sense at all. In fact, Madam Speaker, it is insulting.

We care about people. This country does more for the immigrant than any in the world. We welcome those who want to make America their home, those God-fearing, freedom-loving families. But they have to respect our sovereignty. They have to respect the safety and security of the American people. They have to respect our laws.

And I am waiting for the Democrats to respect the laws of this land. On this issue, I am waiting. But this is spitting in the face of these families and communities that are terrified. Ranchers are terrified to leave their families in their homes.

And this is the answer? This is what you got?

Shameful. It is shameful. I am embarrassed.

Yes, I encourage my colleagues to vote “no” on the NO BAN Act.

God bless America.

Mr. NADLER. Madam Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Madam Speaker, I would like to begin just by correcting the understanding, I think, from the gentleman from Kentucky, who tried to align President Obama’s temporary suspension of the Visa Waiver Program in foreign and southern countries with Donald Trump’s complete suspension of visas.

As one of the two U.S. Ambassadors to serve in this Chamber at the moment, I presided over 4 years of consular affairs. And the Visa Waiver Program is when you are allowed to get into a country without the deep background checks, without going through Homeland Security.

This is not what Donald Trump did. He suspended visas completely.

By the way, this is not about the southern border. I don’t believe there is a single Muslim country south of the Rio Grande in the Western Hemisphere.

Six years ago, then-Presidential candidate Donald Trump argued for a complete and total Muslim ban. Remember,

he didn't specify specific countries; he said no Muslims.

I quickly produced a bill, the Freedom of Religion Act, to prohibit discrimination in our immigration system on the basis of religious belief, and I rushed to Dulles Airport after the inauguration as the ban was implemented, and many were stuck in limbo. I never expected that such an openly bigoted policy would be so intentionally executed, especially knowing the economic and reputational effects.

Billions of people around the world were stunned by this destruction of the American ideal as a beacon of freedom.

My bill then became part of JUDY CHU's very thoughtful NO BAN Act, and I am proud to champion it. As reckless and thoughtless and cruel as the Muslim ban is, this bill is the opposite. It is a thoughtful way to ensure that a future President cannot simply use racism or religions discrimination as a basis for keeping individuals from entering the United States.

We cannot erase the dark stain on our country's history left by Donald Trump's Muslim ban, but we can prevent it from happening again.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Madam Speaker, there is an ongoing crisis at the border. President Biden himself had admitted it. Despite his political staff's best efforts to avoid acknowledging the truth, he has admitted it.

I have served as a doctor in private practice for more than 26 years. I have served on our Board of Health in Cincinnati. I have served in a combat support hospital in Iraq, where we provided outstanding care to thousands of detainees. I have seen quite a few crisis situations in my life.

Two weeks ago, I led a group of healthcare experts and national security experts to the border. What we saw was a very difficult situation. It is a humanitarian crisis. It is a national security crisis. But it is also a national health security crisis.

Our group visited HHS' Donna Processing Center, which, per COVID guidelines, is supposed to house 250 individuals. That day, it had 3,500. Earlier that week, it housed 5,000.

The sites we visited had seen cases of lice; scabies; meningitis; chicken pox; flu of unknown origin; and, of course, COVID-19. What really stuck out was that we are only testing symptomatic individuals for COVID-19.

We have learned through this pandemic to know better, to know that this is not an effective way to stop COVID from spreading among the camp or fueling surges across our Nation.

Worse, we are releasing people into our Nation without ever having tested them for COVID. You don't have to be a doctor to know that is dangerous.

That is why I offer this motion to recommit today and delay this legislation until every migrant released by Customs and Border Patrol produces a

negative COVID test before boarding a U.S. domestic flight.

If international travelers are required to show proof of a negative COVID-19 test before they can come into the United States from a foreign country, why are we making an exception for this surge of migrants?

American citizens are banned from the U.S. without a COVID test, but not non-U.S. citizens?

That is bizarre.

We risk all the progress we have made in this country to contain this virus by allowing this vulnerability to go unaddressed.

Madam Speaker, if we adopt the motion to recommit, we will instruct the Committee on the Judiciary to consider my amendment to H.R. 1333 to require that migrants released by Customs and Border Patrol show proof of a negative COVID test before they are allowed to board a plane.

Madam Speaker, I ask unanimous consent to include in the RECORD the text of the amendment immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore (Ms. TLAB). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. NADLER. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I thank the gentleman for yielding.

I just want to express my incredible gratitude, first of all, to Congresswoman JUDY CHU for her tireless leadership on this issue, and to the Muslim community in my district for their tireless work and advocacy on this issue.

I remember the day well when President Trump issued this Muslim ban right at the beginning of his administration. And I remember running out to the airport immediately, to the international terminal. And shortly after I got there, there ended up being literally thousands of people who had gathered, at the shame on the United States of America. The people who came that day all had some documentation. They had visas. At first, even people with green cards were being held and oppressed.

Who are we? Who are we as the United States of America?

And I know that, finally, President Biden has said: No Muslim ban.

But we want to make it the law of the land so no other President can do such a thing that, based on religion, people would be banned from the United States of America.

I want to tell you, I take this personally as a Jew, myself. You know, I am a first-generation American. Neither of my parents was born in this country. They were able to emigrate to the United States.

But I also remember the story of our history as Jews, when the St. Louis, a boat that came to protect people from

annihilation, was turned away from the American shores; was told to go back to where it came from; and many of those people then perished in the Holocaust.

Who are we?

This bill is about who we are, and I urge a "yes" vote.

Mr. JORDAN. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Madam Speaker, I rise today in strong support of H.R. 1333, the NO BAN Act.

This legislation prohibits discrimination based on religion and limits the executive branch's ability to issue future travel bans.

I stand here today during Arab American Heritage Month, a time to celebrate the diversity of our country and remind ourselves that our country is stronger for it.

My district is home to the largest Arab-American population in the United States. Arab Americans are an integral part of Michigan's identity and have made enormous contributions to our society. Many of my constituents fled war and violence to seek a safer life;—have done it legally—and many of their families still experience this suffering every day.

The former President's Muslim ban kept these families separated. It inspired fear. It perpetuated hate. And as the Speaker so eloquently stated, national security experts have made it clear that it has made us less safe, not more safe.

I believe that every one of us in this Chamber loves our country, and that it is a priority for all of us to keep this Nation safe.

□ 1345

I would argue that the actions by the previous administration did not. The President called for a total ban on all Muslims entering this country. We must work together against terrorism, both foreign and domestic. We need to worry about what we witnessed in our own Chamber on January 6.

This bill will not allow people to be targeted because of their religion again. We must work together to restore the faith and trust of the international communities targeted by the previous administration.

Madam Speaker, I urge people to support this legislation.

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, there is a crisis at the border, I mean, the President even said so. There is chaos at the border. The crisis and the chaos have been created by policies of this administration.

We were down at the border 2 weeks ago. Every single Border Patrol agent we talked to said the crisis has been created by policy changes made by the Biden administration; specifically, three changes.

They announced to the world that they weren't going to deport anyone. Moratorium on deportation. They announced to the world they weren't going to finish the wall. And, most importantly, they got rid of the remain in Mexico policy.

And what do we have?

In March, we had the highest number of illegal immigrants coming into our Nation since they have been keeping records. So it is definitely a crisis, definitely chaos.

And what do the Democrats do? What do the Democrats do?

Last month, they passed two bills that give amnesty to millions of illegal immigrants. You can't make this stuff up. And then, today, they are going to pass a piece of legislation that takes power away from the Commander in Chief, takes power away from the individual who was on the ballot and elected, and gives it to the unelected secretary of state and Secretary of Homeland Security.

I mean, you would think, if they were going to take power away from the President, they would at least give it to the Vice President. After all, she is the one who has been put in charge of this thing. They don't even do that. They don't even do that.

The answer is real simple. What we should be focused on is reinstating the policies that worked. In fact, again, when we were down there 2 weeks ago—by the way, we invited the Democrats to go with us, and they said no. When we were down there 2 weeks ago, every Border Patrol agent said: Reinstating the policies that were working and we don't have the problem, we don't have the crisis.

But, no, we couldn't do something that common sense. We couldn't do something that simple, that basic. They, instead, come with this legislation.

Reinstate the policies that work. Don't take power away from the individual who was elected by the American people, the Commander in Chief. Don't implement crazy policies. Do the things that work. But, no, that is not what we are going to do.

And then after this bill is done, they are going to say, oh, by the way, bring in the lawyers. Give access to counsel to people coming into our country.

It makes absolutely no sense.

One of the speakers earlier said: Out of many, one.

That is so true about this country.

But is it too much to ask to have the many who come into this country do it legally?

And have policies in place that make sense. Is that too much to ask?

I think most taxpayers, most Americans, think that makes good, common sense.

This bill does not. I hope we vote it down. I hope we go back to the policies that work.

Madam Speaker, I yield back the balance of my time.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me say that I agree with some of what I heard from the Republicans. They said there is a lot of nonsense spoken on the floor today. Indeed, there was. Everything they have said about this bill is nonsense. They have said there is no Muslim ban. Everybody knows there was a Muslim ban. The President said he was going to impose a Muslim ban, and then he did.

When NYDIA VELÁZQUEZ and I went to Kennedy airport, when JAN SCHAKOWSKY went to the airport in Chicago, when other people went to the airport, what did we find?

We found Muslims being kept out of the country. People with perfectly valid visas, perfectly valid green cards, people whose relatives were waiting for them here because they had perfectly valid entry certificates, were being kept out of the country, and they couldn't even speak to their lawyers.

That is the next bill we will be considering on the floor in a few minutes.

That is what we found. And that has been in effect for a long time. It is un-American. It is unconstitutional. It is against the ethics of this country.

As the Speaker said—I think it was the Speaker who said it—the motto of the country is *E Pluribus Unum*; from many, one.

This situation, this Muslim ban, denies that. This says *E Pluribus*—I don't know the Latin from a few, not from all.

Madam Speaker, we must pass this bill. More than 400 organizations and industry leaders support this bill. They include Muslim Advocates, the ACLU, Airbnb, Asian Americans Advancing Justice, the Hebrew Immigrant Aid Society.

Yes, the Hebrew Immigrant Aid Society. Why? Because the Hebrew Immigrant Aid Society remembers its futile efforts when Jews were turned away from this country to go back to the Holocaust; when the St. Louis was turned back to go back to the Holocaust; when the State Department deliberately wouldn't even use the quota. The quota was 150,000, and they kept it down to 6,000 because of the anti-Semitism of some officials in the State Department. And the Hebrew Immigrant Aid Society—which was formed to aid Jewish immigrants, but has long since broadened its mission to aid immigrants from any country—knows what happens and doesn't want to see it happen again. That is why they are supporting this bill.

Other organizations and industry leaders that support this bill include the Service Employees International Union, because so many of their members were born abroad; the National Immigration Law Center, MoveOn, and United We Dream.

Members on both sides of the aisle should agree that no President, Republican or Democrat, should be permitted to usurp the powers of the legislative branch enshrined in the Constitution. The separation of power is fundamental

to our democratic Republic and must be protected.

For all these reasons, that is why passage of H.R. 1333 is so vital. I urge my colleagues to vote in support of this bill.

Madam Speaker, I yield back the balance of my time.

Ms. GARCIA of Texas. Madam Speaker, I rise in strong support of the NO BAN Act. In 2017, when the Trump administration implemented the first travel ban, nearly a thousand college students around Texas were forced to make a choice. Either stay in the United States to earn a world-class education or visit their family abroad and risk being blocked from returning to their studies. This is a choice that aspiring students should never be forced to make. Evidently, these travel bans were not in place because of national security. These bans were used as a tool to discriminate against the Muslim population. Texas is home to one of the largest and fastest growing Muslim populations in the country, and these bans separated families across many of our districts. I applaud the Biden-Harris Administration for revoking these discriminatory bans. But, now is the time for Congress to deliver to the American people by ensuring that no future administration works to discriminate against vulnerable communities. I urge a yes vote.

Ms. JOHNSON of Texas. Madam Speaker, I rise today in strong support of H.R. 1333, the No Ban Act. This legislation would ensure that no president, Republican or Democrat, would carry the unilateral authority to restrict refugees, asylum seekers, immigrants, and their families from entering the United States based on their nationality or religion.

A little more than four years ago, I remember watching in horror as the Trump Administration first instituted the Muslim Ban—barring entrance for immigrants at airports throughout the country. But I found solace, and inspiration, in the thousands of demonstrations at the same airports, including at Dallas-Fort Worth International back home in North Texas. It was at this moment that Americans saw, for the first time, the severe damage that the Trump Administration would cause by targeting immigrants, refugees, and other underserved and vulnerable populations.

This legislation is a direct result of those demonstrations, and of the spirit and advocacy of people who believe that the success and well-being of our country are built upon the contributions of immigrants. It doesn't just prevent an executive overreach; it sends a message to the rest of the world that the United States is once again a beacon of freedom and hope. This bill reaffirms the belief that immigrants, refugees, and asylum seekers should be welcome here—free from discrimination. And no matter the nativist rhetoric spewing from a few on the other side of the aisle, we are, and will always be, a country of immigrants.

Madam Speaker, I urge my colleagues to support the swift passage of this bill and ask the Senate to take up this important legislation in a timely manner.

Ms. JACKSON LEE. Madam Speaker, as a senior member of the Committee on the Judiciary and a cosponsor, I rise in strong and enthusiastic support of H.R. 1333, the "National Origin-Based Anti-Discrimination For Non-Immigrants Act, or No BAN Act, which stops executive overreach by preventing the abuse of



the system pioneered by the 45th President with his several abuses of the authority to restrict the entry of non-citizens into the United States under section 212(f) of the Immigration and Nationality Act (INA).

Thankfully, it is unnecessary for Congress to repeal by legislation the several section 212(f)-based executive actions of the 45th President's, including his original Muslim ban, because were rescinded by his successor, President Joseph Biden, in the initial days of the new Administration.

Madam Speaker, I support this legislation because the NO BAN Act amends section 212(f) of the INA to place checks and balances on the President's authority to temporarily suspend or restrict the entry of aliens or classes of aliens into the United States, when it is determined that such individuals "would undermine the security or public safety of the United States or the preservation of human rights, democratic processes or institutions, or international stability."

Specifically, the bill requires the President to find and document that any suspension or restriction:

- (1) is based on specific and credible facts;
- (2) is narrowly tailored;
- (3) specifies a duration; and
- (4) includes waivers.

The NO BAN Act expands the INA's non-discrimination provision to prohibit discrimination based on religion and extends the prohibition on discrimination beyond the issuance of immigrant visas to include the issuance of nonimmigrant visas, entry and admission into the United States, and the approval or revocation of any immigration benefit.

Madam Speaker, I am pleased that the NO BAN Act includes an important provision offered last year during the committee markup of this legislation, which requires the Administration to report to Congress on the impacts—positive, negative, and unintended—of any action taken by the President pursuant to executive orders he has or will issue pursuant to section 212(f) of the INA.

I strongly support this legislation, and President Biden's rescission of his predecessor executive order which added the countries of Belarus, Myanmar, Eritrea, Kyrgyzstan, Nigeria, Sudan and Tanzania to the President's new and offensive Muslim Ban.

Madam Speaker, as a co-chair of the Congressional Nigerian Caucus, it is important to convey to our colleagues that the United States cannot afford to hamper diplomatic relations with Nigeria due to its importance in the region.

Nigeria is the largest economy and most populous country in Africa with an estimated population of more than 190 million, which is expected to grow to 400 million by 2050 and become the third most populous country in the world after China and India.

The United States is the largest foreign investor in Nigeria, with U.S. foreign direct investment concentrated largely in the petroleum and mining and wholesale trade sectors.

At \$2.2 billion in 2017, Nigeria is the second largest U.S. export destination in Sub-Saharan Africa and the United States and Nigeria have a bilateral trade and investment framework agreement.

In 2017, the two-way trade in goods between the United States and Nigeria totaled over \$9 billion.

Due to many of the residents of these countries practicing Islam, the 45th President's ex-

ecutive order was appropriately nicknamed the "Muslim Ban", and only exemplified his xenophobic and prejudiced mindset that the American people renounced as unacceptable in the 2020 presidential election.

Tanzania is also an important partner of the United States, and through numerous presidential initiatives, the United States has provided development and other assistance to Tanzania for capacity building to address health and education issues, encourage democratic governance promote broad-based economic growth, and advance regional and domestic security to sustain progress.

Although Sudan has had some internal issues during the last decade, the U.S. was a major donor in the March 1989 "Operation Lifeline Sudan," which delivered 100,000 metric tons of food into both government and rebel held areas of the Sudan, thus, averting widespread starvation.

The United States established diplomatic relations with Eritrea in 1993, following its independence and separation from Ethiopia.

The United States supported Eritrea's independence and through a concerted, mutual effort that began in late 2017 and continues today, there are vast improvements to the bilateral relationship.

U.S. interests in Eritrea include supporting efforts for greater integration of Eritrea with the rest of the Horn of Africa, encouraging Eritrea to contribute to regional stability and partner on shared peace and security goals, urging progress toward a democratic political culture, addressing human rights issues and promoting economic reform and prosperity.

A comprehensive and coordinated strategy needs to be developed in coordination with the United States Congress to ensure that each country affected by this law may peacefully have its residents enter the United States and complete visa and asylum applications.

We live in a nation of laws, but we also live in a nation that seeks to establish and maintain diplomatic ties to these important African nations and imposing a discriminatory and arbitrary ban would adversely affect foreign relations with a critical continent for decades to come.

Madam Speaker, in light of the crisis presented by current COVID-19 pandemic, the NO BAN Act contains a provision to ensure that the President can use section 212(f) to protect the United States from the spread of communicable diseases, including COVID-19, by suspending the entry of a class of individuals if the President determines their entry would undermine the public safety of the United States.

However, to remove any perceived ambiguity and avoid the propensity of this president to abuse delegated authority, the legislation includes language to clarify that the term "public safety" "includes efforts necessary to contain a communicable disease of public health significance."

Madam Speaker, the NO BAN Act is supported by a bipartisan coalition of the nation's leading immigrants' rights organizations, faith-based organizations, and civil rights organizations, including the following:

American Civil Liberties Union, Church World Service, U.S. Conference of Catholic Bishops, Muslim Advocates Immigration Hub, Asian Americans Advancing Justice Association, Americans United for Separation of Church and State, Bend the Arc, Center for

American Progress, The Public Affairs Alliance of Iranian Americans, Interfaith Immigration Coalition, Human Rights Campaign, Franciscan Action Network, HIAS, Jewish and Muslims and Allies Acting Together, Religious Action Center of Reform Judaism, National Council of Jewish Women, National Iranian American Organization Action, National Immigration Law Center, International Refugee Assistance Project, Friends Committee on National Legislation, Engage Action, Airbnb.

I urge all Members to vote for H.R. 1333 and send a powerful message that this House stands firmly behind America's well-earned and long-established reputation of being the most welcoming Nation on earth.

The SPEAKER pro tempore. Pursuant to House Resolution 330, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. WENSTRUP. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Wenstrup moves to recommit the bill H.R. 1333 to the Committee on the Judiciary.

The material previously referred to by Mr. WENSTRUP is as follows:

At the end of the bill, add the following:

#### SEC. 5. EFFECTIVE DATE.

(a) IN GENERAL.—This Act, and the amendments made by this Act, shall not take effect until the date on which every alien described in subsection (b) is required to produce to the Transportation Security Administration proof of a negative Coronavirus (COVID-19) test completed not earlier than 24 hours before the alien attempts to board a domestic flight in the United States.

(b) ALIENS DESCRIBED.—An alien is described in this subsection if the alien—

(1) is inadmissible to the United States under section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(2) was encountered by U.S. Customs and Border Protection on or after January 20, 2021;

(3) was released by U.S. Customs and Border Protection after such encounter; and

(4) is traveling by plane to a final destination in the United States.

(c) REPORT.—Notwithstanding section 4(a)(1), and in accordance with subsection (a), the report required under section 4(a)(1) shall not be required to be submitted until the date that is 90 days after the effective date under subsection (a).

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. WENSTRUP. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

## ACCESS TO COUNSEL ACT OF 2021

Mr. NADLER. Madam Speaker, pursuant to House Resolution 330, I call up the bill (H.R. 1573) to clarify the rights of all persons who are held or detained at a port of entry or at any detention facility overseen by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 330, the amendment in the nature of a substitute, recommended by the Committee on the Judiciary, printed in the bill, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1573

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Access to Counsel Act of 2021".*

### SEC. 2. ACCESS TO COUNSEL AND OTHER ASSISTANCE AT PORTS OF ENTRY AND DURING DEFERRED INSPECTION.

(a) ACCESS TO COUNSEL AND OTHER ASSISTANCE DURING INSPECTION.—Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended by adding at the end the following:

“(e) ACCESS TO COUNSEL AND OTHER ASSISTANCE DURING INSPECTION AT PORTS OF ENTRY AND DURING DEFERRED INSPECTION.—

“(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that a covered individual has a meaningful opportunity to consult with counsel and an interested party during the inspection process.

“(2) SCOPE OF ASSISTANCE.—The Secretary of Homeland Security shall—

“(A) provide the covered individual a meaningful opportunity to consult (including consultation via telephone) with counsel and an interested party not later than one hour after the secondary inspection process commences and as necessary throughout the remainder of the inspection process, including, as applicable, during deferred inspection;

“(B) allow counsel and an interested party to advocate on behalf of the covered individual, including by providing to the examining immigration officer information, documentation, and other evidence in support of the covered individual; and

“(C) to the greatest extent practicable, accommodate a request by the covered individual for counsel or an interested party to appear in-person at the secondary or deferred inspection site.

“(3) SPECIAL RULE FOR LAWFUL PERMANENT RESIDENTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary of Homeland Security may not accept a Form I-407 Record of Abandonment of Lawful Permanent Resident Status (or a successor form) from a lawful permanent resident subject to secondary or deferred inspection without first providing such lawful permanent resident a meaningful opportunity to seek advice from counsel.

“(B) EXCEPTION.—The Secretary of Homeland Security may accept Form I-407 Record of Abandonment of Lawful Permanent Resident Status (or a successor form) from a lawful permanent resident subject to secondary or deferred inspection if such lawful permanent resident know-

ingly, intelligently, and voluntarily waives, in writing, the opportunity to seek advice from counsel.

“(4) DEFINITIONS.—In this section:

“(A) COUNSEL.—The term ‘counsel’ means—

“(i) an attorney who is a member in good standing of the bar of any State, the District of Columbia, or a territory or a possession of the United States and is not under an order suspending, enjoining, restraining, disbaring, or otherwise restricting the attorney in the practice of law; or

“(ii) an individual accredited by the Attorney General, acting as a representative of an organization recognized by the Executive Office for Immigration Review, to represent a covered individual in immigration matters.

“(B) COVERED INDIVIDUAL.—The term ‘covered individual’ means an individual subject to secondary or deferred inspection who is—

“(i) a national of the United States;

“(ii) an immigrant, lawfully admitted for permanent residence, who is returning from a temporary visit abroad;

“(iii) an alien seeking admission as an immigrant in possession of a valid unexpired immigrant visa;

“(iv) an alien seeking admission as a non-immigrant in possession of a valid unexpired nonimmigrant visa;

“(v) a refugee;

“(vi) a returning asylee; or

“(vii) an alien who has been approved for parole under section 212(d)(5)(A), including an alien who is returning to the United States in possession of a valid advance parole document.

“(C) INTERESTED PARTY.—The term ‘interested party’ means—

“(i) a relative of the covered individual;

“(ii) in the case of a covered individual to whom an immigrant or a nonimmigrant visa has been issued, the petitioner or sponsor thereof (including an agent of such petitioner or sponsor); or

“(iii) a person, organization, or entity in the United States with a bona fide connection to the covered individual.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 180 days after the date of the enactment of this Act.

(c) SAVINGS PROVISION.—Nothing in this Act, or in any amendment made by this Act, may be construed to limit a right to counsel or any right to appointed counsel under—

(1) section 240(b)(4)(A) (8 U.S.C. 1229a(b)(4)(A));

(2) section 292 of the Immigration and Nationality Act (8 U.S.C. 1362); or

(3) any other provision of law, including any final court order securing such rights, as in effect on the day before the date of the enactment of this Act.

Amend the title so as to read: “A bill to clarify the rights of certain persons who are held or detained at a port of entry or at any facility overseen by U.S. Customs and Border Protection.”.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from New York (Mr. NADLER) and the gentlemen from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. NADLER. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1573.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Madam Speaker, I yield myself 3 minutes.

Madam Speaker, H.R. 1573, the Access to Counsel Act of 2021, is an important bill that will ensure that individuals who seek to lawfully enter the United States can contact a family member or an adviser if they are held for an extended period at a port of entry.

Last September, the Judiciary Committee and the Foreign Affairs Committee held a hearing to explore President Trump's Muslim ban and the chaos that unfolded at airports across the country when it was first announced.

I can personally attest to that chaos, based on my experience at JFK Airport immediately after the ban was implemented. Refugees, individuals with valid visas, and even lawful permanent residents were detained for hours and were prevented from speaking with attorneys. Some even had their phones taken away and were unable to call their family.

Although the issue grabbed the headlines then, it is, unfortunately, a problem that occurs daily. Due to the complexity of U.S. immigration law and the fact-intensive nature of questions regarding admissibility, it is not uncommon for some people to spend hours undergoing inspection by U.S. Customs and Border Protection, or CBP.

During this time, individuals are often prevented from communicating with those on the outside. And if the individual is lucky enough to have a lawyer, CBP will often refuse to speak to them, even if they can provide critical information or correct the legal error. Moreover, serious consequences can result from being refused admission.

Some have argued that this bill will require CBP to expend significant resources, but I believe they fundamentally misunderstand the substance of the bill. To be clear, H.R. 1573 does not provide a right to counsel, nor does it impose any obligation on the Federal Government to build any additional space to accommodate counsel or hire new staff, nor to pay for counsel.

The bill simply ensures that no one who presents themselves at a port of entry with valid travel documents is completely cut off from the world during the inspection process. It allows those seeking admission, including U.S. citizens, to communicate with counsel and other parties if they are subjected to secondary inspection that lasts longer than 1 hour. The bill specifically contemplates that this could be accomplished telephonically.

It is absurd to claim that providing these individuals with the opportunity to call their families or an attorney and potentially receive their assistance during the inspection process will consume significant CBP resources.

Madam Speaker, I would like to extend a special thanks to my colleague, Representative JAYAPAL, for her leadership on this issue and for championing this bill. I encourage my colleagues to support it, and I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield 3½ minutes to the gentleman from California (Mr. MCCLINTOCK), the ranking member on the Immigration Subcommittee.

Mr. MCCLINTOCK. Madam Speaker, we are way beyond any question of whether we face a border crisis. The question now is whether we have a border at all.

When I put that very question directly to the president of the Border Patrol, his answer was an emphatic: No, we do not.

By abandoning the border wall, rescinding the remain in Mexico policy, and obstructing enforcement of court-ordered deportations, President Biden has produced a mass illegal migration of historic proportions, preying most tragically on young children and making the Mexican crime cartels billions of dollars.

The only border security measure he hasn't pulled down is the ability of the CBP to stop illicit activity at our official ports of entry, where large volumes of narcotics and other contraband must pass.

Judiciary Republicans recently visited our facility at Hidalgo crossing, where thousands of cars and trucks passing through the port of entry must be inspected daily to protect our country from high-volume cartel smuggling. Our officers are experts at spotting suspicious traffic hidden among the high volume of legal crossings without unduly delaying honest commerce and passage.

Now, to do this, they wave the suspicious traffic to secondary inspections, where they can locate and stop contraband that is often ingeniously hidden.

□ 1400

Now, this has been a tremendous inconvenience to the cartels. We saw millions of dollars of methamphetamines and other deadly drugs, as well as infected fruits and vegetables heading to American markets, recently seized at these secondary inspections.

But H.R. 1573 would grind legitimate trade and travel to a halt by providing that anyone referred to secondary inspection can, within an hour, consult with an attorney and call other third parties. Now, there are more than 17 million secondary inspections conducted each year at our 328 ports of entry.

Can you imagine the effect of this bill?

It is not limited to attorneys. A smuggler pulled into secondary inspection could warn confederates behind him that their hiding places have been discovered, turn back.

The officers told me they are already overwhelmed, using antiquated facili-

ties, and suffering manpower shortages. This bill gives the CBP the Hobson's choice of curtailing inspections or routinely backing up traffic for hours on end.

The inspection itself is not a criminal process. It is a screening process to assure that only legal products enter our country. Only when it becomes a criminal matter is there a right to counsel.

Now, if this isn't actually written by the crime cartels, it is certainly entirely in their interest and service. It speaks volumes about the attitude of the Democrats on the security of our border, the safety of our citizens, and the sovereignty of our Nation.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the gentlewoman from California (Ms. LOFGREN), who is the chairwoman of the Immigration and Citizenship Subcommittee.

Ms. LOFGREN. Madam Speaker, I urge adoption of this bill that allows individuals who have obviously valid travel documents to contact a member of their family or counsel if they are held for an extended period of time at a U.S. port of entry.

It has nothing to do with the inspection of contraband. It has nothing to do with providing a lawyer at government expense. That is prohibited. It has nothing to do with delaying the inspection. It is only if it is practical for the CBP to allow this to occur.

The immigration laws are very complex and fact-intensive, and for some people who are in secondary inspection for hours, providing a piece of information to the CBP can clear things up.

Madam Speaker, I will give you an example of a researcher coming in with a valid visa and the CBP wonders about that research: Is it true? Being able to communicate with the president of the university where the student is heading to can assure the CBP about the research and would clear the matter up.

This bill does nothing to alter the existing authority of the CBP to alter, to deny entry, or to issue an expedited removal order. It just allows individuals to communicate with their American family, with their employer, and with their counsel to help provide information. There are many red herrings that have been offered about this bill, but it is really about expediting a process that is impeded, oftentimes because of lack of information. These are individuals who are coming legally. It does not apply to people who are coming between ports of entry.

The lack of communication can cause harm to American families. Somebody who is coming to their American fiancée can be turned away. Somebody who is coming to work for an employer who needs their expertise could be turned away. Somebody who is coming to continue their groundbreaking medical research could erroneously be turned away.

It is important that information be made available to the CBP, and the way to do that is to make sure that in-

dividuals who are lawfully attempting to enter the United States with an apparently valid visa at a port of entry who has been held for secondary inspection have an opportunity to communicate with their American family or with their American boss or even a lawyer to get information that the CBP can then consider, and if they are not persuaded it is valid, they can still turn that individual around.

I think that the opposition is a bit overwrought.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. NADLER. Madam Speaker, I yield the gentlewoman from California such time as she may consume.

Ms. LOFGREN. Madam Speaker, I actually am surprised by some of the things in the rhetoric that have been offered in opposition to what is really just a commonsense, modest measure that will allow for communication for people who have legal visas who have been held in secondary inspection, so the confusion can be cleared up. It is important, not just to the people trying to enter, but it is important to Americans who are waiting for them—their families, their employers, and their teachers.

Madam Speaker, I urge approval of this bill.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Madam Speaker, I thank the gentleman from Ohio for yielding.

Madam Speaker, 185 years ago today in San Jacinto, Texas, the great State of Texas won its independence from Mexico.

General Sam Houston launched a surprise attack against Santa Anna, routed their forces, and then ultimately was able to negotiate with Santa Anna for his freedom the treaty that resulted in the founding of the Republic of Texas.

As a proud Texan, I am sitting here 185 years later recognizing that my State, the State that I am proud to represent, is under siege. It is under constant siege on a daily basis by dangerous cartels, but worse than being under siege by dangerous cartels, it is under siege by a Democrat President who refuses to do his constitutional duty to secure the border of the United States.

That is the fact, that this President, obligated under the Constitution, literally refuses to carry out and exercise his constitutional duty to defend our borders—our borders in Texas—where our communities are under siege, where our schools are overrun, where our hospitals are being inundated, where our ranchers are having people cross them, and where dangerous narcotics like fentanyl are pouring into our communities.

This is what is happening to my State of Texas on this, the 185th anniversary of the battle at San Jacinto.

One has to wonder whether the agreement that Texas made when entering

this Union remains worth it when the State of Texas is under siege by an administration that refuses to defend our border.

That is a question that we Texans are continuing to wrestle with, because it is the duty of this President and the duty of the Federal Government to secure the borders.

I look at Texans who have lost loved ones at the hands of people here illegally. I look at families who have families destroyed by fentanyl and dangerous narcotics. And I look at trafficking of human beings into the sex trade in the State of Texas where stash houses are being run by cartels. Then I watch as my Democratic colleagues want to put up every roadblock to security and launch every single way possible to prop up cartels, prop up the ability of our border to be exploited, and refuse to actually do the job necessary to secure the border.

It is incumbent upon this body to speak with one voice that we are going to defend the borders of the United States and do our duty under the Constitution while States are feeling the brunt every single day in very real terms.

The SPEAKER pro tempore (Mr. MCGOVERN). Members are reminded to refrain from engaging in personalities toward the President.

Mr. NADLER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I am going to have a lot more to say about this bill a little later, but I have to respond to one point that the gentleman just made.

He said he was considering whether the agreement to enter the Union was valid or was worth it. He is not the first to consider that. John Calhoun considered that. Others considered it, and they tried it. The result was a civil war. So I certainly hope that no one is thinking of that again.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 2½ minutes to the gentleman from North Carolina (Mr. CAWTHORN).

Mr. CAWTHORN. Mr. Speaker, I rise today because I feel that too many on the left are comfortable with lies and half-truths. Let me tell you one thing, Mr. Speaker: I am sick of it, my constituents are sick of it, and the American people are sick of it.

My colleagues just said that President Trump instituted a Muslim ban. If my colleagues had read executive order 13769, instead of their liberal talking points, they would know that that is simply not true. President Trump's ban impacted seven specific countries. My colleagues' statements are patently false and prohibitively misleading.

The crisis at our southern border represents a serious risk to our national security of the United States and the sanctity of the rule of law.

Reports from law enforcement officers fighting to stem the overwhelming tide of illegal immigration into our country emphasizes the lack of re-

sources and misapplication of funds by the Federal Government. Yet today, we are being asked to vote on a bill that would do nothing to fix the weaknesses at our border but instead would misallocate resources away from our border security agents.

This little bill would spend \$825 million to provide taxpayer-funded legal assistance to individuals crossing our border because my colleagues on the left believe the best way to fix any problem is just to send in more lawyers.

This legislation would significantly hamper law enforcement's ability to effectively screen potentially dangerous individuals who have been flagged by other agencies for advanced screening due to their criminal record or status as a person of interest for national security purposes.

We should be empowering law enforcement, not reining in their effectiveness. Screening passengers who enter our country is a normal part of securing the U.S. ports of entry and is a uniform expectation for all who want to enter the United States. Granting a lawyer to anyone who warrants a secondary screening is like demanding a lawyer every time your bag is checked going through TSA.

This bill does nothing to enhance our border security, and, furthermore, it hampers their ability to carry out their mission.

Mr. Speaker, I strongly urge my colleagues to vote "no" on H.R. 1573.

Mr. NADLER. Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from Washington (Ms. JAYAPAL), who is the sponsor of the bill.

Ms. JAYAPAL. Mr. Speaker, I thank the chairman so much for his tremendous leadership on helping to bring this bill to the floor.

Mr. Speaker, I rise in support of my bill, the Access to Counsel Act.

It is the Access to Counsel Act. I don't know if my friends on the other side have heard that. I am not sure how access to counsel helps empower cartels. I am not sure if my colleagues on the other side have read the bill. This does not fund counsel, and it actually doesn't give a right to counsel. We could debate that in another bill. This gives access to counsel.

It brings us one step closer to upholding our country's principles of due process and fairness by ensuring that individuals with lawful status have the right to call a lawyer and receive assistance if they are detained at ports of entry or in airports.

So why did this bill come about?

The Access to Counsel Act was the very first bill I introduced as a Member of Congress in 2017 in response to President Donald Trump's Muslim ban. On the day that Donald Trump announced that ban, I rushed to my local airport in Seattle. What I encountered and what we saw at airports across the Nation was a sham of our democracy.

People from seven Muslim-majority countries—all with legal access to be in

the United States—suddenly found themselves held for upwards of 30 hours, deported, and in some cases pressured to sign papers giving up their legal status without even the ability to call an attorney or a family member.

I then reintroduced, again, the Access to Counsel Act in my second term, in January of 2020, after Customs and Border Protection targeted Iranian Americans at ports of entry. As many as 200 Iranian Americans were held in secondary screening in Blaine, Washington.

Negah Hekmati and her two children were detained for nearly 6 hours despite being U.S. citizens and despite having preclearance for expedited processing at the border that is specifically for approved, low-risk travelers.

□ 1415

She recalls her small children begging her not to speak Farsi in fear of being detained. At such a young age, her children, U.S. citizens, already recognized that they were being profiled and unjustly held because of their heritage.

Of course, when we raised this in the moment, Border Patrol said: That is not happening. We can't do that. We wouldn't do that. We are not doing that.

Well, it took over a year and suing the government in order to access documents from Customs and Border Protection for us to find out that the total number of people held was 227 people. Half of those people were U.S. citizens and legal permanent residents, half of the 227. The rest of them had legal paperwork to come into the country.

So, why were they held? They were held because of their Iranian heritage or ties to the Middle East. Later, we also found out that there was no attempt from Border Patrol to figure out why they were there, whether they should be there, or to even comply with the law that says that your country of origin cannot be the sole purpose that you are held.

If Republicans want to talk about wasting Border Patrol resources, let's talk about the fact that 227 people, half of whom were U.S. citizens and legal permanent residents and the rest with valid visas, were held in a Border Patrol station in Blaine, Washington, for almost 12 hours and unable to leave. That is called detention.

You have now turned the Border Patrol stations into detention facilities. That is not what we are supposed to do. Why is it so difficult to say: Yes, a phone call is permissible.

That is what this bill is trying to do.

Throughout the last administration, we saw dozens of Iranian students with valid visas having their visas revoked or being deported upon arrival to the United States simply because of their country of origin. The Access to Counsel Act would ensure that people who have already been vetted and granted lawful status have a meaningful opportunity to call an attorney, have a

meaningful opportunity to call a relative or other interested party, like a Member of Congress, when they get held for more than an hour in secondary inspection.

This is a commonsense measure, Mr. Speaker, to make sure that our Nation treats those who are arriving to our country, whether it is green card holders who have made their home here in the United States; visa holders working, studying, or traveling to the United States; or U.S. citizens who happen to have been identified with a different country of origin for some reason, let's make sure we treat everybody with dignity and respect.

I am so proud to be passing the Access to Counsel Act today, alongside the No BAN Act, to put an end to some of the most cruel and discriminatory policies adopted by the previous administration and to make sure that they never happen again.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation requires individuals entering our country at ports of entry, tens of millions of them, who are referred for secondary inspection to get a lawyer. Yet, Democrats tell us this is not going to cost the taxpayers anything. I mean, this is some kind of miracle.

You have a mandate for tens of millions of people coming into our country, and it is not going to cost Americans any money? I have never seen a government mandate that didn't cost something. This is amazing.

I remember my days in the State legislature. Local governments were concerned about unfunded mandates from the State. This may be the biggest mandate we have ever seen.

But somehow, our agents, who are busting their tails working night and day right now with this crisis on the border, it is not going to cost them anything in time and effort.

I think the American taxpayers are smarter than that.

Madam Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Madam Speaker, I thank the gentleman for yielding.

When I hear that, oh, this bill simply is just trying to give a phone call, well, then why didn't it say that? Why didn't it say that in the bill? It didn't say that. It talks about access to an attorney. I am an attorney. I did court-appointed attorney work. I did it all the time.

Madam Speaker, this may not give someone a court-appointed attorney, but what it does is, you open it up. If Democrats don't think that consumes resources, then I just wonder if Democrats have ever been to a port of entry and watched people coming through and seen the secondary inspection process.

This is going to bog down your ports of entry, and it is going to lead to litigation. This is a trial lawyer's blessing, a trial lawyer's dream, I can tell you

that, because that is what is going to happen. There are going to be mistakes made, and even if there aren't mistakes made, there are going to be lawsuits.

This is not designed to facilitate border ingress and egress. This is not designed to help commercial traffic. This is going to bog down our system.

While that is going on, Democrats say this is not going to be a problem. It will redirect and redeploy Border Patrol agents and Customs agents to deal with this. That means it is going to really slow things down, and everyone knows what that means. That means that all the people who are coming are going to have an even wider open field.

In February, over 101,000 aliens were encountered. In March, over 172,000 aliens were encountered at the border. The number is going up. It is not going down. It is going up. Do you know why? Because the policies of this administration draw people in. They have done absolutely nothing to slow this down.

Madam Speaker, do you know what the number one most important thing would be? How about the President of the United States of America stand up and say: No. We will send you back. Our border is closed. If you want to come in, come in legally through the ports of entry.

How about doing that? Well, he has not done that. That is why you see people showing up with Biden campaign T-shirts on the border. That is why the Mexican President said this is Biden's border crisis. That is why the El Salvador President has expressed the same. And that is what Border Patrol agents also understand.

Ranchers and people in my district and those who live on the border, that is why they will say: This is Biden's problem. He created it. He inherited a solution and created a crisis.

The person who he has tapped to lead the efforts to address this surge at the border has been all over the place, just hasn't been at the border.

The SPEAKER pro tempore (Ms. TLAIB). The time of the gentleman has expired.

Mr. JORDAN. Madam Speaker, I yield an additional 30 seconds to gentleman from Arizona.

Mr. BIGGS. Madam Speaker, this individual has not been to the border once, but the solutions are not a mystery.

President Biden has to stand up and make a statement: You have to continue construction of the wall; reinstate the MPP program; reinstate the 12 international agreements that were in place that were slowing this down. That would have stopped it. The last thing is, move your asylum courts down to the border to deal with current asylum cases.

Mr. NADLER. Madam Speaker, I yield 6 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I thank the gentleman from New York for his leadership.

I thank the gentlewoman from the State of Washington for her grand and superb and astute leadership in understanding the Bill of Rights.

I have watched this debate, and I have seen people go to the microphone and talk about "on the left." I didn't know the Constitution was on the left or the right. I thought the Constitution was a document that our Founding Fathers started with the language "to form a more perfect Union." And in the Bill of Rights, citizens or noncitizens can have access to due process just because of the basic foundation of this Nation.

For a moment, I am going to pause, but I rise to support enthusiastically the Access to Counsel Act, H.R. 1573. But let me pause, as a resident and citizen of a border State.

Oh, how interesting it is, the interpretation of those one-time visitors. What about those of us who have been at the border over and over again? What about those of us who stood in the dark of night and saw a 2-year-old or a baby come off the wall.

No, that was not what we wanted. But people fleeing persecution have always sought to come to the place where the Statue of Liberty stands in the harbor. As far as I know, she is not gone. There is an Office of Refugee Resettlement. We have been a refuge for refugees.

Madam Speaker, I can tell you that, in the last 4 years, I saw scenes that I had never seen in my life. Do I need to remind Republicans of the children who died in our custody? No, I don't blame those Border Patrol or others there, my neighbors. But I blame the policies of the previous administration that did not care and simply left them to their own devices, which was a crowded, unsanitized place with metallic blankets and people not able to move because their idea was: Move them out. Make it so horrible, short of losing their lives, they will leave.

Then, what about the MPP program? I went to Mexico and saw desperate people in the streets. They had no place to live. They were being taken advantage of. I don't fault Mexico that, in essence, made an agreement. Maybe they were intimidated by the last administration and didn't know what else to do. But the MPP program subjected people to very dangerous conditions.

So, besides the Biden administration's policy of a closed border, sending people back who are single adults, but for the ports of entry, obviously; and, as well, those families, still giving them the opportunity to apply for asylum, which was literally cut off—domestic abuse persons couldn't apply for asylum under the last administration—fleeing bloodshed.

I would rather stand with President Biden and Vice President Harris, who are strategically trying to work on behalf of the American people, but they have not left their compassion and humanity at the front door of the White House.

This legislation is absolutely in compliance with the Constitution because what it says is that you have access to counsel. We don't pay for it. You have legal entry documents, and it is only when you are in secondary detention that this takes place so that little Ali, who I mentioned earlier on the floor, coming from Egypt with the appropriate documents, would have been able to call his father or his uncle, who was here in Houston, Texas.

Is that not simple humanity? Is that simple kindness? Is that recognizing the dignity of all people?

What about this New York City design gallery owner detained at an airport because of this ridiculous process? Of course, that was in 2017, the last administration, Juan Garcia Mosqueda, founder of the New York art-and-design gallery called Chamber and a decade-long legal permanent resident. I don't know how he got detained at the John F. Kennedy International Airport. Not only did he get detained, but he was shipped back to his native Argentina with no opportunity to talk to anyone ahead of his gallery art show that very day.

In an open letter titled "The Visible Wall," released by Mosqueda, he called the experience dehumanizing and degrading. He had his documents and detailed his 36-hour-long detainment, questioning, and return to Buenos Aires.

We already know I was getting ready to speak in the last debate on the No BAN Act. Nigeria was added to the list. I co-chair the Nigerian Caucus. There are doctors, lawyers, teachers, and businesspersons who have served from Nigeria in this Nation.

I believe this is a right-thinking bill, the Access to Counsel Act of 2021. I rise to support this legislation, and I oppose all of those who think that the Constitution no longer exists. Support the bill, H.R. 1573.

□ 1430

Mr. JORDAN. Madam Speaker, I yield 2½ minutes to the gentlewoman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Madam Speaker, I recently visited the border in my home State of Texas. The crisis there is astounding, as thousands of illegal immigrants enter the country on a daily basis. The Biden administration has been silent and in denial of any crisis, as we have seen record numbers of apprehensions, drug crossings into the U.S., and no answer for the humanitarian crisis of 20,000 unaccompanied minors.

President Biden appointed Vice President Harris as his immigration czar, and we have seen her travel all around the country, but not to the border. We have got a border czar who has not even been to the border.

Democrat leadership has been silent, not once questioning her absence from this humanitarian crisis. Instead, this week, they bring us more bad legislation. Today, we are debating spending

nearly a billion dollars to give access to counsel to foreign citizens when they are not even subject to a criminal investigation. That is a right we do not even afford our own citizens.

My Republican colleagues and I continue to expose the crisis on the border, having seen firsthand the horrific situation. Yet the Democrats' solution is to hire attorneys, forcing Border Patrol to hire new personnel and construct new space to comply with this misguided legislation, which does nothing to address the hundreds of thousands of people surging our borders at record numbers, the girls and the boys who are being sexually assaulted and exploited, and the thousands of pounds of illegal drugs and weapons pouring into our country.

If the Vice President actually went down there, agents could show her the miles of unprotected border they have been pulled off of to instead act as babysitters. She might be able to understand that the policies put in place under the previous administration actually worked.

We should be focused on securing our border and letting our agents do their jobs. The lack of compassion, the lack of humanity that we have seen under the Biden administration is appalling. The gentlewoman from Washington said we should treat everyone with dignity and respect.

Have you seen the conditions that are down at the border right now?

It is the exact opposite of dignity and respect. And these words mean nothing if we refuse to follow them with action.

The legislation in front of us does nothing to stop the Biden border crisis, and it is just another attempt to prioritize the interests of aliens over the American people.

Madam Speaker, I urge opposition.

Mr. NADLER. Madam Speaker, I yield 6 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Madam Speaker, I want to start with responding to a complete misrepresentation of what this bill does. We have heard our friends on the other side of the aisle say that this bill requires that counsel be appointed to individuals, and they have even gone so far as to assign a number to it, \$800 million.

That simply is not true. At first, I thought maybe it was an honest mistake, but it is being repeated. So now I know it is an affirmative misrepresentation.

What the bill does—and I invite my colleagues to look at the language of the bill. Go to page 3, line 17. A covered individual has a meaningful opportunity to consult with counsel and an interested party; they are required to provide a meaningful opportunity to consult with counsel.

There is no requirement in the bill that counsel be provided or paid for. So that claim is just not true. No matter how many times it gets repeated by our Republican colleagues, they are making it up. It is not in the bill.

So I rise in strong support of the H.R. 1573, the Access to Counsel Act.

Our legal system rests on the principle that every person is entitled to due process and a meaningful opportunity to be heard. The ability to consult with legal counsel is critical to both of these principles. For some, it is a matter of life and death. In the context of immigration, access to counsel can mean the difference between someone fleeing persecution, being able to remain safely in the United States, or detained or deported back to a war zone.

These are decisions that are often made away from courts. For example, Customs and Border Protection have the power to remove individuals from the United States without a hearing, based on statements made during an initial screening. Nothing in this bill changes that.

Questioning by Immigration and Customs Enforcement can lead to arrest, detention, initiation of removal proceedings, and removal, all done without access to counsel. The time, expense, and other resources associated with many immigration-related detentions could be avoided entirely if counsel were able to sit in during questioning.

H.R. 1573 confirms that the right to access counsel attaches at the time of holding or detention and requires CBP or ICE to provide people detained and questioned with the ability to make a call and notify an attorney of their detention.

H.R. 1573 does not force CBP or ICE to identify and assign lawyers to individuals subject to inspection. It doesn't require them to provide funds to obtain lawyers and support through the inspection process, nor does it create any obligation for the government to pay for counsel.

This legislation simply opens the door to meaningful access to counsel for those who have an attorney ready to assist, and it ensures that people subjected to prolonged inspection are able to communicate with and receive assistance from counsel or other individuals who can facilitate the inspection process.

This is a commonsense proposal that really does ensure that the system will work more efficiently, particularly for U.S. citizens.

I want to applaud the sponsor of this bill, Congresswoman JAYAPAL, for her extraordinary leadership. I thank the chairman of our committee for bringing this to the committee and now to the floor. This is something that everyone should support.

Madam Speaker, I urge my colleagues to support H.R. 1573.

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I include in the RECORD this cost estimate on H.R. 1573 from the Congressional Budget Office.



CONGRESSIONAL BUDGET OFFICE COST  
ESTIMATE, APRIL 15, 2021

H.R. 1573 would require the Department of Homeland Security (DHS) to allow individuals subject to secondary immigration inspection at U.S. ports of entry to consult with an attorney, accredited immigration official, family member, or immigration sponsor during the inspection. The bill also would require DHS to allow the counsel or interested party to appear in person at the inspection site to the greatest extent practicable. (A secondary immigration inspection is conducted by customs officers if individuals entering the United States do not have the required documents for entry or if their information cannot be initially verified.)

Approximately 10.2 million individuals were referred to secondary inspection at the United States' 328 ports of entry in 2019. Using information provided by Customs and Border Protection (CBP), CBO expects that roughly 8 percent of referrals would request access to counsel each year. Immigration at ports of entry has declined significantly in fiscal years 2020 and 2021 because of the coronavirus pandemic; CBO assumes referrals would return to pre-pandemic levels beginning in mid-2022.

CBO estimates that CBP would need two new full-time officers on average at each port of entry to provide security and transportation services for individuals requesting access to counsel. (The number of CBP officers stationed at each port of entry ranges from several individuals to up to several thousands, and the number of additional officers needed at each port under the bill would vary by the size of the port.) CBO estimates that salaries, benefits, and overtime for the additional staff would cost about \$700 million over the 2021–2026 period; such spending would be subject to the availability of appropriated funds.

Additionally, using information provided by the agency, CBO expects that 222 ports of entry (nearly two-thirds of all ports) would need additional space or other upgrades to accommodate the bill's requirement to allow counsel to appear in person at inspection sites. Using that same information and historical patterns of construction costs, CBO estimates the total cost for construction and operation of the additional space would total \$123 million over the 2021–2026 period.

Specifically, CBO estimates that construction costs at 113 land facilities would total \$62 million over the 2021–2026 period, with \$10 million spent in subsequent years. CBO estimates the cost of renting additional space at 109 airport facilities would total \$44 million over the 2021–2026 period. In addition, CBO estimates the cost of initial setup, recurring maintenance, and other operational expenses associated with the additional space would total \$17 million over the 2021–2026 period. All construction and operational costs would be subject to the availability of appropriated funds.

The costs of the legislation, detailed in Table 1, fall within budget function 750 (administration of justice).

Mr. JORDAN. Madam Speaker, the gentleman said it wasn't going to cost anything.

This is straight from the Congressional Budget Office: \$825 million over the next 5 years, this is going to cost. This is based on Customs and Border Protection telling the CBO what costs they are going to incur.

So right there it is. He can say it is not there, but the CBO says it is.

Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Madam Speaker, our Nation is in a crisis. We are facing a real crisis at our southern border. As I speak, hundreds of migrants are crossing into the United States right now because the Biden administration has made it clear to the world that the border is open and the rule of law will not be upheld.

Now, instead of working on solutions to address the ongoing border crisis, the majority has brought forward legislation that would cripple our Nation's screening process for individuals entering at U.S. ports of entry.

Currently, a right to counsel does exist, but it only occurs once a screening turns from questions on the admissibility of people or goods to a custodial interrogation relating to a criminal offense.

More efficient, says my colleague from the other side.

This bill would place a significant burden on the men and women of the U.S. Customs and Border Protection, who, prior to the pandemic, processed over 1 million people daily at various ports of entry. The CBP regularly conducts over 17 million secondary inspections each year. That is not more efficient with this legislation.

This legislation would severely limit the CBP's ability to ensure thorough inspections of all travelers, not only those referred to secondary inspection, creating unnecessary delays and significant impacts on daily operations.

This bill misuses taxpayer dollars, puts the interests of foreign citizens above the interests of American citizens.

Madam Speaker, I urge my colleagues to oppose it.

Mr. NADLER. Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Madam Speaker, we must establish an America-first immigration policy. However, the Democrats are doing the opposite, with illegal aliens first, foreign nations first, and future Democrat voters first. Law-abiding American citizens are clearly last on the list of priorities, if they even make the list at all.

They are giving illegal aliens free healthcare, free education, free social services, free transportation, and even free lodging. Today, it is more of the same, with the continued effort to enable and facilitate illegal entry into our country. Now they want to provide attorneys for illegal aliens and further restrict our ability to refuse entry to those who wish us harm. Come one, come all.

Is it confusion and incompetence on the part of Democrats?

Do they not know the threat to our country? Do they not understand?

Or is it worse and they know exactly what they are doing and they don't care about the consequences?

Why else would they let organized crime profit off the suffering of those trying to illegally cross our border?

Why else would they stop building the Trump wall?

Why else would they reinstate catch-and-release and offer amnesty to illegal aliens?

Why else would they stop MPP and Title 42 restrictions?

The Democrats are destroying our country, and you need to look no further than our own border.

Mr. NADLER. Madam Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore (Mrs. DINGELL). The gentleman from New York has 8 minutes remaining.

Mr. NADLER. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I rise today in support of the Access to Counsel Act.

Thousands of immigrants lawfully come to our country, come through our ports of entry, daily. They come in order to reunite with families, in order to receive lifesaving medical help, in order to pursue their educational dreams. They come because they are allowed to come, and they come for really good purposes.

When they arrive, all too often they are subjected to grueling inspections and relentless questioning by our Customs and Border Patrol agents, and often they have no help to turn to.

H.R. 1573 will ensure that these individuals can communicate with a family member, an attorney, or other party who can help them navigate what is going on at the port of entry if they are held over an hour.

This is important. We are not saying that there shouldn't be any inspections whatsoever, that there shouldn't be any questioning. But sometimes people have been held up to 30 hours without any access to help. It is not right.

This is critical to ensuring that immigrants are treated fairly and with dignity.

Madam Speaker, I urge my colleagues to vote "yes" on the Access to Counsel Act and to support due process for all.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. BUCK).

Mr. BUCK. Madam Speaker, there is a humanitarian crisis on our southern border. Every day, more migrants surge towards the border and overwhelm the dedicated men and women of Customs and Border Protection.

CBP is facing the most dramatic increase in detentions and illegal crossings in nearly 15 years, with no end in sight and no plan to address the situation articulated and caused by the Biden administration.

Mr. Biden revoked the remain in Mexico policy and the safe third country agreements with Guatemala, Honduras, and El Salvador. He stopped building the wall. He tapped Vice President KAMALA HARRIS to coordinate the response to this humanitarian crisis almost a month ago. She still

hasn't visited the border, but she has had time to stop at a Chicago bakery and grab a slice of cake for her plane ride home.

The Vice President's message to the American communities being overrun with illegal immigrants is, apparently, "let them eat cake," while the President rolls out the welcome mat to illegal immigrants pouring over our border.

My colleagues across the aisle want to fund lawyers for illegal immigrants and defund the police. They don't care if the American people are protected, but they want to make sure their friends in the local bar association get paid to represent criminals flooding into our country.

Democrats don't have time to fix our broken immigration system, but they have time to visit Minnesota and incite riots.

□ 1445

During the current crisis, immigration backlogs have gotten so extreme that illegal migrants are being housed in convention centers and hotels across the country. My liberal colleagues should try addressing the rising homeless problem with Americans rather than placing illegal immigrants in hotels.

Just 2 weeks ago, the CBP announced the arrest of two men on the FBI's terrorism watch list as they tried to cross the southern border. If this legislation was enacted, Americans would have paid for their lawyers to help these terrorists stay in our country.

This is a dangerous precedent that prevents our existing border security apparatus from working properly.

Mr. NADLER. Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, may I inquire as to how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Ohio has 9½ minutes remaining. The gentleman from New York has 6 minutes remaining.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Speaker, I know it seems compassionate to those who support this bill to say we want to give this young child whose parents sent them up by themselves, give them a lawyer, help them out.

But the consequences for those of us that have spent a lot of time on the border are very clear. It means, if you make this law, that the representatives of the drug cartels, which are often gang members, they can tell the parents, Look, I know it is a tough decision whether to send your child alone, this little 3-, 5-, 8-year-old child up by themselves, but the good news is that there are people in Congress that have fought for and have gotten you a lawyer at the border for your child.

So with the drug cartels, the truth is this child will likely be an indentured servant for many years, either drug

trade or sex traffic, but they are going to be owned by the drug cartel, as far as what they get to do in their freedom. This is not something we should be doing, adding more to lure more unaccompanied children up to our border. We are already in crisis mode.

As all of the Border Patrol that I have talked to over the years explained, they are basically working now for the drug cartels. As they have said, we are the logistics for the drug cartels. The cartels send them up, get them to the border, and then we ship them wherever the cartels want us to send them.

This is not as compassionate as it may seem. This is going to damage millions of people.

Mr. NADLER. Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. VAN DREW).

Mr. VAN DREW. Madam Speaker, I rise in opposition to this bill.

In the midst of an unprecedented and ongoing border crisis, as CBP struggles to keep up, Democrats focus on a bill that will not only be expensive but will continue to hamper and slow down our hardworking women and men with the CBP.

Almost a billion taxpayer dollars—almost a billion taxpayer dollars—provided for by the hardworking men and women in America, both legal immigrants and others, literally, to provide access to legal representation to non-citizens. I guess they would call it non-citizen human infrastructure. But really it is just another payday for lawyers.

America is struggling. Our borders are struggling. Our neighbors are struggling. We all want to help. But let's help America. Let's love America. Let's take care of our American people. Oppose this bill.

Mr. NADLER. Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield 1½ minutes to the gentlewoman from New York (Ms. MALLIOTAKIS).

Ms. MALLIOTAKIS. Madam Speaker, I am the daughter of immigrants. My mother came to this country as a refugee, and we are speaking about those who are seeking refuge in our country.

When my mother came to this country, there was a process. There was order. I visited the border a couple of weeks ago, and there was just absolute disorder and chaos.

It is shocking that this body refuses to take any action, that the Vice President, after 28 days of being appointed to oversee this issue, refuses to go to the border and see what I saw, hear what I heard.

You need to have a discussion with Customs and Border Protection before taking any action on legislation. They will tell you that they are being overrun by the cartels and the smugglers, who are taking over the border and making half a billion dollars a month doing it.

The action we are taking here today will do nothing to help the 9-year-old girl that we saw in this facility who was gang raped on her journey here. How come nobody cares or has the compassion to do anything about those individuals who are being exploited by the smugglers and cartels? That is what we should be discussing here today.

To go into one of these facilities and see these children, sleeping on top of each other—capacity of 250, and they have 4,000 people jammed in there. No COVID testing. Nobody cares about the public health crisis that is creating.

So you have a humanitarian crisis, a public health crisis, and on top of it a national security crisis. Thousands of criminals being caught at the border and nobody is doing a damn thing about it.

Mr. NADLER. Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, the gentlewoman from New York is exactly right. When will the Democrats take it seriously? When will the President go to the border? When will the Vice President go to the border, the person who is supposed to be in charge of dealing with this crisis? When will the press be able to enter the holding facilities and actually show the American people how bad it is, what Ms. MALLIOTAKIS just described?

When will Secretary Mayorkas come in front of the Judiciary Committee? We have asked for him to come, answer our questions, tell us how he is dealing with this crisis.

When are the Democrats going to take this seriously? We do. We have all been down there. We asked them to go. They wouldn't go with us.

The American people understand what is going on, how bad it is. I just hope the Democrats will deal with it sometime soon.

Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. Madam Speaker, H.R. 1573 provides access to counsel for individuals referred to the secondary inspection station, but there are over 328 ports of entry to the United States. Those field executives, if this is enacted, would, in fact, be handling over 17 million people who might seek assistance.

In the upcoming motion to recommend, we will offer that, in fact, the claim by this bill that there will be no cost for attorneys' fees is, in fact, likely to not be true.

Last week the Congressional Budget Office estimated it would cost \$828 million to implement this legislation if enacted, and that would be without the right to free counsel. We need to ensure that these costs aren't even higher.

The Democrats have stated that H.R. 1573 will not require the American people to pay for attorneys accessed during this administrative stop. And, again, Madam Speaker, this is an administrative procedure. If, for any reason, somebody is charged with a crime,

they immediately do get access to counsel. This is for those 17 million people who will go through secondary inspection and likely then be allowed to move forward.

However, you need to look no further in this act than the comprehensive immigration reform bill of the U.S. Citizenship Act for evidence that Democrats want us to pay for counsel to foreign nationals. This bill specifically removes the current prohibition on government-paid counsel. And yet, in the markup my colleagues insisted that this had no right to counsel. If you want more evidence than this, the American people deserve an assurance in this bill. We will ask in the motion to recommit that we add that specific prohibition in this bill.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. Madam Speaker, I yield the gentleman from California an additional 30 seconds.

Mr. ISSA. Madam Speaker, in the language of the motion to recommit H.R. 1573, no one will doubt that Congress either does or does not have the intent to make sure that the voters and our taxpayers are protected. I urge my colleagues to support the motion to recommit.

Madam Speaker, if we adopt the motion to recommit, we will instruct the Committee on the Judiciary to consider my amendment to H.R. 1573 to ensure that no taxpayer funds are used.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. JORDAN. Madam Speaker, I yield the gentleman from California an additional 15 seconds.

Mr. ISSA. Madam Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NADLER. Madam Speaker, I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, for all the reasons that we have stated here in the last half hour, we urge a "no" vote on this legislation.

I yield back the balance of my time.

Mr. NADLER. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I have heard a lot of nonsense on this floor. I have heard a lot of fiction on this floor today, but not everything the Republicans have said is fiction.

They said, for instance, there is a crisis at the border. Indeed, there is a crisis at the border.

The crisis at the border started under President Trump and has continued under President Biden; the same crisis. The difference is that President Trump tried to deal with the crisis in the cruelest way possible, by tearing babies away from their parents, by tearing families apart, and by doing so, so in-

competently—I assume it was incompetence; maybe it was malevolence, I don't know—that they didn't even get the records so that people today can figure out how to reunite these families.

The crisis continues, but at least we are dealing with it. We are trying to deal with it in a humane way.

It is also interesting the fictions we have heard about this bill: This bill will cost money, this bill gives people the right to an attorney, and the Federal Government will have to pay for that attorney. Not true. Not true.

I suspect my Republican colleagues have lost the ability to read a bill somehow. The bill is very clear. The bill simply says that if someone with valid documents—valid documents—no litigation as to whether they are valid or not, they have got to be valid in the first place, a U.S. citizen, a green card holder, someone with a valid visa, that is all we are talking about. The bill simply says that those people, if detained at a border entry point for a period of time for longer than an hour have the right to make a phone call.

A phone call doesn't cost the government anything. They have the right to make a phone call. To whom? To whoever they want. A family member, perhaps an attorney, a friend, whoever they want.

Experience tells us that when people can make a phone call to an attorney in such a situation because the INA, the Immigration and Naturalization Act, is so complicated, it can often straighten things out, and that saves the government money. Because they don't have to litigate, it saves the government money. So this bill will not cost the government any money. It will save it money.

□ 1500

It will also help people who must be helped—again, I stress, only those people who have a valid document to enter the United States and for some reason are detained at the border.

How long does this last? Eight hours, at most. That is what the bill says, 8 hours.

This bill is limited to a measure that Members on both sides of the aisle, everybody, should embrace. As I said before, this is not a bill about a right to counsel. It is simply a bill about fair process. It ensures that individuals seeking to enter the United States with facially valid documents—a visa, a green card, including U.S. citizens who may have a passport—are given an opportunity to call somebody, a family member, counsel, another interested party, whoever they want, if they are subject to prolonged inspection.

Admissibility decisions by Customs and Border Protection can have life-altering consequences. This bill will ensure that CBP has the relevant facts prior to making decisions, the relevant facts, and facts that don't cost the CBP anything to get. Well, they do, actually: the cost of a phone call. I take

that back. It would cost the CBP the cost of a phone call, although not necessarily, because the person may have their cell phone on him. So, it won't even cost the cost of a telephone.

I urge my colleagues to vote in support of the Access to Counsel Act. It makes sense. It hurts nobody. It imposes no duty on the government. It imposes no cost on the government. But it does mean that people will not unnecessarily get caught up in bureaucracy. I urge my colleagues to vote in support of the Access to Counsel Act, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, as a senior member of the Committee on the Judiciary, I rise in strong and enthusiastic support of H.R. 1573, the "Access to Counsel Act of 2021", which would ensure that certain individuals who are subject to prolonged inspection by U.S. Customs and Border Protection (CBP) at ports of entry have the ability to communicate with and receive the assistance of counsel and other interested parties at no expense to the government.

The Access to Counsel Act does the following:

Allows individuals who already have legal status in the United States who are held in secondary inspection at airports or other points of entry for more than an hour with an opportunity to access legal counsel or an interested party, such as a relative or someone with a bona fide relationship, under certain circumstances.

Allows counsel or a covered interested party the ability to advocate on behalf of the individual by providing information or documentation in support of the individual.

Affirms the opportunity to access to counsel attaches no later than one hour after the secondary inspection process begins and as necessary throughout the process.

Invalidates any effort by CBP to persuade someone to relinquish their legal status (by executing a I-407 or Record of Abandonment of Lawful Permanent Resident Status) if that person has been denied access to counsel or voluntarily waives, in writing, the opportunity to seek advice from counsel.

In 2017, Juan Garcia Mosqueda, a decade-long legal permanent resident of the U.S., was detained at John F. Kennedy International Airport in New York City and sent back to his native Argentina by a CBP agent who told him that, "lawyers had no jurisdiction at the borders."

This statement, made in the weeks following implementation of the former president's 2017 travel ban, lays bare the vulnerable situation faced by people upon their arrival to the United States.

Behind closed doors without a friend or counsel, people are subjected to prolonged questioning, coercion, extended detention, mistreatment and summary expulsion.

Many lose valuable rights, and sometimes more, as CBP agents interpret and apply complex immigration rules to decide people's lives without the benefit of a knowledgeable advocate.

While many within the agency interpret and apply the law competently, the position does not require more than a high school degree, and CBP inspectors continue to act as judge, jury and expulsion officer without so much as a

whisper allowed during that decision making from an attorney representing the banished.

We are a country of laws, and we hold as a cherished tradition the concept of due process of law.

The need for this bill became apparent after the Trump Administration implemented the Muslim ban in early 2017, resulting in individuals being detained at airports, while others being barred from boarding flights and pulled off planes abroad.

In 2020, we saw additional instances of CBP officers unjustly detaining Iranian Americans for up to 12 hours at the northern border in Blaine, WA and detaining and deporting Iranian students who were attending U.S. universities and people from Iran traveling on valid visas.

Immigrants and civil rights activists have also raised concerns that CBP appears to target individuals for inspection based on racial profiling, and often holds U.S. citizens with proper documentation in secondary inspection without access to an attorney.

For example, three Black CBP officers recently filed a lawsuit against DHS, alleging CBP routinely targets and harasses Black travelers at the Blue Water bridge between Port Huron and Sarnia on the Canada-Michigan border.

A March 25, 2021 report by the American Civil Liberties Union of Michigan examined CBP data on apprehensions at the Michigan-Canada border and corroborates these allegations.

The report found that between 2012 and 2019, over 96 percent of the 13,000 documented apprehensions involved people of color, and one-third involved U.S. citizens.

In another example, Tianna Spears, a Black U.S. citizen diplomat working at the U.S. consulate in Ciudad Juarez, Mexico said that she was targeted regularly for inspection over a four month period, despite crossing the border daily, possessing a diplomatic passport and Global Entry approval, and having registered her car in the SENTRI system.

She states that during these encounters, she was unable to contact counsel or State Department colleagues who could verify her identity.

After four months of regular apprehensions, she began to develop symptoms of PTSD, and was forced to transfer to a different post. She later resigned from the State Department.

Madam Speaker, we must ensure that people are treated fairly during the inspections process, and to do so at the very minimum requires that CBP permit representation of counsel when requested during inspections.

I urge all Members to vote for H.R. 1573 and send a powerful message that this House stands firmly behind America's well-earned and long established reputation of being the most welcoming nation on earth.

[From Curbed, Mar. 2, 2017]

OWNER OF NYC DESIGN GALLERY DETAINED AT AIRPORTS, DENIED RE-ENTRY TO U.S.

Juan Garcia Mosqueda, founder of New York art and design gallery Chamber and a decade-long legal permanent resident of the U.S., was detained last Friday at John F. Kennedy International Airport in New York City and was sent back to his native Argentina, ahead of his gallery's new show—Domestic Appeal, Part III—which opens tonight.

In an open letter titled The Visible Wall released by Mosqueda on Tuesday, he called

the experience “dehumanizing and degrading,” and detailed his 36-hours-long detainment, questioning, and return to Buenos Aires.

The reaction from the design community was swift and impassioned. Posting Mosqueda's open letter on Tuesday, Sight Unseen wrote: “We are strongly against this administration's unfair and un-American targeting of immigrants—and not just those who are important design gallerists, but all those who seek to make a better life here.”

Designers, journalists, and other supporters took to Twitter to rally behind Mosqueda and decry his alleged treatment.

Of the response from the design community, Mosqueda said this in a statement emailed to Curbed:

Since issuing the letter . . . I have received tremendous support from not only the design community in New York but from people all over the world. I greatly appreciate everyone's kind words and concern following this unfortunate incident.

My reason for sharing my experience was to bring to light the situation currently facing immigrants from around the world and to encourage my American friends to contact your local congressmen and push for immigration reform. I am currently in the process of dealing with my reentry into the United States and for this reason I am not able to speak with media at this time. Thank you again for your support.

You can read Mosqueda's open letter in full below.

#### THE VISIBLE WALL

DEAR FRIENDS: This past Friday, February 24, 2017, I was denied entry into the United States—the nation where I have been legally residing for the past ten years. The procedure was dehumanizing and degrading every step of the way.

After being escorted to the secondary inspection premises, I was brought down for interrogation where I was questioned under oath and threatened with the possibility of being barred from entering the country for five years.

The border patrol officer denied me the right to legal counseling, arrogantly claiming that lawyers had no jurisdiction at the borders. Shortly after my sworn statement was delivered to the chief officer in charge, they informed me that I was not permitted to come into the country and, therefore, would be forced onto the return flight to Buenos Aires later that evening.

During the following fourteen excruciatingly painful hours, I was prohibited from the use of any means of communication and had no access to any of my belongings, which were ferociously examined without any warrant whatsoever. I was deprived of food. I was frisked three times in order to go to the bathroom, where I had no privacy and was under the constant surveillance of an officer.

Finally, I was escorted by two armed officers directly onto the plane and denied my documents until I reached my destination, Buenos Aires.

This thirty-six hour nightmare is nothing but clear evidence of a deeply flawed immigration system in the United States, carried out by an administration that is more interested in expelling people than admitting them.

I was educated in America, worked at prestigious design entities, and, now, as you all know, own a gallery which employs Americans and non-Americans alike. Chamber supports architecture and design studios in the United States and abroad.

I own several properties in New York and have collaborated in numerous projects with architects, contractors, and construction workers to bring to life projects around the

city. We have created a network within the creative industries that span all disciplines and media that help individuals sustain their practices and do what they love.

We proudly carry the New York flag to every fair that we do and every project we initiate across the globe. We self-publish books printed in the United States. And, needless to say, we pay considerable federal and state taxes that help fund many of the societal aspects that fuel the American engine.

Although I am not an American citizen, Chamber is an American product that I hope adds to the cultural landscape of the country. The gallery was conceived in alignment with the same idea of inclusion that was found in the streets of the Lower East Side (where I live and was denied access to) not so long ago: a melting pot of all nationalities and religions, importing ideas from abroad to a culturally embracing metropolis.

We have worked with over 200 artists and designers, from Tokyo to Los Angeles, from Amsterdam to Santiago, in our less than three years of existence and rely heavily on social mobility to get our message across and display the works that we want to show.

To my American friends, I urge you to contact your congressmen and push for immigration reform. Push for a system that does not alienate, intimidate, and bully foreigners but that, on the contrary, welcomes and encourages citizens from all countries to want to keep investing in and contributing to your wonderful country.

This coming Thursday, I will not be able to celebrate the opening of our newest show, Domestic Appeal, which my team and I worked hard to conceive, and will not be able to meet some of the incredible participants that are traveling to the United States to take pride in displaying their creations in one of the most culturally relevant cities on the planet.

Please come see it, have a glass of wine, and enjoy it on my behalf!

Hope to see you all very soon.

JUAN GARCIA MOSQUEDA,  
Buenos Aires, Argentina.

The SPEAKER pro tempore. Pursuant to House Resolution 330, the previous question is ordered on the bill, as amended.

The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. ISSA. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Issa moves to recommit the bill H.R. 1573 to the Committee on the Judiciary.

The material previously referred to by Mr. ISSA is as follows:

At the end of the bill, add the following:

(d) CONSTRUCTION.—No counsel accessed, consulted, or otherwise providing assistance pursuant to this Act, or the amendment made by this Act, shall be compensated at the expense of the United States Government for any such service or activity.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. ISSA. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

#### EXTENDING TEMPORARY EMERGENCY SCHEDULING OF FENTANYL ANALOGUES ACT

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2630) to amend the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act to extend until September 2021, a temporary order for fentanyl-related substances, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2630

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Extending Temporary Emergency Scheduling of Fentanyl Analogues Act”.

##### SEC. 2. EXTENSION OF TEMPORARY ORDER FOR FENTANYL-RELATED SUBSTANCES.

Effective as if included in the enactment of the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act (Public Law 116-114), section 2 of such Act (Public Law 116-114) is amended by striking “May 6, 2021” and inserting “October 22, 2021”.

##### SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentlewoman from Washington (Mrs. RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2630.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise to seek support for the Extending Temporary Emergency Scheduling of Fentanyl Analogues Act.

As we continue to combat the COVID-19 pandemic, we are also facing a tragic, growing trend of overdose deaths across this country.

We have lost nearly 1 million Americans since the beginning of the Nation's drug epidemic. These Americans are sons, daughters, mothers, fathers, neighbors, coworkers, and members of our communities. Now, data tells us that the COVID-19 pandemic, increased isolation, and related economic hardships over the past year may be hampering efforts to turn the tide.

Last week, Madam Speaker, the Centers for Disease Control and Prevention released its most recent data finding that, from August 2019 to August 2020, there were 88,000 overdose deaths reported. That is the highest ever recorded in a 12-month period.

This most recent data represents a worsening crisis driven primarily by synthetic opioids, such as illicitly manufactured fentanyl. This drug is 50 times more potent than heroin and 100 times more potent than morphine. Although fentanyl itself is often used for medical purposes, use of illicitly manufactured fentanyl has increased in recent years, including co-use with cocaine and methamphetamines. As little as 2 milligrams can cause a lethal overdose.

Congress has recognized this unprecedented threat and acted in strong bipartisan fashion to combat it with resources to communities around the country. We passed major pieces of legislation like the Comprehensive Addiction and Recovery Act, the 21st Century Cures Act, and the SUPPORT for Patients and Communities Act.

At the end of last year, in the final omnibus bill, we included over \$4 billion to increase mental health and substance use services and support. Recognizing the worsening trends early this year, we passed the American Rescue Plan last month that provided an additional \$4 billion in resources. This critical funding will be used to enhance mental health and substance use disorder services supported by the Substance Abuse and Mental Health Services Administration, the Health Resources and Services Administration, and the Indian Health Service.

Madam Speaker, while this critical assistance is on the way, unfortunately, due to the disturbing rates of overdose and substance use, more work is clearly needed. The Biden administration is asking Congress to extend a temporary tool we provided last Congress so that agency experts can come together to examine the facts and come up with an effective, long-term solution. That tool is the authority to temporarily classify fentanyl-related sub-

stances as schedule I substances under the Controlled Substances Act.

Ensuring fentanyl-related substances remain scheduled will maintain an important deterrent to traffickers, manufacturers, and those distributing this substance.

During an Energy and Commerce Committee hearing last week, the White House Office of National Drug Control Policy's Acting Director Regina LaBelle testified on the importance of this extension. Acting Director LaBelle highlighted ongoing discussions with the Department of Health and Human Services, the Department of Justice, and the Drug Enforcement Administration. She testified that an extension of this temporary authority would allow executive branch agencies time to convene and present a long-term solution to this ever-changing drug environment that balances the risk of illicit fentanyl with the need to ensure appropriate enforcement.

The Biden administration is taking this drug epidemic seriously and has delivered a thoughtful, thorough set of drug policy priorities. I ask my colleagues to join me in giving these agency experts time to produce a thoughtful, thorough solution to this scourge of overdose deaths.

Madam Speaker, I urge my colleagues to support this measure, and I reserve the balance of my time.

Mrs. RODGERS of Washington. Madam Speaker, I yield myself such time as I may consume.

I am disappointed that we are kicking the can down the road on a short-term extension of DEA's emergency scheduling order to keep dangerous fentanyl analogues in schedule I.

While I will vote in favor of this bill today because allowing this lifesaving order to expire is unacceptable, this short-term extension from the Democratic majority fails to meet the gravity of the situation facing our communities, our border, and our country.

They have had 2 years to come to the table and work with us on a permanent solution to combat fentanyl and fentanyl analogues and the dangers that they pose to Americans. If we don't act, these dangerous drugs being smuggled across our southern border would effectively become street legal.

We need a permanent solution to save the lives of people in despair and to protect our communities, and we need Democrats in the House and the Senate to wake up and take it seriously. Nearly all States are seeing a spike in synthetic opioid deaths, with 10 Western States reporting a more than 98 percent increase. This pandemic has made it worse.

In my home State of Washington, the fentanyl positivity rate has increased 236 percent, more than any other State in the country. My community lost two teenagers recently from a suspected fentanyl-related death. They had their whole lives in front of them.

Just a few milligrams of fentanyl, what can fit on the ear of Abraham

Lincoln on our penny—that is a pretty small amount—is lethal.

Fentanyl analogues are oftentimes more potent, and more than a thousand of them have been created over the years to mimic fentanyl's opioid effects and outsmart the law.

With class-wide scheduling, any dangerous variant of fentanyl is controlled under schedule I. According to the DEA, right now, there are 27 new fentanyl-related substances that have been encountered and immediately controlled under the class-wide scheduling order. All of those substances are many times more potent than heroin and pose serious health and safety risks. One recently encountered substance was approximately eight times more potent than fentanyl.

In addition to the ongoing, unprecedented humanitarian crisis at the border, fentanyl and other dangerous opioids are also pouring across our border at an ever-increasing rate. The Border Patrol just reported a 233 percent increase in fentanyl seizures at the southern border just in the last year.

If the class-wide scheduling of fentanyl-related substances is allowed to expire, drug traffickers will be further emboldened to smuggle this poison into our communities.

The Trump administration also worked hard to make the Chinese Communist Party accountable for the fentanyl analogues that were being manufactured in China, forcing them to crack down on it. If we let this expire and do not make it permanent, we will be sending a clear message to the CCP that it is okay for them to ease up and let this illicit industry continue to grow.

Moving forward, we must work with the DEA and other agencies to make this scheduling permanent, just like Mr. LATTA's FIGHT Fentanyl Act, while making reforms to improve scientific research on these substances.

I am glad that the majority is agreeing with us that we cannot let this expire. I am gravely disappointed that it is only a few months. This extension will buy us far less time than the 1-year extension Republican leader JIM JORDAN and I put forward and the 7-month extension that was requested by the Biden administration.

If this 5-month extension is signed into law, I call on Democrats and Republicans to begin working immediately on a longer term solution. We stand ready to immediately begin the bipartisan work necessary to get a permanent fix signed into law. I am committed to working over the next 5 months to solve this issue once and for all and not just settle on a short-term extension.

Madam Speaker, I urge a "yes" vote on this temporary extension, and I reserve the balance of my time.

□ 1515

Mr. PALLONE. Madam Speaker, I yield such time as he may consume to the gentleman from New Hampshire

(Mr. PAPPAS), the sponsor of this legislation.

Mr. PAPPAS. Madam Speaker, I thank Chairman PALLONE for yielding.

Madam Speaker, I rise today and urge the swift passage of H.R. 2630. This legislation will save American lives by getting deadly chemical fentanyl analogues off our streets and allowing law enforcement to swiftly bring drug traffickers to justice.

The CDC reports that there were more than 50,000 deaths involving synthetic opioids in the 12-month period ending in July 2020—50,000 deaths in 12 months.

The addiction crisis has worsened as a result of this pandemic, and this is not the time to let regulations lapse or to back away from our commitment to get people the help that they need.

My State of New Hampshire, like so many, has been hit incredibly hard by fentanyl and its chemical analogues. Chemical versions of fentanyl are ever-changing, and we know that traffickers intentionally make small variations in substances, knowing that the scheduling process may take months in order to place these deadly drugs on schedule I where they belong. This means that traffickers are often one step ahead of law enforcement.

Madam Speaker, this legislation helps prevent that by ensuring all fentanyl analogues are categorized as schedule I.

The DEA first issued a temporary order in February of 2018, and Congress wisely passed legislation extending that order through May 6.

Madam Speaker, my legislation, the Extending Temporary Emergency Scheduling of Fentanyl Analogues Act, would extend that order and, again, ensure that constantly changing chemical versions of fentanyl, often smuggled in from Mexico and China, are labeled as schedule I.

The bill would prevent our communities from being flooded with synthetic opioids and will ensure that those trafficking them will be held accountable without delay.

People are in a fight for their lives right now. Our country continues to be ravished by addiction. To let down our guard at this moment would cause unmistakable harm to our families and our communities.

I am hopeful that we will see swift bipartisan action in Congress to grant this extension.

Madam Speaker, I urge passage of this bill.

Mrs. RODGERS of Washington. Madam Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. GUTHRIE), the lead Republican on the Health Subcommittee.

Mr. GUTHRIE. Madam Speaker, I rise today very concerned about the deadly threat of fentanyl and fentanyl analogues.

Last week, the Committee on Energy and Commerce held a hearing on this exact issue.

Here are the facts: More than 88,000 overdose deaths were reported by the

CDC in a 12-month period ending in August of 2020. This is a record for the highest number of overdose deaths ever recorded in a year.

In 2018, synthetic opioids, which includes these dangerous fentanyl analogues, were involved in 744 deaths in just Kentucky. I learned from a substance use healthcare provider in my district that almost all their patients have some sort of fentanyl in their system. Many of the patients are not aware of it themselves. Just last month a 2-year-old in Kentucky died from exposure to fentanyl; therefore, I support a permanent solution of scheduling fentanyl analogues.

Last week, some of my colleagues—and we had witnesses—tried to argue that a long-term solution for banning fentanyl is a social justice issue. In fact, one witness shared, "it is being argued that fentanyl class scheduling is suddenly unnecessary because of the low number of prosecutions to date—eight. However, eight mandatory minimum sentences in 3 years, four of them being members of a cartel, proves that prosecutors are not going after low-level users.

The witness also argued that this scheduling of fentanyl analogues—the decrease of new fentanyl analogues coming to this country was 90 percent.

If someone is being unjustly prosecuted for fentanyl analogues, then that should be addressed.

However, not scheduling fentanyl analogues, when we had a witness testify it drops 90 percent being imported, would be deadly for Americans since fentanyl and its analogues are responsible for thousands of deaths each year.

Mr. PALLONE. Madam Speaker, I reserve the balance of my time.

Mrs. RODGERS of Washington. Madam Speaker, I yield 2 minutes to the gentleman from Tampa, Florida, (Mr. BILIRAKIS), a leader on the Committee on Energy and Commerce.

Mr. BILIRAKIS. Madam Speaker, I thank the chairwoman for yielding.

Madam Speaker, the United States remains in the grip of an overdose pandemic, unfortunately. I rise today in support of the Extending Temporary Emergency Scheduling of Fentanyl Analogues Act.

Madam Speaker, 3 years ago, DEA temporarily scheduled fentanyl analogues as controlled substances to crack down on China and drug traffickers smuggling fentanyl across the southern border. Last year, Congress passed the temporary extension that continued to criminalize fentanyl analogues until May 6 of this year.

Previously, drug traffickers could slightly change the molecules in the drug, so the formula was not technically considered fentanyl and was not prohibited, although it was still potent, leading to a lethal game of whack-a-mole.

Madam Speaker, locally, we have seen that fentanyl has been a major problem, even with the scheduling in place. Pasco County, in my district,



has already had 48 people die from overdoses since January of this year, and many communities throughout the country are experiencing the same overdose increases as the pandemic has only exacerbated the mental health and addiction crisis in our country.

Madam Speaker, if this scheduling ban expires, we expect far more fentanyl to flood our streets and many more lives to be tragically lost. We cannot allow this to happen.

I urge my colleagues to join us in extending this current ban and to work together in a bipartisan manner on a permanent solution—it must be a priority—a permanent solution to this scourge.

Mr. PALLONE. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I thank the chairman of the Committee on Energy and Commerce for the constant diligence that he has in the landscape of healthcare and energy, consumer issues. Certainly, as a member of the Committee on the Judiciary, we are looking forward to working with this committee on a very important matter.

So I want to acknowledge the work of the Committee on Energy and Commerce and indicate that isn't it sad that we have not been able to find common ground to work on this issue. I am very concerned that what we are now doing, we probably would need more time for our committees to work together. I am concerned that we might be extending the Trump administration's temporary class-wide emergency scheduling of fentanyl, a substance that all of us vigorously opposed.

Madam Speaker, I think the chairman is well-aware of my longstanding concern on criminalizing substance abuse instead of preventing and treating it. I know that our two committees have a common perspective and agreement on that, but I have seen failed policies in my own neighborhood that have disproportionately impacted communities of color.

For instance, in the 1980s, Congress adopted harsh mandatory minimum sentences for crack cocaine offenses and putting many in unjust and lengthy terms of imprisonment.

Madam Speaker, I simply want to indicate an acknowledgment of fentanyl and its impact that it has had, and I want to acknowledge the importance of us working together. But I also want to put on the record my concern with the DEA's temporary order that would group all fentanyl-related substances under a class-wide ban.

You see, what I know we can document is that the recipient, the taker, gets the short end of the criminal justice stick, and with that, I have concerns. But as we take more time to do this, I want to make sure the traffickers, the cartels, the gangs, are put in the eye of the storm where they belong.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. PALLONE. Madam Speaker, I yield an additional 1 minute to the gentlewoman from Texas.

Ms. JACKSON LEE. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, just to put on the record that the data shows that there are already significant racial disparities in some of the Federal cases and mandatory minimum sentences involving fentanyl analogues.

I don't want to put words in the mouth of my chairman, Chairman PALLONE, but I have heard him speak to these issues, and I am grateful for it. I am grateful for his sensitivity. So I wanted to come to the floor knowing the work that has been done, but also knowing your understanding. And I wanted to just make sure that these communities that cannot speak for themselves clearly are put on the record.

I need not say that the trial that we just had with the George Floyd case and what was trying to be represented in that case, albeit was a very tiny or minute or nonexistent amount. So I want to make sure that we do this right and we get the time to do it.

Madam Speaker, I thank the gentleman for his leadership.

WASHINGTON, DC,

April 19, 2021.

President JOSEPH R. BIDEN, Jr.,

*The White House,*  
Washington, DC.

DEAR PRESIDENT BIDEN: We write to express our serious concerns with class-wide scheduling of fentanyl-related substances, joining with our colleagues Senators Booker, Hirono, Markey, Warren and Whitehouse, who wrote to you about this issue on April 14. We too commend your commitment to end mandatory minimums, to address racial disparities, and to achieve criminal justice reform. We also agree with the Administration's recognition of the pressing need to "eradicate racial, gender and economic inequities that currently exist in the criminal justice system. We look forward to working with your Domestic Policy Council and the interagency working group that has been formed to develop specific policy solutions for criminal justice reform. At the same time, we also hope to collaborate with you and your Administration to enact just and restorative policies that will meaningfully transform our nation's response to substance use disorders through the lens of public health and racial equity.

We agree with our Senate colleagues that fentanyl use is a serious concern. Combating substance use, including the illicit use of fentanyl, is a top priority for all of us. However, we ask that you reject the last Administration's misguided approach to the opioid epidemic, especially regarding class-wide scheduling of fentanyl analogues.

As an initial matter, federal prosecutors may already pursue charges concerning harmful fentanyl analogues, with or without class-wide scheduling. In addition, classifying all fentanyl analogues as Schedule I substances is unnecessary for federal prosecutions of these cases. Independent from any temporary scheduling order for certain substances, the federal government has the authority to prosecute anyone who possesses, imports, distributes, or manufactures any unscheduled fentanyl analogue with a high potential for abuse, no medical value, and the ability to cause overdose deaths. In addition, the Department of Justice can con-

tinue to prosecute any case involving the illicit manufacturing or distribution of any fentanyl-related substances under a separate statutory scheme established by the Federal Analogue Act. The DEA can also continue to use its existing authority to schedule specific fentanyl-related substances as Controlled Substances under the well-established interagency process.

However, under the Trump Administration, the Drug Enforcement Administration used its emergency scheduling authority to place certain fentanyl analogues onto Schedule I of the Controlled Substances Act. The Temporary Scheduling Order ("the Order") scheduled a general "class" of "fentanyl-related substances." In doing so, the Trump Administration expanded the application of mandatory minimum penalties to a broader range of federal cases, while also creating additional barriers to medical research. The Order also circumvented the standard procedures for the scheduling of substances under the Controlled Substances Act, preventing input from the Department of Health and Human Services and other relevant interagency experts.

The Trump Administration's Order also widened the net as far as the application of mandatory minimum penalties. As you know, people of color have been disproportionately subject to mandatory minimum sentences, preventing judges from being allowed to apply penalties that fit the facts and circumstances of each case. Continuation of this Order will further perpetuate current racial disparities that exist throughout the criminal justice system. According to the most recent statistics from the U.S. Sentencing Commission, there are significant racial disparities in the prosecution of fentanyl cases, with people of color comprising almost 75% of those sentenced in 2019. This also holds true for federal convictions in cases involving fentanyl analogues, for which 68% of those sentenced were people of color. To keep this approach in place—even temporarily—will further exacerbate existing racial disparities.

In addition, mandatory minimum penalties continue to disproportionately impact individuals with a minor role in the offense. In 2019, more than half of all federal fentanyl-analogue prosecutions involved a street-level seller or other minor role. During this challenging time, our most vulnerable communities, especially communities of color, have been disproportionately impacted by the COVID-19 pandemic. Moving forward, we must not exacerbate these health and justice inequities. We need to reject approaches that expand criminal penalties, rather than prioritize evidence-based approaches to this public health crisis.

Moreover, we need to work to reduce barriers to research in order to expand opportunities to identify antidotes to fentanyl-analogue overdoses and to improve treatment options. By extending the Order, critical medical research will continue to be limited during a time when the country is facing even greater concerns regarding the opioid crisis and the rising number of overdoses. For these reasons, we urge you to discard this misguided approach.

Drug addiction is a serious problem in communities across the country, and we are profoundly concerned about fentanyl-related deaths. The current pandemic has furthered worsened the tragic impact of overdoses as so many Americans continue to struggle through this isolating and stressful crisis. We must learn from the lessons of the past as we prioritize evidence-based, public health approaches and pursue better and more just means to address this problem, rather than

the class-wide scheduling of fentanyl analogues.

Sincerely,

Jerrold Nadler, Henry C. "Hank" Johnson, Jr., Hakeem Jeffries, Ted Lieu, Val B. Demings, Sheila Jackson Lee, Theodore E. Deutch, David N. Cicilline, Pramila Jayapal, Mondaire Jones, Deborah K. Ross, Tony Cardenas, Yvette D. Clark, Cori Bush, and Bobby L. Rush, Members of Congress.

Mrs. RODGERS of Washington. Madam Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. CARTER), the only pharmacist on our committee, and a leader on this issue.

Mr. CARTER of Georgia. Madam Speaker, I thank the gentlewoman for yielding.

Madam Speaker, I am here today to ask my colleagues across the aisle to set aside this weak bill and support permanently—permanently as in forever—scheduling fentanyl and its analogues.

We just heard from the gentlewoman from Texas. We all agree: It is not good. Fentanyl is the problem.

Here, we have an opportunity for us to work together to help stem the flow of deadly fentanyl and its analogues in our country. This is an issue that impacts every one of us—every one of us. Whether we are Republican, Democrat, Independent, it impacts every one of us in our communities.

Just last week, in my home State of Georgia, the Georgia Attorney General announced that he is investigating fatal drug overdoses based on counterfeit medications laced with fentanyl and its analogues. These individuals bought illegal products they believed to be Xanax, Percocet, and oxycodone.

Overdoses like this happen every day all over the country—all over the country. Yet, some of my colleagues want to go soft on fentanyl analogues and let these products become legal in just mere weeks, or temporarily schedule it for a few months until they can craft another weak plan.

How can anyone seriously argue that a drug 50 times more potent than heroin and which almost always proves fatal when ingested, should ever be legal?

These products are manufactured illegally, and they are largely brought into the U.S. through the southern border. Every year, U.S. agents intercept enough fentanyl and its analogues to kill every single American several times over. In fact, Customs and Border Patrol announced in 2019, they had enough seized fentanyl to kill 800 million people. And that is what they had seized; we don't know what else came across.

I visited the border last week to see the crisis firsthand. Border patrol agents are so overwhelmed with a 20-year record high number of illegal immigrants that smugglers and cartels are using this as an opportunity to traffic more fentanyl substances.

If the President and Vice President would visit the border, they would be able to talk to the agents firsthand and see for themselves how serious the issue is.

Instead, they have elected to leave our border wide open. We are inviting drug traffickers to bring fentanyl substances into the country and distribute it in our streets. This should not be a partisan issue. Fentanyl does not discriminate. It does not.

The individuals manufacturing and distributing fentanyl and its analogues are criminals, and they are getting our neighbors killed. This is not an issue that is going away. It is only getting worse. The CDC reports that there were enough overdoses last year than any single year before.

This is the time for us to crack down on fentanyl-related substances, and I hope that we will do that.

□ 1530

Mr. PALLONE. Madam Speaker, I reserve the balance of my time.

Mrs. RODGERS of Washington. Madam Speaker, I yield 2 minutes to the gentlemen from Pennsylvania (Mr. JOYCE), a great member and leader on the committee.

Mr. JOYCE of Pennsylvania. Madam Speaker, I rise today in strong support of H.R. 2630, to extend the temporary emergency scheduling of fentanyl analogues.

In the rural Pennsylvania communities that I represent, the fentanyl crisis is anything but temporary. Every day, we experience the ramifications of the opioid epidemic, which has only been exacerbated by the COVID-19 pandemic.

As the Franklin County coroner, Jeff Connor, told me just this week, "Fentanyl is easy to get and fast to kill."

This is true across our entire Commonwealth. In my home of Blair County, we suffered an 80 percent increase in overdose deaths in 2020. As I have heard directly from our county coroner, Patty Ross, there is no question that the widespread availability of illicit fentanyl is a substantial factor in our region's drug epidemic.

Fentanyl already poses a deadly threat to our communities. If we don't act to extend the fentanyl import ban before it expires next month, we will invite massive vulnerabilities in our shared fight against the opioid crisis. In Pennsylvania and around the country, we need more accountability for those who bring illicit fentanyl into our communities.

H.R. 2630 is lifesaving legislation that will give law enforcement and the justice system the tools that they need to keep this dangerous illicit drug off of our streets. This temporary fix needs to be the bridge to a permanent solution to protect the American people. We do not have time to waste. By passing this bipartisan legislation, we can protect families, equip those on the front line, and prevent tragedy.

For the health and safety of our communities, I urge a "yes" vote.

Mr. PALLONE. Madam Speaker, I reserve the balance of my time.

Mrs. RODGERS of Washington. Madam Speaker, I yield 2 minutes to

the gentleman from Wisconsin (Mr. FITZGERALD).

Mr. FITZGERALD. Madam Speaker, I rise today to express my disappointment with H.R. 2630.

What is happening down at our southern border is actually a crisis, and it is multiplying a crisis that has plagued this country for many years, and that is the opioid epidemic.

Customs and Border Patrol agents have seized more than 4,900 pounds of fentanyl during the first 5 months of fiscal year 2021, already surpassing the total from last year.

Mexican cartels are increasingly responsible for producing the supply of fentanyl into the U.S. market. China, we forget about China. China remains a key source of supply for the chemicals that the Mexican cartels are using to produce the fentanyl; all of this being smuggled into the U.S. through our western States.

Madam Speaker, I introduced, along with Senator JOHNSON, the SOFA Act to permanently designate fentanyl as a schedule I drug, closing a loophole in current law that makes it difficult to prosecute crimes involving some synthetic opioids.

The GAO report released last week on class-wide scheduling of fentanyl-related substances found fewer law enforcement encounters with fentanyl, and reduced incentives for cartels to circumvent the law through new and existing fentanyl substances.

While I plan to support this bill—I think everybody will—a 5-month extension is not nearly long enough. I urge Democrats to come back to the table to find a solution that will permanently keep fentanyl as a schedule I drug.

Mr. PALLONE. Madam Speaker, I reserve the balance of my time.

Mrs. RODGERS of Washington. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Madam Speaker, this issue should already have been taken care of.

Last week, my Republican colleagues and I offered an amendment to extend this ban until at least 2022, but it was blocked, only to see Democrats draft this much weaker bill. It is another game and example of why Americans are fed up with Congress.

When House Democrats rejected the Republican-led amendment banning fentanyl last week, they knew that fentanyl causes a massive blight in our communities across the country. They knew that tens of thousands are left dead from overdoses every year, but refused to support it because of the names on the bill. And now they want to extend the ban of this highly addictive, highly dangerous, deadly drug by only 5 months.

Last month, CBP agents seized 639 pounds of fentanyl, adding to the 2,098 pounds seized this year alone. That represents a 233 percent increase of drugs being smuggled across the border

this year. It is a direct result of Biden's border crisis.

Vice President Harris was appointed as the so-called immigration czar, but has spent more time in New Hampshire than at the border. And if she were to visit, she would see the toll that the influx of migrants is taking on our border. It is not just a humanitarian crisis, but it is leaving us vulnerable to increased drug smuggling that is ravaging our streets. She would hear directly from the DEA agents, just like my colleagues and I did, why it is so important to schedule fentanyl as a schedule I drug permanently, not just for 5 months.

A 5-month extension is not long enough. Let's just stop playing politics. There is no excuse why we are not working toward a permanent ban.

Mr. PALLONE. Madam Speaker, I have no further speakers, and I reserve the balance of my time.

Mrs. RODGERS of Washington. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I would urge support for this bipartisan bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 2630, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act to extend until October 2021, a temporary order for fentanyl-related substances."

A motion to reconsider was laid on the table.

# NATIONAL ORIGIN-BASED ANTI-DISCRIMINATION FOR NON-IMMIGRANTS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the motion to recommit on the bill (H.R. 1333) to transfer and limit Executive Branch authority to suspend or restrict the entry of a class of aliens, offered by the gentleman from Ohio (Mr. WENSTRUP), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 208, nays 216, not voting 5, as follows:

Aderholt  
Allen  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bentz  
Bergman  
Bice (OK)  
Biggs  
Billirakis  
Bishop (NC)  
Boebert  
Bost  
Brady  
Brooks  
Buchanan  
Buck  
Bucshon  
Budd  
Burchett  
Burgess  
Calvert  
Cammack  
Carl  
Carter (GA)  
Carter (TX)  
Cawthorn  
Chabot  
Cheney  
Cline  
Cloud  
Cole  
Comer  
Crawford  
Crenshaw  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Duncan  
Dunn  
Emmer  
Estes  
Fallon  
Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fitzpatrick  
Fleischmann  
Fortenberry  
Foxy  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gimenez  
Gohmert  
Gonzales, Tony

[Roll No. 126]

## YEAS—208

Gonzalez (OH)  
Good (VA)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Greene (GA)  
Griffith  
Grothman  
Guest  
Guthrie  
Hagedorn  
Harris  
Harshbarger  
Hartzler  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill  
Hinson  
Hollingsworth  
Hudson  
Huizenga  
Issa  
Jackson  
Jacobs (NY)  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (OH)  
Joyce (PA)  
Katko  
Keller  
Kelly (MS)  
Kelly (PA)  
Kim (CA)  
Kinzinger  
Kustoff  
LaHood  
Lamborn  
Latta  
LaTurner  
Lesko  
Letlow  
Long  
Loudermilk  
Lucas  
Luetkemeyer  
Mace  
Malliotakis  
Mann  
Massie  
Mast  
McCarthy  
McCaull  
McClain  
McClintock  
McHenry  
McKinley  
Meijer  
Meuser  
Miller (IL)  
Miller (WV)  
Miller-Meeks  
Moolenaar

## NAYS—216

Cárdenas  
Carson  
Cartwright  
Case  
Casten  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clark (MA)  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Craig  
Brown  
Brownley  
Bush  
Bustos  
Butterfield  
Cabajal

Golden  
Gomez  
Gonzalez,  
Vicente  
Gottheimer  
Green, Al (TX)  
Grijalva  
Harder (CA)  
Hayes  
Higgins (NY)  
Himes  
Horsford  
Houlahan  
Hoyer  
Huffman  
Jackson Lee  
Jacobs (CA)  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (TX)  
Jones  
Kahale  
Kaptur  
Keating  
Kelly (IL)  
Khanna  
Kildee  
Kilmer  
Kim (NJ)  
Kind  
Kirkpatrick  
Krishnamoorthi  
Kuster  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Leger Fernandez  
Levin (CA)  
Levin (MI)  
Lieu  
Lofgren  
Lowenthal  
Luria  
Lynch

Clarke (NY)  
Clyde

Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Manning  
Matsui  
McBath  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Mfume  
Moore (WI)  
Morelle  
Moulton  
Mrvan  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Neguse  
Newman  
Norcross  
O'Halleran  
Ocasio-Cortez  
Omar  
Pallone  
Panetta  
Pappas  
Pascarell  
Payne  
Perlmutter  
Peters  
Phillips  
Pingree  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Ross  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan

## NOT VOTING—5

Gibbs  
LaMalfa  
Smith (NE)

□ 1615

Mr. SMITH of Washington, Ms. CHU, Mmes. TORRES of California and HAYES, Mr. LARSON of Connecticut, Ms. SPANBERGER, Mr. BROWN, Ms. BOURDEAUX, Mr. PERLMUTTER, Ms. BROWNLEY, Mr. PANETTA, and Ms. BLUNT ROCHESTER changed their vote from "yea" to "nay."

Ms. CHENEY and Mr. POSEY changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Ms. CLARKE of New York. Madam Speaker, had I been present, I would have voted "nay" on rollcall No. 126.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Wexton)  
Barragán (Beyer)  
Cárdenas  
(Gallego)  
Costa (Correa)  
Crenshaw  
(Fallon)  
Donalds  
(Cammack)  
Gonzalez (OH)  
(Timmons)  
Gosar (Greene)  
(GA)  
Grijalva (García)  
(IL)

Khanna (Gomez)  
Kirkpatrick  
(Stanton)  
Langevin  
(Lynch)  
Lawson (FL)  
(Evans)  
Leger Fernandez  
(Jacobs (CA))  
Lieu (Beyer)  
Lowenthal  
(Beyer)  
Meng (Clark)  
(MA))

Mfume  
(Connolly)  
Moulton  
(Perlmutter)  
Napolitano  
(Correa)  
Omar (Bush)  
Payne (Pallone)  
Porter (Wexton)  
Rush  
(Underwood)  
Sewell (DelBene)  
Speier (Scanlon)

Stefanik (Katko) Welch  
Trahan (Lynch) (McGovern)  
Watson Coleman Wilson (FL)  
(Pallone) (Hayes)

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JORDAN. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 218, nays 208, not voting 3, as follows:

[Roll No. 127]

YEAS—218

Adams Gomez Ocasio-Cortez  
Aguilar Gonzalez, Omar  
Allred Vicente Pallone  
Auchincloss Gottheimer  
Axne Green, Al (TX) Pappas  
Barragán Grijalva Pascarell  
Bass Harder (CA) Payne  
Beatty Hayes Perlmutter  
Bera Higgins (NY) Peters  
Beyer Himes Phillips  
Bishop (GA) Horsford Pingree  
Blumenauer Houlihan Pocan  
Blunt Rochester Hoyer  
Bonamici Huffman Porter  
Bourdeaux Jackson Lee Pressley  
Bowman Jacobs (CA) Price (NC)  
Boyle, Brendan Quigley  
F. Jayapal Raskin  
Brown Johnson (GA) Rice (NY)  
Brownley Johnson (TX) Ross  
Bush Jones Roybal-Allard  
Bustos Kahele Ruiz  
Butterfield Kaptur Ruppersberger  
Carbajal Keating Rush  
Cárdenas Kelly (IL) Ryan  
Carson Khanna Sánchez  
Cartwright Kildee Sarbanes  
Case Kilmer Scanlon  
Casten Kim (NJ) Schakowsky  
Castor (FL) Kind Schiff  
Castro (TX) Kirkpatrick Schneider  
Chu Krishnamoorthi Schrader  
Cicilline Kuster Schrier  
Clark (MA) Lamb Scott (VA)  
Clarke (NY) Langevin Scott, David  
Cleaver Larsen (WA) Sewell  
Clyburn Larson (CT) Sherman  
Cohen Lawrence Sherrill  
Connolly Lawson (FL) Sires  
Cooper Lee (CA) Slotkin  
Correa Lee (NV) Smith (WA)  
Costa Leger Fernandez Soto  
Courtney Levin (CA) Spanberger  
Craig Levin (MI) Speier  
Crist Lieu Stanton  
Crow Lofgren Stevens  
Cuellar Lowenthal Strickland  
Davids (KS) Luria Suozzi  
Davis, Danny K. Lynch Swallow  
Dean Malinowski Takano  
DeFazio Maloney, Thompson (CA)  
DeGette Carolyn B. Thompson (MS)  
DeLauro Maloney, Sean  
DelBene Manning Titus  
Delgado Matsui Tlaib  
Demings McBath Tonko  
DeSaulnier McCollum Torres (CA)  
Deutch McEachin Torres (NY)  
Dingell McGovern Trahan  
Doggett McNerney Trone  
Doyle, Michael Meeks Underwood  
F. Meng Vargas  
Escobar Mfume Veasey  
Eshoo Moore (WI) Vela  
Espallat Morelle Velázquez  
Evans Moulton Wasserman  
Fitzpatrick Mrvan Schultz  
Fletcher Murphy (FL) Waters  
Foster Nadler Watson Coleman  
Frankel, Lois Napolitano Welch  
Galleo Neal Wexton  
Garamendi Neguse Wild  
Garcia (IL) Newman Williams (GA)  
Garcia (TX) Norcross Wilson (FL)  
Golden O'Halleran Yarmuth

Adersholt Good (VA)  
Allen Gooden (TX)  
Amodei Gosar  
Armstrong Granger  
Arrington Graves (LA)  
Babin Graves (MO)  
Bacon Green (TN)  
Baird Greene (GA)  
Balderson Griffith  
Banks Grothman  
Barr Guest  
Bentz Guthrie  
Bergman Hagedorn  
Bice (OK) Harris  
Biggs Harshbarger  
Bilirakis Hartzler  
Bishop (NC) Hern  
Boebert Herrell  
Bost Herrera Beutler  
Brady Hice (GA)  
Brooks Higgins (LA)  
Buchanan Hill  
Buck Hinson  
Bucshon Hollingsworth  
Budd Hudson  
Burchett Huizenga  
Burgess Issa  
Calvert Jackson  
Cammack Jacobs (NY)  
Carl Johnson (LA)  
Carter (GA) Johnson (OH)  
Carter (TX) Johnson (SD)  
Cawthorn Jordan  
Chabot Joyce (OH)  
Cheney Joyce (PA)  
Cline Katko  
Cloud Keller  
Cole Kelly (MS)  
Comer Kelly (PA)  
Crawford Kim (CA)  
Crenshaw Kinzinger  
Curtis Kustoff  
Davidson LaHood  
Davis, Rodney LaMalfa  
DesJarlais Lamborn  
Diaz-Balart Latta  
Donalds LaTurner  
Duncan Lesko  
Dunn Letlow  
Emmer Long  
Estes Loudermilk  
Fallon Lucas  
Feenstra Luetkemeyer  
Ferguson Mace  
Fischbach Malliotakis  
Fitzgerald Mann  
Fleischmann Massie  
Fortenberry Mast  
Foxy McCarthy  
Franklin, C. McCaul  
Scott McClain  
Fulcher McClintock  
Gaetz McHenry  
Gallagher McKinley  
Garbarino Meijer  
Garcia (CA) Meuser  
Gimenez Miller (IL)  
Gohmert Miller (WV)  
Gonzales, Tony Miller-Meeks  
Gonzalez (OH) Moolenaar

NOT VOTING—3

Clyde Gibbs Smith (NE)

□ 1647

Ms. VAN DUYN, Mr. CARL, and Mrs. HARTZLER changed their vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE  
RESOLUTION 8, 117TH CONGRESS

Allred (Wexton) Gonzalez (OH)  
Barragán (Beyer) (Timmons)  
Cárdenas (Galleo) Gosar (Greene)  
Costa (Correa) Grijalva (Garcia)  
Crenshaw (IL) Khanna (Gomez)  
Donalds Kirkpatrick  
(Cammack) (Stanton)

NAYS—208

Mooney  
Moore (AL)  
Moore (UT)  
Mullin  
Murphy (NC)  
Nehls  
Newhouse  
Norman  
Nunes  
Oberholte  
Owens  
Palazzo  
Palmer  
Pence  
Perry  
Pfluger  
Posey  
Reed  
Reschenthaler  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Rouzer  
Roy  
Rutherford  
Salazar  
Scalise  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NJ)  
Smucker  
Spartz  
Staubert  
Steel  
Stefanik  
Steil  
Steube  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Dwyne  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Young  
Zeldin

Meng (Clark  
(MA))  
Mfume  
(Connolly)  
Moulton  
(Perlmutter)  
Napolitano  
(Correa)  
Omar (Bush)  
Payne (Pallone)  
Porter (Wexton)  
Rush  
(Underwood)  
Sewell (DelBene)  
Speier (Scanlon)  
Stefanik (Katko)  
Trahan (Lynch)  
Watson Coleman  
(Pallone)  
Welch  
(McGovern)  
Wilson (FL)  
(Hayes)  
Wilson (SC)  
(Timmons)

ACCESS TO COUNSEL ACT OF 2021

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the motion to recommit on the bill (H.R. 1573) to clarify the rights of all persons who are held or detained at a port of entry or at any detention facility overseen by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement, offered by the gentleman from California (Mr. ISSA), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 209, nays 215, not voting 5, as follows:

[Roll No. 128]

YEAS—209

Aderholt Fitzpatrick Kustoff  
Allen Fleischmann LaHood  
Amodei Fortenberry LaMalfa  
Armstrong Foxx Lamborn  
Arrington Franklin, C. Latta  
Babin Scott LaTurner  
Bacon Fulcher Lesko  
Baird Gaetz Letlow  
Balderson Gallagher Long  
Banks Garbarino Loudermilk  
Barr Garcia (CA) Lucas  
Bentz Gimenez Luetkemeyer  
Bergman Gohmert Mace  
Bice (OK) Gonzales, Tony Malliotakis  
Biggs Gonzalez (OH) Mann  
Bilirakis Good (VA) Massie  
Bishop (NC) Gooden (TX) Mast  
Boebert Gosar McCarthy  
Bost Granger McCaul  
Brady Graves (LA) McClain  
Brooks Graves (MO) McClintock  
Buchanan Green (TN) McHenry  
Buck Greene (GA) McKinley  
Bucshon Griffith Meijer  
Budd Grothman Meuser  
Burchett Guest Miller (IL)  
Burgess Guthrie Miller (WV)  
Calvert Hagedorn Miller-Meeks  
Cammack Harris Moolenaar  
Carl Harshbarger Mooney  
Carter (GA) Hartzler Moore (AL)  
Carter (TX) Hern Moore (UT)  
Cawthorn Herrell Mullin  
Chabot Herrera Beutler Murphy (NC)  
Cheney Hice (GA) Nehls  
Cline Higgins (LA) Newhouse  
Cloud Hill Norman  
Cole Hinson Nunes  
Comer Hollingsworth Oberholte  
Crawford Hudson Owens  
Crenshaw Huizenga Palazzo  
Curtis Issa Palmer  
Davidson Jackson Pence  
Davis, Rodney Jacobs (NY) Perry  
DesJarlais Johnson (LA) Pfluger  
Diaz-Balart Johnson (OH) Posey  
Donalds Johnson (SD) Reed  
Duncan Jordan Reschenthaler  
Dunn Joyce (OH) Rice (SC)  
Emmer Joyce (PA) Rodgers (WA)  
Estes Katko Rogers (AL)  
Fallon Keller Rogers (KY)  
Feenstra Kelly (MS) Rose  
Ferguson Kelly (PA) Rosendale  
Fischbach Kim (CA) Rouzer  
Fitzgerald Kinzinger Roy

Rutherford  
Salazar  
Scalise  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NJ)  
Smucker  
Spartz  
Stauber  
Steel  
Stefanik

## NAYS—215

Adams  
Aguilar  
Allred  
Auchincloss  
Axne  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bourdeaux  
Bowman  
Boyle, Brendan  
F.  
Brown  
Brownley  
Bush  
Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carson  
Cartwright  
Case  
Casten  
Castor (FL)  
Castro (TX)  
Chu  
Cicilline  
Clark (MA)  
Clarke (NY)  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Craig  
Crist  
Crow  
Cuellar  
Davids (KS)  
Davis, Danny K.  
Dean  
DeFazio  
DeGette  
DeLauro  
DelBene  
Delgado  
Demings  
DeSaunier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Escobar  
Eshoo  
Espallat  
Evans  
Fletcher  
Foster  
Frankel, Lois  
Gallego  
Garamendi  
Garcia (IL)  
Garcia (TX)  
Golden

## NOT VOTING—5

Clyde  
Gibbs

Steil  
Steube  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Duyne

Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Young  
Zeldin

□ 1719

Messrs. PANETTA and PETERS changed their vote from “yea” to “nay.”

Messrs. STEWART, POSEY, NUNES, and FEENSTRA changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. TONKO. Madam Speaker, had I been present, I would have voted “nay” on rollcall No. 128.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Wexton)	Langevin	Payne (Pallone)
Barragán (Beyer)	(Lynch)	Porter (Wexton)
Cárdenas	Lawson (FL)	Rush
(Gallego)	(Evans)	(Underwood)
Costa (Correa)	Leger Fernandez	Sewell (DelBene)
Crenshaw	(Jacobs (CA))	Moulton
(Fallon)	Lieu (Beyer)	Stefanik (Katko)
Donalds	Lowenthal	Trahan (Lynch)
(Cammack)	(Beyer)	Watson Coleman
Gonzalez (OH)	Meng (Clark	(Pallone)
(Timmons)	(MA))	Welch
Gosar (Greene	Mfume	(McGovern)
(GA))	(Connolly)	Wilson (FL)
Grijalva (García	Moulton	(Hayes)
(IL))	(Perlmutter)	Wilson (SC)
Khanna (Gomez)	Napolitano	(Timmons)
Kirkpatrick	(Correa)	
(Stanton)	Omar (Bush)	

The SPEAKER pro tempore (Ms. TLAIB). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. JORDAN. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 217, nays 207, not voting 5, as follows:

[Roll No. 129]

## YEAS—217

Adams	Cohen	Gomez
Aguilar	Connolly	Gonzalez,
Allred	Cooper	Vicente
Auchincloss	Correa	Gotthelmer
Axne	Costa	Green, Al (TX)
Barragán	Courtney	Grijalva
Bass	Craig	Harder (CA)
Beatty	Crist	Hayes
Bera	Crow	Higgins (NY)
Beyer	Cuellar	Himes
Bishop (GA)	Davids (KS)	Horsford
Blumenauer	Davis, Danny K.	Houlahan
Blunt Rochester	Dean	Hoyer
Bonamici	DeFazio	Huffman
Bourdeaux	DeGette	Jackson Lee
Bowman	DeLauro	Jacobs (CA)
Boyle, Brendan	DelBene	Jayapal
F.	Delgado	Jeffries
Brown	Demings	Johnson (GA)
Brownley	DeSaunier	Johnson (TX)
Bush	Deutch	Jones
Bustos	Dingell	Kahele
Butterfield	Doggett	Kaptur
Carbajal	Doyle, Michael	Keating
Cárdenas	F.	Kelly (IL)
Carson	Escobar	Khanna
Cartwright	Eshoo	Kildee
Case	Espallat	Kilmer
Casten	Evans	Kim (NJ)
Castor (FL)	Fletcher	Kind
Castro (TX)	Foster	Kirkpatrick
Chu	Frankel, Lois	Krishnamoorthi
Cicilline	Gallego	Kuster
Clark (MA)	Garamendi	Lamb
Clarke (NY)	Garcia (IL)	Langevin
Cleaver	Garcia (TX)	Larsen (WA)
Clyburn	Golden	Larson (CT)

Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Leger Fernandez  
Levin (CA)  
Levin (MI)  
Lieu  
Lofgren  
Lowenthal  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Manning  
Matsui  
McBath  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Mfume  
Moore (WI)  
Morelle  
Moulton  
Mrvan  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Neguse  
Newman  
Norcross

O'Halleran  
Ocasio-Cortez  
Omar  
Pallone  
Panetta  
Pappas  
Pascrell  
Payne  
Perlmutter  
Peters  
Phillips  
Pingree  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Ross  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schrier  
Scott (VA)  
Scott, David  
Sewell  
Sherman

## NAYS—207

Aderholt	Franklin, C.	Long
Allen	Scott	Loudermilk
Amodei	Fulcher	Lucas
Armstrong	Gaetz	Luetkemeyer
Arrington	Gallagher	Mace
Babin	Garbarino	Malliotakis
Bacon	Garcia (CA)	Mann
Baird	Jimenez	Massie
Balderson	Gohmert	Mast
Banks	Gonzales, Tony	McCarthy
Barr	Gonzalez (OH)	McClain
Bentz	Good (VA)	McClintock
Bergman	Gooden (TX)	McHenry
Bice (OK)	Gosar	McKinley
Biggs	Granger	Meijer
Billakis	Graves (LA)	Meuser
Bishop (NC)	Graves (MO)	Miller (IL)
Boebert	Green (TN)	Miller-Meeks
Bost	Greene (GA)	Moolenaar
Brooks	Griffith	Mooney
Buchanan	Grothman	Moore (AL)
Buck	Guest	Moore (UT)
Bucshon	Guthrie	Mullin
Budd	Hagedorn	Murphy (NC)
Burchett	Harris	Nehls
Burgess	Harshbarger	Newhouse
Calvert	Hartzler	Norman
Cammack	Hern	Nunes
Carl	Herrell	Obernolte
Carter (GA)	Herrera Beutler	Owens
Carter (TX)	Hice (GA)	Palazzo
Cawthorn	Higgins (LA)	Palmer
Chabot	Hill	Pence
Cheney	Hinson	Perry
Cline	Hollingsworth	Pfluger
Cloud	Hudson	Posey
Cole	Huizenga	Reed
Comer	Issa	Reschenthaler
Crawford	Jackson	Rice (SC)
Crenshaw	Jacobs (NY)	Rodgers (WA)
Curtis	Johnson (LA)	Rogers (AL)
Davidson	Johnson (OH)	Rogers (KY)
Davis, Rodney	Johnson (SD)	Rose
DesJarlais	Jordan	Rosendale
Diaz-Balart	Joyce (OH)	Rouzer
Donalds	Joyce (PA)	Roy
Duncan	Katko	Rutherford
Dunn	Keller	Salazar
Emmer	Kelly (MS)	Scalise
Estes	Kelly (PA)	Schweikert
Fallon	Kim (CA)	Scott, Austin
Feenstra	Kinziger	Sessions
Ferguson	Kustoff	Simpson
Fischbach	LaHood	Smith (MO)
Fitzgerald	LaMalfa	Smith (NJ)
Fitzpatrick	Lamborn	Smucker
Fleischmann	Latta	Spartz
Fortenberry	LaTurner	Stauber
Fox	Lesko	Steel
	Letlow	

Stefanik	Turner	Webster (FL)	Cicilline	Johnson (SD)	Pascrell	Welch	Williams (GA)	Wittman
Steil	Upton	Wenstrup	Clarke (NY)	Johnson (TX)	Payne	Wenstrup	Williams (TX)	Womack
Steube	Valadao	Westerman	Cleaver	Jones	Pence	Wexton	Wilson (FL)	Yarmuth
Stewart	Van Drew	Williams (TX)	Cline	Jordan	Perlmutter	Wild	Wilson (SC)	
Stivers	Van Duyn	Wilson (SC)	Clyburn	Joyce (OH)	Perry			
Taylor	Wagner	Wittman	Cohen	Joyce (PA)	Peters			
Tenney	Walberg	Womack	Comer	Kahele	Pfluger			
Thompson (PA)	Walorski	Young	Connolly	Kaptur	Phillips			
Tiffany	Waltz	Zeldin	Cooper	Katko	Pingree			
Timmons	Weber (TX)		Correa	Keating	Pocan			

## NOT VOTING—5

Brady	Gibbs	Smith (NE)
Clyde	Miller (WV)	

□ 1750

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mrs. MILLER of West Virginia. Madam Speaker, I was denied my vote, by being held up illegally by the person in front of me in the metal detector—they kept wandering him. Had I been present, I would have voted “nay” on rollcall No. 129.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Wexton)	Langevin	Payne (Pallone)
Barragán (Beyer)	(Lynch)	Porter (Wexton)
Cárdenas	Lawson (FL)	Rush
(Gallego)	(Evans)	(Underwood)
Costa (Correa)	Leger Fernandez	Sewell (DelBene)
Crenshaw	(Jacobs (CA))	Speier (Scanlon)
(Fallon)	Lieu (Beyer)	Stefanik (Katko)
Donalds	Lowenthal	Trahan (Lynch)
(Cammack)	(Beyer)	Watson Coleman
Gonzalez (OH)	Meng (Clark)	(Pallone)
(Timmons)	(MA))	Welch
Gosar (Greene)	Mfume	(McGovern)
(GA)	(Connolly)	Wilson (FL)
Grijalva (Garcia)	Moulton	(Hayes)
(IL))	(Perlmutter)	Wilson (SC)
Khanna (Gomez)	Napolitano	(Timmons)
Kirkpatrick	(Correa)	
(Stanton)	Omar (Bush)	

## PROTECTION OF SAUDI DISSIDENTS ACT OF 2021

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1392) to protect Saudi dissidents in the United States, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MEEKS) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 350, nays 71, not voting 8, as follows:

[Roll No. 130]

YEAS—350

Adams	Bilirakis	Bush
Aderholt	Bishop (GA)	Bustos
Aguilar	Bishop (NC)	Butterfield
Allred	Blumenauer	Carbajal
Amodel	Blunt Rochester	Cárdenas
Auchincloss	Bonamici	Carl
Axne	Bost	Carson
Bacon	Bourdeaux	Carter (GA)
Barr	Bowman	Cartwright
Barragán	Boyle, Brendan	Case
Bass	F.	Casten
Beatty	Brown	Castor (FL)
Bentz	Brownley	Castro (TX)
Bera	Buchanan	Cawthorn
Bergman	Bucshon	Chabot
Beyer	Burchett	Chu

Cicilline	Johnson (SD)	Pascrell
Clarke (NY)	Johnson (TX)	Payne
Cleaver	Jones	Pence
Cline	Jordan	Perlmutter
Clyburn	Joyce (OH)	Perry
Cohen	Joyce (PA)	Peters
Comer	Kahele	Pfluger
Connolly	Kaptur	Phillips
Cooper	Katko	Pingree
Correa	Keating	Pocan
Costa	Keller	Porter
Courtney	Kelly (IL)	Pressley
Craig	Kelly (PA)	Price (NC)
Crawford	Khanna	Quigley
Crist	Kilmer	Raskin
Crow	Kim (CA)	Reed
Cuellar	Kim (NJ)	Rice (NY)
Curtis	Kind	Rodgers (WA)
Davids (KS)	Kinzinger	Rogers (AL)
Davis, Danny K.	Kirkpatrick	Rogers (KY)
Dean	Krishnamoorthi	Rose
DeFazio	Kuster	Rosendale
DeGette	Kustoff	Ross
DeLauro	LaHood	Roybal-Allard
DelBene	Lamb	Ruiz
Delgado	Langevin	Ruppersberger
Demings	Larsen (WA)	Rush
Deutch	Larson (CT)	Rutherford
Diaz-Balart	Latta	Ryan
Dingell	LaTurner	Salazar
Doggett	Lawrence	Sánchez
Doyle, Michael	Lawson (FL)	Sarbanes
F.	Lee (CA)	Scalise
Duncan	Lee (NV)	Scanlon
Emmer	Leger Fernandez	Schakowsky
Escobar	Letlow	Schiff
Españillat	Levin (CA)	Schneider
Estes	Levin (MI)	Schrader
Evans	Lieu	Schrier
Feenstra	Lofgren	Schweikert
Ferguson	Long	Scott (VA)
Fischbach	Lowenthal	Scott, Austin
Fitzgerald	Lucas	Scott, David
Fitzpatrick	Luetkemeyer	Sewell
Fleischmann	Luria	Sherman
Fletcher	Lynch	Sherrill
Fortenberry	Mace	Simpson
Foster	Malinowski	Sires
Fox	Malliotakis	Slotkin
Frankel, Lois	Maloney	Smith (MO)
Franklin, C.	Maloney, B.	Smith (NJ)
Scott	Maloney, Sean	Smith (WA)
Fulcher	Mann	Smucker
Gallagher	Manning	Soto
Gallego	Massie	Spanberger
Garamendi	Matsui	Spartz
Garcia (IL)	McBath	Speier
Garcia (TX)	McCarthy	Stanton
Gimenez	McCaul	Staubert
Golden	McClintock	Steel
Gomez	McCollum	Steil
Gonzales, Tony	McEachin	Steube
Gonzalez (OH)	McGovern	Stevens
Gonzalez,	McHenry	Stewart
Vicente	McKinley	Stivers
Gottheimer	McNerney	Strickland
Graves (LA)	Meeks	Suozzi
Graves (MO)	Meijer	Swalwell
Green (TN)	Meng	Takano
Green, Al (TX)	Meuser	Tenney
Grijalva	Mfume	Thompson (CA)
Grothman	Miller (WV)	Thompson (MS)
Guest	Miller-Meeks	Thompson (PA)
Guthrie	Moolenaar	Tiffany
Hagedorn	Moore (AL)	Timmons
Harder (CA)	Moore (UT)	Titus
Harshbarger	Moore (WI)	Tlaib
Hartzler	Morelle	Tonko
Hayes	Moulton	Torres (CA)
Herrera Beutler	Mrvan	Torres (NY)
Higgins (NY)	Murphy (FL)	Trahan
Hill	Murphy (NC)	Trone
Himes	Nader	Turner
Hollingsworth	Napolitano	Underwood
Horsford	Neal	Upton
Houlahan	Neguse	Valadao
Hoyer	Nehls	Vargas
Hudson	Newhouse	Veasey
Huffman	Newman	Vela
Huizenga	Norcross	Velázquez
Issa	O'Halleran	Wagner
Jackson Lee	Oberholte	Walberg
Jacobs (CA)	Ocasio-Cortez	Walorski
Jacobs (NY)	Omar	Waltz
Jayapal	Owens	Wasserman
Jeffries	Pallone	Schultz
Johnson (GA)	Panetta	Waters
Johnson (LA)	Pappas	Watson Coleman
Johnson (OH)		Webster (FL)

## NAYS—71

Allen	Donalds	Mast
Armstrong	Dunn	McClain
Arrington	Fallon	Miller (IL)
Babin	Gaetz	Mooney
Baird	Garcia (CA)	Mullin
Balderson	Gohmert	Norman
Banks	Good (VA)	Nunes
Bice (OK)	Gooden (TX)	Palazzo
Biggs	Gosar	Palmer
Boebert	Granger	Posey
Brady	Greene (GA)	Reschenthaler
Brooks	Griffith	Rice (SC)
Buck	Harris	Rouzer
Budd	Hern	Roy
Burgess	Herrell	Sessions
Calvert	Hice (GA)	Stefanik
Cammack	Higgins (LA)	Taylor
Carter (TX)	Hinson	Van Drew
Cheney	Jackson	Van Duyn
Cloud	Kelly (MS)	Weber (TX)
Cole	LaMalfa	Westerman
Crenshaw	Lamborn	Young
Davidson	Lesko	Zeldin
DesJarlais	Loudermilk	

## NOT VOTING—8

Clark (MA)	DeSaulnier	Gibbs
Clyde	Eshoo	Smith (NE)
Davis, Rodney	Garbarino	

□ 1822

Mrs. McCLAIN, Messrs. BAIRD and PALMER changed their vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Wexton)	Langevin	Payne (Pallone)
Barragán (Beyer)	(Lynch)	Porter (Wexton)
Cárdenas	Lawson (FL)	Rush
(Gallego)	(Evans)	(Underwood)
Costa (Correa)	Leger Fernandez	Sewell (DelBene)
Crenshaw	(Jacobs (CA))	Speier (Scanlon)
(Fallon)	Lieu (Beyer)	Stefanik (Katko)
Donalds	Lowenthal	Trahan (Lynch)
(Cammack)	(Beyer)	Watson Coleman
Gonzalez (OH)	Meng (Clark)	(Pallone)
(Timmons)	(MA))	Welch
Gosar (Greene)	Mfume	(McGovern)
(GA)	(Connolly)	Wilson (FL)
Grijalva (Garcia)	Moulton	(Hayes)
(IL))	(Perlmutter)	Wilson (SC)
Khanna (Gomez)	Napolitano	(Timmons)
Kirkpatrick	(Correa)	
(Stanton)	Omar (Bush)	

## ELECTING THE SERGEANT-AT-ARMS OF THE HOUSE OF REPRESENTATIVES

Mr. AGUILAR. Madam Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 339

*Resolved*, That William Joseph Walker of Maryland be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives, effective April 26, 2021.

The resolution was agreed to.

A motion to reconsider was laid on the table.



# MOMENT OF SILENCE FOR THE HOOSIERS KILLED AND INJURED IN THE SHOOTING AT THE FEDEX FACILITY IN INDIANAPOLIS

(Mr. CARSON asked and was given permission to address the House for 1 minute.)

Mr. CARSON. Madam Speaker, I rise today, joined by my fellow congressional colleagues from Indiana, as well as our two Senators, to honor the eight Hoosiers we lost in last week's senseless shooting at the FedEx facility in Indianapolis. We also honor those who were injured and pray that they have a fast and speedy recovery.

The deceased were our friends, family, and neighbors. They had hopes, Madam Speaker, dreams, and plans for the future, only to have their lives tragically cut short. And, sadly, they are part of a much larger group of Hoosiers and Americans we have lost to gun violence.

As our community and our State grieve, and as we seek to move forward, we pledge to never forget those we lost in this shooting and any other senseless act of violence. Their legacies will live on through our efforts to save lives in the future.

Hoosiers are resilient, Madam Speaker, and we will continue working hard to create safer communities across America, always carrying the memory of those we lost in our hearts. We will never forget them.

Please join us for a moment of silence.

□ 1830

## HONORING JUANA SEQUEIRA SOLIS

(Mr. GOMEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOMEZ. Madam Speaker, I rise in memory of Juana Sequeira Solis, who passed away in April at the age of 94. Juana was the mother of former Congresswoman, former Secretary of Labor, and now L.A. County Supervisor Hilda Solis.

Juana was born in 1926 in Nicaragua, the eldest of five. She immigrated to America when she was just 18, in search of a better life.

After moving to Los Angeles, Juana met her late husband, Raul Solis, while taking citizenship classes. They raised seven children and taught them the values that define who we are as Americans: the importance of community, education, and respect for our environment.

Juana spent over 20 years on the assembly line at Mattel and was an active union member with the United Rubber Workers until her retirement in 1991.

Let us always remember Juana for her kindness, determination, and fighting spirit.

# CELEBRATING CORPUS CHRISTI ARMY DEPOT'S 60TH ANNIVERSARY

(Mr. CLOUD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLOUD. Madam Speaker, I rise today to honor the Corpus Christi Army Depot, which celebrates its 60th anniversary today.

CCAD is the premier rotary-winged helicopter repair and maintenance facility for the U.S. Army.

Like a battle-hardened soldier, CCAD remains strong, committed, and dedicated to answering the Nation's call and keeping the Army flag flying.

The freedom and security that Americans enjoy today are a direct result of the hard work and continuing commitment of CCAD to the mission given by the U.S. Army.

Thousands of military, civilian, and contractor employees have walked the halls, worked in the hangars, turned the wrenches, flown the aircraft, and dedicated themselves to the operation that began in 1961.

The community leaders and citizens of Corpus Christi, Texas, recognize and appreciate the service of all personnel of CCAD, past and present.

We salute this great organization's unending mission. I wish the Corpus Christi Army Depot a happy 60th birthday today.

## CELEBRATING EARTH DAY

(Mr. MCEACHIN asked and was given permission to address the House for 1 minute.)

Mr. MCEACHIN. Madam Speaker, I rise today as the proud sponsor of the resolution honoring Earth Day.

For over 50 years, people have come together on April 22, which is tomorrow, to support protections for our air, water, and land, and to increase appreciation for Mother Earth.

But every day, not just on Earth Day, we must commit ourselves to protecting our planet. We must embrace our shared responsibility to preserve our Earth, not only by increasing environmental and climate literacy but by building upon efforts like the Paris Agreement to ensure that future generations inherit a livable, sustainable, and ecologically rich planet.

Throughout the past year, the COVID-19 pandemic has devastated our Nation. However, our natural environment, including parks and green spaces, has been a haven for communities to come together safely.

This past year has reinforced the importance of protecting these natural spaces and ensuring the continued cleaning and greening of all communities.

Like those who celebrated the first Earth Day in 1970, tomorrow we must continue our work to address environmental challenges, large and small, from climate change to litter; to edu-

cate friends, neighbors, and elected representatives about the need for year-round action; and to honor the stewardship ethic that serves as the foundation of this special day.

Together, we can protect our planet, public health, and overall well-being of all people and wildlife.

## ENACTING GREEN NEW DEAL WILL DESTROY JOBS

(Mr. ALLEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLEN. Madam Speaker, just yesterday, the squad and other Democrats reintroduced the socialist Green New Deal.

This dangerous proposal costs over \$90 trillion and will destroy thousands of American jobs. But Speaker PELOSI and President Biden have no intention of stopping it. In fact, they are planning to use their partisan infrastructure package as a vehicle to enact several Green New Deal priorities.

While details of what they consider infrastructure, and I use that term loosely, are not finalized, it does not inspire confidence that the Democrats are already turning away from regular order, which requires bipartisanship to get the bill through Congress.

Here is what we know about the package so far. It advances \$600 billion to Green New Deal priorities. Only 5 percent will go toward roads and bridges and 2 percent for airways, waterways, and ports. They are planning the largest tax hike since 1968 to pay for their agenda, and an estimate from the National Association of Manufacturers shows that their proposed corporate tax hike would cost 1 million jobs.

## RECOGNIZING NATIONAL DAY OF SILENCE

(Mr. PANETTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PANETTA. Madam Speaker, I rise today to recognize the National Day of Silence this Friday, April 23.

It is a day when people around the country and in my community on the central coast of California take a vow of silence to raise awareness surrounding the many hurdles that LGBTQ youth face.

One of those students will be Lucia Umeki-Martinez. Lucia is a gay woman of color and a student leader at Watsonville High School. As co-class president and member of the Sexuality and Gender Acceptance Club, Lucia works to build bridges between her classmates and community.

She told me that taking the vow of silence for 1 day was her way of paying tribute to those who have been silenced by homophobia and hatred. It also is a way to show solidarity to those, like Lucia, who have ever felt unwelcome or

unsafe in an environment where they are supposed to thrive.

Countless students across this country will take the vow of silence on Friday for the same reasons as Lucia. That is why we as leaders must continue to step up every day to ensure that all Americans, whoever they are, are accepted and respected.

#### VOICING CONCERN ABOUT SOUTHERN BORDER

(Mr. HERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERN. Madam Speaker, today, I rise to give voice to the concern of millions of Americans, the crisis at our southern border.

I saw it for myself. Not only are our facilities packed to 10 times beyond capacity, but the influx is growing.

Biden revoked Trump's effective border policies and put nothing in place to make up for it, creating the current crisis that is spiraling out of control.

We need to send immediate aid to our Border Patrol. They need it.

But here is what Congress is doing instead:

We are voting to provide legal welfare services to people illegally in our country while millions of Americans are denied help.

We are voting on D.C. statehood, a violation of the constitutional function of our Capital City.

The Speaker pushed 16 bills together in an en bloc last night, preventing Members of Congress from voting on separate pieces of legislation.

The American people are watching what we do here. They see unserious people doing unserious work. It is why our approval rating is so poor. It is time to stop letting them down and do something real.

#### PREVENTING DISCRIMINATION

(Ms. LEE of California asked and was given permission to address the House for 1 minute.)

Ms. LEE of California. Madam Speaker, I rise in strong support of H.R. 1333, the NO BAN Act, of which I am an original cosponsor and which passed the House earlier today. I thank and salute our good friend JUDY CHU as well as Chairman NADLER and the Speaker for their leadership in bringing this to the floor.

This bill strengthens the Immigration and Nationality Act to prohibit discrimination on the basis of religion and restores the separation of powers by limiting overly broad executive actions.

President Biden's recent executive order overturned Donald Trump's racist and discriminatory ban, but we need to ensure that broad, xenophobic policies that are not based on actual national security concerns do not ever go into effect again.

Make no mistake, the NO BAN Act would help ensure that this kind of dis-

crimination ceases, prevent future such discrimination, and promote our Nation's core value of religious freedom.

The Muslim and African bans were an abuse of Presidential authority and based off of hateful campaign promises. The ban separated parents from their children and spouses from one another. This bill begins to repair the damage of the past 4 years.

#### OPPOSING BIDEN INFRASTRUCTURE PLAN

(Mr. C. SCOTT FRANKLIN of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. C. SCOTT FRANKLIN of Florida. Madam Speaker, I rise in opposition to the \$2¼ trillion boondoggle my colleagues across the aisle are trying to pass off as an infrastructure bill.

Sadly, this bill is a socialist wish list. Less than 8 percent of President Biden's infrastructure plan goes to roads, bridges, waterways, ports, and airports.

What it does include is \$400 billion for home-based caregivers. While that may be a good issue for review, it is not infrastructure.

This comes as no surprise, considering D.C. Democrats are trying to lump a radical, progressive agenda into a so-called infrastructure bill. Still, the leftist fringe that has highjacked what used to be the Democratic Party doesn't think it goes far enough.

Madam Speaker, we spent trillions of dollars on COVID recovery and unrelated measures. Now is not the time for a socialist wish list. Americans need a strong economy and real infrastructure, and they need it now.

#### ALLOWING CHILD TAX CREDIT TO EXPIRE IS MISJUDGMENT

(Mr. TORRES of New York asked and was given permission to address the House for 1 minute.)

Mr. TORRES of New York. Madam Speaker, according to The Washington Post, the administration plans to propose only a temporary rather than a permanent expansion of the child tax credit.

Allowing the child tax credit to expire in 2025 is a colossal misjudgment whose consequences we could live to regret.

We cannot and should not be the party that cuts child poverty in half only until 2025. We should and must be the party that champions a permanent breakthrough against child poverty.

Instead of making the most of our FDR and LBJ moment, we are in danger of inexplicably putting an expiration date on our own legacy. Did President Roosevelt put an expiration date on Social Security? Did President Johnson put an expiration date on Medicare? Why should we put an expiration date on the Social Security and Medicare of our own time?

I urge President Biden to make his greatest achievement a permanent legacy.

#### REVIEWING DEMOCRATS' INFRASTRUCTURE PLAN

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, with so much talk about infrastructure in the air lately, let's do a quick review.

The last sizeable infrastructure bill was done in 2015, to the cost of about \$300 billion. Now, what we see is a so-called infrastructure plan put out by the Biden administration and the House and Senate Democrats nine times that size, \$2.7 trillion.

We can probably find that much infrastructure to do, except there is a whole lot in this bill that is not infrastructure. Much is social spending and other things that might be good in a different bill, but not this bill.

Also, in order to pay for it, they would seek to dismantle the 2017 tax reforms that did so much to promote and boost our economy and bring jobs back to the United States. It unleashed record growth. Instead, we would hurt that economy by what is in the plan.

How about, instead of tax hikes to cover what is essentially socialist spending tucked into a bill being labeled as infrastructure, let's focus on the work needing done: highways, bridges, levees, dams for water storage, and broadband. These are the things people need and can actively use. What they don't need are choking taxes that harm our economy.

#### STIFLING PROGRESS WITH FILIBUSTER

(Ms. NEWMAN asked and was given permission to address the House for 1 minute.)

Ms. NEWMAN. Madam Speaker, I rise today on behalf of the millions of Americans who are outraged as they witness mass shooting after mass shooting, with no action from their government; the millions of Americans who are struggling to make ends meet every day, while their government hasn't raised the minimum wage in a decade, so they are struggling more than ever; and, similarly, Americans who are fighting for equality and civil rights while they see nothing being done in Congress.

Every single week, this House passes legislation that is overwhelmingly popular among Americans, yet not one of these bills has seen the light of day because of the filibuster. It is truly a death grip on our democracy.

The filibuster is being used by a handful of people to stifle progress that Americans overwhelmingly want, progress that would ban pay discrimination, progress that would protect our unions, progress that would protect voters' rights, progress that would literally save lives by passing common-sense gun reform.

It is past time we get rid of the filibuster as it is today. The filibuster

should not take precedence over American lives.

I thank the gentleman who just spoke about our great bill that is coming up because it is wonderful that all those ideas are in there, so I am so glad we are on the same page.

□ 1845

#### HONORING DARREN CRUZAN

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today to recognize and honor Assistant Director Darren Cruzan for his outstanding career as assistant director for National Capital Region Training Operations at the Department of Homeland Security, Federal Law Enforcement Training Centers, FLETC, in Washington, D.C.

Mr. Cruzan has had a long distinguished career as a Federal, local, and Tribal law enforcement official. His law enforcement career began in 1992, as a reserve patrol officer with the Joplin, Missouri Police Department. As he rose through the ranks of law enforcement from police officer to criminal investigator, Mr. Cruzan's service has always focused on the critical needs of Indian Country, especially law enforcement training for police, corrections, and telecommunications officers.

In 2017, the Secretary of the Interior honored Mr. Cruzan with the Department of Interior's Distinguished Service Award, the highest recognition an employee within the Department can receive for his outstanding contributions.

During his time, he has provided FLETC with tremendous executive leadership and management. Mr. Cruzan has dedicated his life to protecting others, and I thank him for his years of service.

#### TRIBUTE TO THE FAMILY OF GEORGE FLOYD

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Madam Speaker, I rise today to pay tribute to George Floyd's family, a family that I have come to know even more than the time we spent together in Houston, Texas.

The family grew up in my congressional district, and they lived in what is called Cuney Homes, which stands today proud, as I know they are, of this family. And they, of course, went to the famous Jack Yates High School.

Why would I pay tribute to this family?

Because I think America has come to see them as America's family, and the world has come to admire them for their steadfastness, their passion and compassion, as well as their calm and peaceful understanding of the crisis and the terrible tragedy that has be-

fallen them. They have acted in generosity. They have prayed. They have embraced those who have come to honor them. They realize the symbol that they stand for, yet they were hurting—hurting and hurting.

Thank goodness for the decision yesterday, the judgment, the just justice for them, for they are America's family; and their commitment is that they will continue to serve this country to bring about justice for all.

#### CONGRESSIONAL BLACK CAUCUS CELEBRATES THE LIFE OF THE HONORABLE ALCEE L. HASTINGS

The SPEAKER pro tempore (Ms. MANNING). Under the Speaker's announced policy of January 4, 2021, the gentlewoman from Ohio (Mrs. BEATTY) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mrs. BEATTY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include any extraneous materials on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BEATTY. Madam Speaker, I rise this evening for the Congressional Black Caucus' Special Order hour, the CBC's Celebration of Life of Congressman Alcee L. Hastings, and to echo: Our Power, Our Message.

The Special Order hour is generally regarded as a solemn moment and gives the yCBC an opportunity to speak directly to the American people and to reflect on ideas and policies critical to our constituents.

I can't think of a better way to share the life and legacy of our friend and colleague. To his family, to Patricia, to his son, Alcee—or "Jody," as we called him—to his daughter, granddaughters, and all watching, we say: Thank you for sharing Alcee with us.

Lastly, on behalf of the 56 members of the Congressional Black Caucus, we say: Thank you, Alcee, for a job well done.

Because it is without a doubt I can tell you that Alcee left this place, the people's House, better than he found it. All of us were enriched by his dapper style, his keen intellect, and his larger-than-life presence. You never had to guess what Alcee thought or believed. He made it clear, whether you liked it or not. But he was the same man on the United States House floor; in the powerful Rules Committee; or in greeting foreign dignitaries under the auspices of the Helsinki Commission as he was on the streets of Florida, where he served his constituents so well.

Madam Speaker, to all gathered here today, I say to our brother: You will be sorely missed.

We will miss his smile. We will miss his wise counsel. And as I look to my left, in that chair, where he sat faith-

fully, we salute and honor him. Alcee did it his way.

Madam Speaker, it gives me great pleasure to yield tonight's anchor of the Special Order hour paying tribute to a legend, to a friend, to a colleague, to the gentlewoman from Texas, Congresswoman SHEILA JACKSON LEE.

Congresswoman SHEILA JACKSON LEE got to know Congressman Alcee Hastings in a very special way. Both scholars, both liking to debate, both being very clear in their message, both members of the Congressional Black Caucus. Oh, how great it was to watch Congresswoman SHEILA JACKSON LEE and Congressman Alcee Hastings take on an issue and mentor someone like me.

Madam Speaker, with great pleasure I turn the microphone over to Congresswoman SHEILA JACKSON LEE, who will manage the rest of the hour, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, with humility, gratitude, and a broken heart, I rise to anchor this Congressional Black Caucus Special Order in remembrance of Congressman Alcee Hastings, senior member of the Committee on Rules, a man who travelled the world leading congressional delegations to defend, protect, and strengthen democracies while serving as Chair of the Helsinki Commission, a highly respected and valued member of the Congressional Black Caucus, one of this House's greatest debaters, one of the first three African Americans elected to this body from Florida since Reconstruction, a member of Congress for 28 years, my mentor, a beloved colleague, and dear friend who died Tuesday, April 6, 2021, at the age of 84.

Madam Speaker, Alcee Hastings, who was affectionately referred to by his colleagues and constituents as "Judge Hastings," was a statesman and strong supporter of equality, economic and social justice, civil rights, Israel, and human dignity for all.

He took to heart and lived the admonition he received from his father as a young child "Be your own boss man," who through it all was his own man as he blazed trails and pioneered paths to improve the lives and life chances of the was so honored to serve.

Alcee Lamar Hastings was born September 5, 1936, in Altamonte Springs, to Julius Hastings, a butler, and Mildred nee Merritt, a maid.

His parents left Florida to find jobs to earn money for Alcee's education, during which time he was raised by his maternal grandmother and attended Crooms Academy in Sanford, Florida, which was founded for African-American students, graduating in 1953.

Five years later, Alcee Hastings graduated from Fisk University with dual majors in zoology and botany.

Alcee Hastings started law school at Howard University before transferring to Florida Agricultural and Mechanical University in Tallahassee, from which he received his law degree in 1963.

Always a fighter and foot soldier for justice, Alcee Hastings was involved in early civil rights struggles, including the famous sit-ins in drugstore lunch-counters in North Carolina in 1959.

About those times, he later said: "Those were the early days of the civil rights movement, and the people in Walgreens were breaking eggs on our heads and throwing

mustard and ketchup and salt at us. We sat there taking all of that."

"After graduating from Florida A&M law school, Alcee Hastings went into private practice as a civil rights lawyer in Fort Lauderdale, but when he first arrived a motel refused to rent him a room; a humiliating experience inflicted on African Americans whenever they traveled in the United States before passage of the Civil Rights Act of 1964.

As a civil rights lawyer, Alcee Hastings successfully filed lawsuits to desegregate the public schools in Broward County, Florida, as well as the Cat's Meow, a restaurant that was popular with white lawyers and judges but would not serve African Americans.

It was poetic justice indeed when then Florida Governor Reuben Askew appointed Alcee Hastings to the circuit court of Broward County in 1977 and held the investiture ceremony at a high school he had helped desegregate.

In 1979, Alcee Hastings was nominated by President Jimmy Carter to serve as United States District Judge on the United States District Court for the Southern District of Florida, becoming the first African American federal judge in Florida; he was confirmed by the U.S. Senate on October 31, 1979, sworn in on November 2, 1979, and served for a decade until leaving the bench in October 1989.

As a judge, Alcee Hastings established his own style, eschewing the typical judicial mien of grave reserve; he cracked jokes from the bench, dropped slang in rulings and interviews, and was unflinching in his support for the poor and the dispossessed.

In 1981, Judge Hastings exasperated the Department of Justice when he extended a court order blocking the deportation of 76 Haitians after the Immigration and Naturalization Service had stepped up removals.

Many thought that with his departure from the federal bench, Alcee Hastings's career in public service had come to end but they underestimated this irrepressible and indomitable human being, who never forgot the lesson taught him years ago by his father: "Be your own boss man!"

So three years later, in 1992, Alcee Hastings ran for Congress from the newly created 23rd Congressional District of Florida and won election in November of that year and, along with Congresswomen-elect Carrie Meek and Corrine Brown, became the first African Americans elected to Congress since Reconstruction, where he would go to be a productive and constructive member as Dean of the Florida Congressional Delegation, Vice-Chair of the Committee on Rules, and Vice-Chair and senior member of the House Permanent Select Committee on Intelligence.

One of the great joys of my life was serving with Alcee Hastings when he chaired the Helsinki Commission, the Organization for Cooperation and Security in Europe, and we traveled often to distant capitals to meet with our counter-parts in Europe and work on ways to strengthen economic and political ties and support their democratic aspirations.

Alcee Hastings was held in such high esteem by international legislators that he was elected the first African American president of the 323-member OSCE Parliamentary Assembly, an institution of the Organization for Security and Co-operation in Europe charged with facilitating inter-parliamentary dialogue, an important aspect of the overall effort to meet the challenges of democracy throughout the OSCE area.

Madam Speaker, in these days of trial and challenge, I am reminded that our dear departed colleague Alcee Hastings always counseled us to remain steadfast, saying:

"Continuing to do nothing in the face of continued threats to our people and our way of life is hardly what the American people elected us to do."

Alcee Hastings, the recipient of numerous honors and awards bestowed on him from organizations both at home and abroad, firmly believed that progress and change can be achieved through mutual respect and appreciation, and that individuals and communities can see beyond the limits of parochialism, enabling them to better understand each other.

And we all know how proud he was to be a Nupe, a member of Kappa Alpha Psi Fraternity, Inc., and a member of the National Bar Association.

Alcee Hastings' commanding presence will forever be missed; we all mourn his loss and extend our deepest sympathies to his wife Patricia Williams; his children, Alcee Hastings II, Chelsea Hastings and Leigh Hastings; his stepdaughter, Maisha; and all the relatives and friends who loved him so dearly.

My deepest sympathies go out to them, and I pray they find consolation in the certain knowledge that the Judge is now resting in the Heavenly Chorus.

Mr. SCOTT of Virginia. Madam Speaker, I rise today to join my colleagues in honoring the life and legacy of our dearly departed friend and colleague Congressman Alcee Hastings, who passed away earlier this month.

Alcee and I were both elected to Congress in 1992. We were part of a historic class of new African American lawmakers from the South. Few would make such a tremendous and impactful mark on this institution than Alcee Hastings. He was one of Congress' most steadfast advocates for civil and human rights, working families, and the most vulnerable in our society.

He bravely battled pancreatic cancer for the last year and a half. And despite this devastating diagnosis, Alcee remained a powerful and active voice for his constituents and the state of Florida.

I will miss seeing him on the House floor. I will miss his sharp-witted questioning in the House Rules Committee. I will miss his friendship.

Madam Speaker, our nation lost one of its most dedicated public servants. And in Alcee Hastings, we lost one of our most unique, friendly and hardest working colleagues. My thoughts and prayers are with his wife Patricia, children, staff, constituents and many, many friends.

Ms. ADAMS. Madam Speaker, I rise today to honor our friend and colleague, Alcee Hastings—a pillar of our Congressional Black Caucus.

Congressman Hastings was a compassionate leader who always spoke his mind and served his constituents with purpose.

For nearly thirty years, he used his position in Congress to speak truth to power and advocate for our country's most vulnerable.

I admired both his courage and his unique ability to bring reason and deep thought to the many conversations we had together. He was a friend and mentor we all respected.

One thing I'll never forget about Congressman Hastings is his wonderful sense of style, his fun, colorful socks, and—I have to say—his great taste in hats.

And, while he will be deeply missed here in Congress and within our Caucus, we will carry on in his memory by advocating for the causes he dedicated his life to—supporting working families, communities of color, children, immigrants and all those in need.

His legacy as a civil rights activist, judge, and powerful, passionate leader in Congress will live on, and be a model for us all.

Mr. PAYNE. Madam Speaker, I rise today to pay tribute to Congressman Alcee Hastings.

Congressman Hastings spent more than 30 years in Congress and fought for racial equality during his storied and historic life. At the time of his passing, he was the Dean of the Florida Congressional delegation as the Representative from Florida's 20th District. Before that, he was Florida's first African-American federal judge and a strong civil rights advocate. Congressman Hastings died on April 6, 2021 after a long bout with pancreatic cancer.

Congressman Hastings was a life-long public servant. He served as a Circuit Court Judge in Broward County, Florida and then became a U.S. District Court Judge for the Southern District of Florida. After his election to Congress in 1992, Congressman Hastings was a leading member of the Congressional Black Caucus and a senior Democratic whip. He served as a member of the House Rules Committee and a senior member of the House Permanent Select Committee on Intelligence, where he was chairman of the Subcommittee on Oversight and Investigations. He was an esteemed member of Congress throughout his time there.

Personally, I am devastated at the loss of my colleague and mentor, the Honorable Alcee Hastings. We would talk about his time spent in Newark as a child and his fond memories of growing up there. While voting, I would spend many days sitting next to him and listening to the wisdom he imparted on me. His blunt honesty and brilliance as a legislator were second to none. We even shared our love of colorful socks. The Lord has another one of my Fathers on the Floor of Congress with him no and I will miss him dearly.

#### CONGRESSIONAL BLACK CAUCUS CELEBRATES THE LIFE OF THE HONORABLE ALCEE L. HASTINGS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for the remainder of the hour as the designee of the majority leader.

Ms. JACKSON LEE. Madam Speaker, I thank the chairwoman so very much for yielding tonight, and I thank her for establishing the uniqueness of this Special Order.

It is a special Special Order in tribute and in remembrance of Alcee Lamar Hastings, a tireless fighter for justice and equality, dean of the Florida Congressional Delegation, former United States District Court judge, first African American elected to Congress from Florida since Reconstruction, vice chair of the Committee on Rules, and former member of the Intelligence Committee, chairman of the Helsinki Commission, Member of Congress for 28 years, mentor, beloved colleague, and dear friend.

Madam Speaker, tonight, with humility, gratitude and a broken heart, I rise to anchor this Congressional Black Caucus Special Order in remembrance of Congressman Alcee Hastings, a senior member of the Committee on Rules, a man who traveled the world. Most of all, he loved his family, he loved his country, he loved his State of Florida, loved his friends and his colleagues. We humble ourselves today to honor him.

Madam Speaker, I will reserve my words and tribute so that I can acknowledge one of his dear friends, the Honorable BENNIE THOMPSON. BENNIE THOMPSON, the chair of the Homeland Security Committee, a distinguished gentleman from Mississippi, a fighter for justice himself, but as well, the opportunity to be able to lead this country into safety.

Madam Speaker, I yield to the gentleman from Mississippi (Mr. THOMPSON), and if I might say, the gentleman with the white jacket as a member of the great Divine Nine, the Kappas.

Mr. THOMPSON of Mississippi. Madam Speaker, I appreciate the gentlewoman allowing me to talk about my friend, Alcee Hastings.

Madam Speaker, Alcee Hastings to a lot of us, is what we call a Renaissance man. When you knew Alcee, you knew somebody who knew exactly what he was talking about at all times. I carried Alcee Hastings to the Second District of Mississippi a number of times. You know, for a Florida boy, he could have been a Mississippi boy. He knew Bobby Rush, the blues singer. He knew how to go to catfish fries. He could just about adapt to any situation. But Alcee Hastings, more importantly, provided significant direction and guidance to a number of us who came to this body.

Madam Speaker, so today I rise to pay a special tribute to a close and dear friend that I shared many memories with: The Honorable Congressman Alcee Hastings.

Alcee was a champion civil rights legend, who served the people of Florida and this country for over 28 years as a Member of Congress. He dedicated his life to uplifting and empowering his constituents, colleagues, and our Nation. All of us have at least one Alcee Hastings story. Some of us have two or three or more Alcee Hastings stories, and they all are memorable.

All through my district, he was one of those individuals who people wanted to know what was Alcee Hastings like. And the only thing I can tell you is you have to meet him because you really can't describe him. The dictionary doesn't provide enough adjectives to give you who he is, but that is the kind of person Alcee Hastings was.

To Patricia and the kids: We all miss him. Absolutely, I know that all of you will miss him, too.

You know, I wonder what Alcee would be saying to us right now. I have a good idea. And he probably would say: "Look, I don't have time for all that noise. Get on with the business of helping our people."

Ms. JACKSON LEE. Madam Speaker, I thank the gentleman for those words of reminding us how forthright and direct Alcee Hastings was.

Madam Speaker, I yield to the gentleman from Maryland (Mr. HOYER), distinguished majority leader of the House, who gave an eloquent portrayal this morning at our celebration service of his relationship with Congressman Hastings and his understanding of Congressman Hastings' contribution and value to all of us.

Mr. HOYER. Madam Speaker, I thank the gentlewoman for yielding and for her service. I thank Chairwoman BEATTY and members of the Congressional Black Caucus for organizing this Special Order tonight.

Madam Speaker, Alcee Hastings was a dear friend, a close friend, a wonderful supporter, adviser, counselor, a friend who will be greatly missed not only by me, but by so many with whom he served on both sides of the aisle.

Madam Speaker, he and I served together in this House for 28 years, almost three decades. Over the course of that time, I came to know him very well. I visited his district. I know his wife. I saw his passion for public service, his sharp intellect and ability as a legislator, and his kindness and decency as a human being.

□ 1900

Alcee was someone who held strong convictions, as all of us know, and he would impart those to you, and he fought hard for what he believed in. One of those convictions was that all people on this Earth deserve the same basic freedoms and access to democracy as Americans are privileged to enjoy.

Madam Speaker, he and I served together on the U.S. Commission on Security and Cooperation in Europe, and Alcee later served as its chairman, as I once did. He was the first African American to lead that body. And he was also honored, Madam Speaker, by legislators from 57 different nations when he was chosen as president of the Organization on Security and Cooperation in Europe's Parliamentary Assembly. The only American, the only African American, obviously, to have had that honor, and the only person of African descent to have that honor.

Before the pandemic, Alcee traveled the world to promote democracy and human rights where they were newly enjoyed or not yet achieved. Wherever he went, he brought his deep commitment to constitutionalism, rule of law, equality, justice, and opportunity for all.

In doing so, he was an excellent envoy of this House of Representatives, the people's House, and the democratic mission it embodies to the nations of the world.

I want to take a moment to speak about a part of Alcee's life that shows his true character. It is no secret that Alcee faced difficult and painful rebuke earlier in his career. I am not going to

go into the specifics. Most people know the outlines.

But what stands out, Madam Speaker, for me and for others more than anything about what happened is that most people, after having been through such an experience, might have turned away from public service and harbored a debilitating anger and self-pity. Not our friend Alcee Hastings.

He was determined to continue giving back and serving his State and his country. So he ran for Congress and received the imprimatur of his neighbors and friends and constituents as a person of great worth whom they wanted to represent them. He served his constituents faithfully and with great ability for 28 years and, indeed, prior to that as well.

Those he served and those with whom he served are grateful that he made that choice. We are grateful that he persisted and persevered. And we are so fortunate, Madam Speaker, to have been blessed in our own lives by the wonderful life of service and contributions by Alcee Hastings.

I join others in offering my condolences to his wife, Patricia; to his family; to his devoted staff; and to the communities of southern Florida he represented so skillfully in this House.

Another Representative of southern Florida, my dear friend, DEBBIE WASSERMAN SCHULTZ, will be relating from her personal experience serving with him from southern Florida the extraordinary impact that he had on Florida and that region.

Madam Speaker, I spoke this morning at a memorial service led, again, by the Congressional Black Caucus for Alcee, and I related the story that a few days before his death, I had called Patricia and talked to her about how Alcee was doing, and she said: Not well.

Two days later, I called her back. It was probably 7 o'clock, about this time, in the evening. I said: How are things?

She said: Not good.

I said: Can I talk to him?

She said: I don't think he will understand you and I don't think he will be able to respond, but I will put the phone to his ear and you can say something to him.

She did that, and I said a few words very briefly, and then I closed with the sentiment that I have today and that I had for most of the time that I had known him. I said to him: I love you, Alcee.

I said this morning that I don't know whether he could hear or understand what I said at that point in time, but the good news for me is I knew that he knew that I loved him. He was a man of great worth, of great feelings, of great expectations, of great service, of great vision. I will miss Alcee, my friend.

May Alcee's memory be a blessing and inspiration to us as we continue to work here in this institution that he loved and served so well.

Ms. JACKSON LEE. Madam Speaker, I thank the majority leader for that

personal tribute of the bond of love between his friend, Alcee Hastings, and himself. I thank him for that story and tribute.

Madam Speaker, it is now an honor to yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the co-chair of the Florida delegation, the cardinal of the Appropriations Committee, but I think this evening what she would most want to be known as, certainly a mentee of earlier years, but a very dear friend of Congressman Alcee Hastings.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise to honor one of the foremost fighters for justice Florida has ever known, Congressman Alcee Hastings.

Throughout my public service, I have been proud to be associated with and stand alongside this fierce but gentle and courageous statesman. The shadow he casts in my own political life is long. It started at the University of Florida, when I ran for Student Senate side by side with his son, Alcee "Jody" Hastings, II. Twenty years later, I had the honor and pleasure of serving alongside his father, a man who was my dear friend and mentor.

Alcee revered this institution, and he loved his 20th District, from Belle Glade to Broward, and the Sawgrass to Sistrunk. Anyone who knew him knew he was Florida through and through, and he brought that to these Halls of power. He valued every part of the cultural and ethnic mosaic that enriches our great State, and he contributed to that throughout his life.

With his passing, his constituents lost a brilliant, fearless, and giant-hearted advocate for the community he so dearly loved. Our folks back home will miss their "on his mind, on his tongue," firebrand voice in these Halls of power.

The common refrain among anyone unfortunate enough to follow Alcee Hastings on a speaking program was: Well, this is the last place on a program you want to be.

He was a powerful, impactful orator. Here in Congress, as you all know too well, each of us lost a wise, patient, and humane statesman; and our delegation lost a seasoned, thoughtful, forceful leader.

Personally, I lost a treasured friend and trusted teacher. I can't count the times I leaned on him for his honest, perceptive counsel. Even when I didn't know I needed that advice, Alcee did, and he provided it generously. Afterwards, I was always grateful for his words of wisdom.

Alcee Hastings devoted his life to righting the world's wrong. He championed the most vulnerable, and he himself knew what it meant to overcome. He fought for human rights at home and abroad. Alcee was a champion of the U.S.-Israel relationship, and a steadfast friend to the Jewish community. He knew that Jews and African Americans were much more alike than we were different, and we often joked about the similarities.

Years ago, as police brutality stretched the fabric holding our community together, he and I joined together to ensure that law enforcement and our people would be able to pledge to protect one another and had a safe forum to communicate.

When it came to protecting the world's most unique tropical wetlands, Alcee always spearheaded our Everglades restoration efforts. In just the last month, he led the delegation in a letter to the President advocating for record-level funding. Even on battles dearer to me, he poured his own heart in it.

Alcee was one of my most fierce allies in battling breast cancer. These last 10 months, I spoke to him almost every day. It was an honor to cast his proxy vote. Good days or bad, he made sure he personally told me his vote preferences. Some days he might say in his Alcee kind of way: Why are we even voting on this?

And I left out some of the choicer words.

I cherished catching up with him every opportunity. Other days, he would just share his vote, and that call would end far too quickly. No matter how he felt, he always ended those calls by saying: "DEBBIE, thank you for this."

He was always gracious, always grateful. But it was I who was grateful for the gift of this man.

I was also so proud to swear him into this 117th Congress. He took what he must have known was his final oath with such pride, dignity, and authority.

In our last conversation, he told me he was at peace.

And why shouldn't he be?

He rose from a young man in the orange groves of the segregated South to become the first African-American Federal jurist in Florida and part of a historic 1992 class of the United States Congress. His political life took him as far off as the Parliamentary Assembly in Europe.

Congressman Hastings did it his way, and he leaves an immense personal and political legacy, both in these Halls and in our hearts. I know that I and this hallowed body are better off from having been in Alcee's midst. And that lasting impression he left behind, we will always carry with us. May his memory be for a blessing.

Ms. JACKSON LEE. Madam Speaker, it is certainly a privilege as well.

I thank Congresswoman WASSERMAN SCHULTZ for the personal stories she has shared with us, and her friendship.

Madam Speaker, it is now my privilege to yield to the gentleman from Georgia (Mr. BISHOP), known as an expert on all things agricultural; a civil rights leader; as well in this place, in this House, a cardinal himself. But I believe what he will share with us tonight is a personal relationship with Congressman Alcee Hastings, a Kappa. And, yes, Congressman BISHOP is a Kappa.

Mr. BISHOP of Georgia. Madam Speaker, I thank the gentlewoman for yielding.

Shakespeare wrote: All the world is a stage. And all the men and women, merely players. Each has his entrance and his exit. One man in his time may play many parts.

So it was with our beloved Alcee Hastings. He was a son, father, grandfather, husband, civil rights activist, attorney, judge, Member of Congress, international parliamentarian, colleague, my brother in Kappa Alpha Psi fraternity, a faithful friend, and a fearless foe.

His performance in each of these roles was always par excellence. His was a life well-lived. He was authentic, brutally frank, but always a powerful advocate for marginalized humanity. He did so much for so many for so long. We will miss him, but the world is a better place because of the life of Alcee Lamar Hastings.

My wife, Vivian, and I send our heartfelt condolences to his wife, Patricia, his other family, his staff, and all who mourn his loss.

□ 1915

Ms. JACKSON LEE. Madam Speaker, I thank Congressman BISHOP for letting us know that the world is a better place because of Alcee Hastings.

Now it is my privilege again to introduce another of Congressman Hastings' dear, dear friends, the chairwoman of the Science, Space, and Technology Committee as well as a proud member of the Divine Nine and a great Texan.

Madam Speaker, I yield to the gentlewoman from Texas (Ms. JOHNSON).

Ms. JOHNSON of Texas. Madam Speaker, I simply cannot eulogize the life and legacy of Congressman Hastings every single minute, but I will try my best.

Alcee and I came to Congress together in the class of 1992, and almost instantly I knew that I was in the presence of a giant.

Our class doubled the size of the CBC.

Alcee let everyone know that he came from humble beginnings. But I can say this: he carved for himself a path to success first in the field of law and ultimately in Congress.

As many have already noted, he was a man of sharp words, and perhaps sharp is an understatement.

Who could forget his infamous declaration that Texas is a crazy State?

We shared so many laughs and quiet whispers. A story that many may not know is that I convinced him to come to Texas and speak in our crazy State, to which he responded, "Y'all may want to hear me speak now, but after I'm done, you won't ever invite me back."

Well, it was colorful.

Alcee and I cofounded the Congressional Homeless Caucus and served as co-chairs together until his passing. Because of his tireless advocacy on behalf of the homeless, more constituents in his district and mine and across the



country now sleep with a roof above their heads.

His wife and I were close, and we shared many social occasions together.

So I say: So long my dear friend, rest in peace. And kudos from the 30th District of Texas based in Dallas.

Ms. JACKSON LEE, Madam Speaker, I thank the gentlewoman from Texas for her recognition of Alcee's complimentary words about Texas, but he was still our friend. I thank Congresswoman JOHNSON for that tribute.

Again, this is a very special tribute, and I might say special, special tribute to our friend, the late Alcee Lamar Hastings.

To provide another tribute is one of our members of the Congressional Black Caucus, a member of the leadership of the cochair of the Democratic Policy and Steering Committee, a cardinal on the Appropriations Committee, and it is known that often people say: BARBARA LEE speaks for me.

The Honorable Congresswoman BARBARA LEE is from California, a State that loves Texas as well.

Madam Speaker, I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Madam Speaker, I thank Congresswoman JACKSON LEE for yielding. I also was born and raised in El Paso, Texas, so I thank my sister.

Let me say tonight that I rise to celebrate the remarkable life of our dear friend, a dedicated public servant and a warrior for justice, the Honorable—he truly was the Honorable—Alcee Hastings.

I thank Congresswoman BEATTY for organizing this Special Order to honor our friend this evening.

I would like to offer my deepest condolences to Congressman Hastings' family; his wife, Patricia; his staff; all of his loved ones; his children; and his grandchildren. I know that this loss is deeply felt, and I am praying for the Hastings family and also for his constituents whom I had the honor to meet during my visits to his district.

Congressman Hastings was a trailblazer, and he lived a life of firsts as the first African-American Federal judge appointed to the State of Florida and the first African American to lead the Helsinki Commission.

I have had the privilege to travel with Alcee to Europe several times and to work with him to establish a transatlantic dialogue to improve social and political inclusion of people of African descent in Europe and the United States. This was a visionary idea that Congressman Hastings wanted to see happen in his lifetime, and he has made so much progress toward achieving that goal and his dream.

Alcee's political and diplomatic acumen was strengthened by his very warm and caring spirit. Many may not be aware, but while he was fighting the fight for human rights and democracy, he was also a devoted caregiver to his ailing mother. When I was struggling with the health challenges of my own

beloved mother, he was there to offer comfort and guidance. He made me realize how blessed I was to be able to take care of her during her last years on Earth. For that I will be deeply grateful.

When I first met Judge Hastings back in the 1980s, even before I was an elected official, I knew I had met someone special. He gave me his honest opinion and offered guidance without hesitation even before I was elected to office.

Despite his no-nonsense attitude and direct nature, myself, like all of us, had our own inside jokes. He called me Bob. I loved his socks—like so many of us—so much so that he gave me six pairs for my birthday. They are my Alcee socks which I will always cherish and wear.

Congressman Hastings always supported and guided me when I presented my bills to the Rules Committee, and he encouraged me by always saying: "I'm with you, Bob. I'm with you, Bob." Even if he disagreed with my progressive bills, he would say: "I'm with you, Bob. I'm with you, Bob. We are going to get this out."

He taught me some colorful words to use during very challenging times.

I feel beyond blessed to have known Alcee Hastings. His loss will be felt not only in Florida, in his district, throughout the country and here in Washington, D.C., but also around the world. He was truly a beloved and brilliant world leader.

I am reminded of 2 Timothy 4:7. I am reminded of Alcee tonight as I think about and read this Scripture: "I have fought the good fight, I have finished the race, I have kept the faith."

Yes, our brother, our friend, our colleague, our warrior for justice and for peace fought the good fight, and now may he rest in peace and may he rest in power.

Madam Speaker, I thank Congresswoman JACKSON LEE for yielding and for this Special Order tonight.

Ms. JACKSON LEE. We will be reminded of those colorful socks. That was his trademark, and that is very special. This is a special tribute to Congressman Alcee Hastings.

Our next tribute presenter is GWEN MOORE from the great State of Wisconsin. GWEN MOORE has been a fighter for the vulnerable and serves on the distinguished and powerful Ways and Means Committee. I thank my colleague and friend on the Helsinki Commission.

Madam Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore. The gentlewoman from Texas has 25 minutes remaining.

Ms. JACKSON LEE. Madam Speaker, I yield to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE of Wisconsin. Madam Speaker, I thank the gentlewoman from Texas for yielding, and I want to thank the chairwoman of the Congressional Black Caucus for pulling this all together.

I am GWEN MOORE from the great State of Wisconsin, and I was first elected in 2005. I was so excited about becoming a Member of Congress and especially excited about becoming a member of the Congressional Black Caucus.

Every year the Congressional Black Caucus Foundation hosts a great gala, and I was eager in September of 2005 to march across the stage with the likes of John Lewis, BARBARA LEE, and MAXINE WATERS with my brand new classmates, CLEAVER, G.K. BUTTERFIELD, AL GREEN, and Senator Obama. I was ready for the pageantry. All my relatives were coming to see me curtsy in my African outfit made with red and gold African wedding cloth. But then I learned that all but one member of the Congressional Black Caucus would suit up. Then when I discovered that, I commissioned myself to implore him not to ruin the evening with his recalcitrance.

Mr. Alcee Lamar Hastings' prompt and declarative declination was peppered with his famous street vernacular. Even though he was disinterested in the pomp and ceremony of the CBCF gala, he attended CBC meetings regularly. His excellent judgment, powers of discernment, and strategic thinking silenced the room every time and had Members on the edge of their seats as he weighed in on tactics and strategy.

I wondered: Where in the world did this man get his confidence that he exhibited on a daily basis?

Where did he get the courage?

His swagger was more than just his socks and his tie. There was something that I wanted to know about him.

Well, fortunately for me, Mr. Hastings drew me in as a mentee. He was familiar with my legislative agenda around equity and justice for women and people of color. So he invited me to accompany him in 2006 to the annual session of the Organization for Security and Co-operation in Europe, held in Brussels that year, wherein he was serving his third term as parliamentary assembly president of the Organization for Security and Co-operation in Europe.

He was first elected in 2004. You have heard from other speakers, Madam Speaker, that this is an international organization of 57 member countries, and he is the only person of African descent to ever hold this position and he is the only American to ever hold this position. He would have to whip and get votes and everything, and Alcee did that.

When I saw him, I was stunned to witness on this international stage the mastery of his indefatigable leadership. He commandeered the agenda on human rights to take a deeper dive into minority rights, and not just Black versus White, but Jews and other ethnic minorities, gypsies, women, and migrants.

In fact, under his leadership the OSCE broadened its mandate to address human rights to include intolerance, migration, and organized crime.

The global consensus around the plight of Blacks at the hands of police was a topic of this international body. Indeed, I learned that racial oppression was global, and Alcee shepherded this international body through dozens and dozens of resolutions around global racial equity.

I was hooked. I went with Alcee every time. What I found is that language was not a barrier, culture was not a barrier, and even adversarial relationships with people like the Russians or some of the other known dictators who attended the meetings did not prevent him from engaging them in side meetings to advance the international dialogue.

Because of my association with Mr. Hastings, I have met around 300 parliamentarians of African descent in Europe, Spain, Italy, Germany, Sweden, the Netherlands, the United Kingdom, and Canada just to name a few.

The last trip I took with Mr. Hastings—we all knew it was his last trip—we went to London, and we gathered in a circle with parliamentarians from Britain. We talked about the historic relationship of the United States and Britain, and indeed that same connection that BARBARA LEE referred to, he made us promise to continue the Atlantic engagement with our brethren. We have to keep that promise to him because he gave birth to those relationships over 30 years.

□ 1930

Do you know what? I figured out where he got his swagger from. He was not concerned with little things and petty things, what people thought, and pomp and circumstance.

He was a universal human rights leader. When I thought about him, I don't know why I thought of this song that I first heard Sarah Vaughan singing. But some of the lyrics in "Universal Prisoner" were:

Most people go around thinking they're free  
Believing it's an easy way to be  
They run in guilt and fear  
From all the things they truly hold dear  
The question is asked, do you give the love  
that is inside  
Or do you run to the phony world where  
most people hide?

Mr. Hastings embodied the universal precepts of equality, equity, and justice. He was a true humanitarian.

Enjoy your flight into the universe, Mr. Hastings.

Ms. JACKSON LEE. Madam Speaker, let me thank the gentlewoman from Wisconsin for her kind words. Those were memorable times, and the historic nature of his leadership was not only national; it was international.

I am privileged again in this very special tribute to be able to yield to the gentlewoman from Georgia. States are quite close to each other, and of course, her passion matches the deep passion of Congressman Alcee Hastings. That is the obvious reason for her kinship to Congressman Hastings, but also the ability to have suffered in loss but stand up to fight for justice,

and that is our friend and colleague, LUCY MCBATH, from Georgia.

Madam Speaker, I yield to the gentlewoman from Georgia (Mrs. MCBATH).

Mrs. MCBATH. Madam Speaker, I thank the gentlewoman from Texas for yielding to me.

Madam Speaker, I rise in celebration of the remarkable life of our dear friend and colleague, Congressman Alcee Hastings, known affectionately as The Judge. People called him that long before I got here. He was the first African-American Federal judge in the State of Florida, appointed by President Jimmy Carter, where he served for 10 years before being elected to Congress in 1992.

I know that a lot of my colleagues and persons in this great Chamber tonight might wonder what kind of a relationship I would have had with Alcee Hastings. I would have only been here for 2 years. But what I do know is that I recognize Alcee truly from his spirit.

He and I both had cancer. I was a cancer survivor, and oftentimes, here on the floor, every single day, I would come to his side and sit next to him, and I would say: "How are you doing today?"

He would say: "Not so good today," or he would say: "Today is a great day."

But I remember his kindness, and I remember his words of wisdom to me, always telling me: "You are doing the right thing. You are standing up. Stay strong. Look forward."

I am really grateful for even that 1 year that I had to stand and to serve with a giant such as Alcee Hastings.

Alcee and I were both very proud to serve in the House together as fellow members of the Congressional Black Caucus. We talked about it, and oftentimes, I said to him: "I still can't believe I am here. I cannot believe I am here, but I am so grateful to be here to serve with you."

As I said, we were also bonded over our shared kinship as cancer patients because I understood what he was going through. I understood the treatment and the pain and the suffering. But what I admired about him the most is his tenacity, his strength, and his fortitude to come here every single day in spite of it and to push his way through for the sake of this Chamber, for the sake of this body, for the sake of the people who he loved so dearly in his community.

He offered me encouragement, telling me to stay the course and to continue to work on behalf of the American people. I remember he said to me: "I may not be here when you pass that gun bill, but you must pass it."

I will always be grateful to him for his friendship and for the wisdom and leadership that he shared with this body and with me.

I always find that I am so grateful to be in this body, to be among some of the most wise, intelligent, compassionate, and driven people I have ever met in my life, particularly those of

the Congressional Black Caucus like Alcee Hastings, a giant among us.

Madam Speaker, I am so grateful today to be able to stand here and pay reverence to him, the giant among us.

Ms. JACKSON LEE. Madam Speaker, I thank the gentlewoman for that sense of kinship, with her tribute and a reference to his kindness and his wisdom.

I hope everyone knows that we are telling a very special story this evening. To join us in that is a Floridian. I always like to pronounce it in a way that indicates the bonding of Floridians, but, certainly, Floridians of a certain kind, like Alcee Hastings with the distinguished former chief of police, VAL DEMINGS, a senior member of the Intelligence Committee, a member of the Judiciary Committee and Homeland Security Committee, and a Floridian with deep roots and a friend of Congressman Hastings.

I yield to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Madam Speaker, I thank the gentlewoman from Texas for yielding.

Madam Speaker, I rise today to honor the life and legacy of Congressman Alcee Hastings.

Dr. Martin Luther King, Jr., once said: "The ultimate measure of a man is not where he stands in moments of convenience and comfort, but where he stands at times of challenge and controversy."

Madam Speaker, what we all know in this Chamber is that Congressman Alcee Hastings was never afraid to stand during times of challenge and controversy. You see, Congressman Hastings was born in central Florida in Altamonte Springs. He was always so proud to share his stories with me about growing up in a city not far from the district I now represent.

Alcee Hastings was a giant in our State, the dean of the delegation. When I think about what it meant for Alcee, being the dean was a lot more than being the longest serving Member.

Alcee Hastings was a giant of a man in Florida, but he was a giant of a man around the Nation and a giant of a man in our world.

As you have heard, he was the first Black person, period, man or woman, appointed as a Federal judge in Florida. We all know the joys and the pain of being a first and paving the way for others to follow, paving the way for other boys and girls and men and women, regardless of the color of their skin, paving the way for them as a first.

I remembered that appointment. I was working at the Orlando Police Department, and I was so proud to know of this giant of a man who was appointed as the first Black man to serve as a Federal judge. We were all so proud of him.

One of the things I most appreciated about Congressman Hastings, my colleague from Florida—and hear me clearly, there were many things that I loved and appreciated about him. But

one of the things was that he was big enough to share his space with you regardless of whether you were a freshman or you had been here for a considerable amount of time. Congressman Hastings never hesitated to share his space with you. He never hesitated to give advice. He never hesitated to mentor, and he genuinely wanted you to do well.

Congressman Hastings was a true friend, and it didn't matter if he agreed with everything you said. He didn't have to. If you were his friend, he understood that friends didn't always agree on everything because, see, Alcee was his own man. We heard the song earlier today, and he did it his way.

He was his own man with his own beliefs, his own principles. He allowed me to be my own woman with my own beliefs. He allowed all of us, in our respective places. That is the kind of man, the giant of a man, that he was.

Congressman Hastings didn't waste a lot of time fighting over trivial matters. He was on a mission. He was fighting for justice. I really can't remember a time he was not fighting for justice. He didn't mind fighting for women's rights even after he had made it himself. He didn't mind fighting for equal rights. He didn't mind fighting for human rights. He didn't mind fighting for the LGBTQ community. He didn't mind standing up and fighting for people who were different from him.

Congressman Hastings dedicated his life to fighting for a better Florida and, therefore, fighting for a better Nation.

I say to my colleagues that if you were in a fight, you wanted Congressman Hastings on your side. Madam Speaker, as we know, someone will take his space, but I don't believe that anyone can ever take his place.

I would like to close with just a short scripture from Psalm 56 that says: "In God I trust; I will not be afraid. What can man do to me? I am under vows to You, O God; I will present my thank offerings to You. For You have delivered me from . . . stumbling, that I may walk before God in the light of life."

Congressman Hastings was not afraid, and we are forever grateful for his life well lived.

Ms. JACKSON LEE. We are truly grateful for his life.

Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentlewoman from Texas has 4 minutes remaining.

Ms. JACKSON LEE. Madam Speaker, I will bring this Special Order to a close, and I want to remind our colleagues of this very special Special Order led by Chairwoman JOYCE BEATTY. Then, we heard from DEBBIE WASSERMAN SCHULTZ, SANFORD BISHOP, BENNIE THOMPSON, EDDIE BERNICE JOHNSON, our Majority Leader HOYER, BARBARA LEE, and GWEN MOORE. We heard from LUCY MCBATH and VAL DEMINGS, and we heard from others in their voices throughout the day and in their statements.

□ 1945

So let me try to summarize this life. This giant of a man was a Federal judge and a tireless fighter for justice and equality. He was the dean of the Florida delegation. He led an international organization never before led by an American, never before led by an African American.

But let me tell you what I believe really meant something to Alcee's life. First, his beautiful wife, Patricia, and all of his family members who we pay tribute to for sharing him with us. But he was a Florida A&M man. He was a Fisk man. All over the country, I would hear Fiskites saying: "Alcee Hastings went to Fisk." And Alcee Hastings would let you know he went Fisk University. He honored that university, and they honored him.

As a member of the National Bar Association myself, that is where I got to know Alcee Hastings. Oh, as a little, small pip of a lawyer myself, I looked up to Alcee Hastings and the words that he would say. In his own organization, he would be a guest speaker, a civil rights lawyer, as well as a civil rights fighter.

Yes, Alcee Hastings was born to a butler and a maid who left the South so that they could get money for him to go to school. And his dad said to him: "Be your own boss."

As I said, he ultimately went on to law school. But he also sat at the sit-in counters: Walgreens, where the individuals put ketchup and smashed eggs on him. Oh, Alcee could have turned around with vengeance, but he understood the message of Dr. Martin Luther King, Jr., that violence begets nothing, and he peacefully sat. But that didn't mean that he was going to allow them to get the best of Alcee Hastings.

He went on to be a civil rights lawyer. He went on to file lawsuits and desegregate the schools and the Cat's Meow restaurant that he had gone to.

Wasn't it poetic justice when he was named a circuit court judge and the investiture ceremony was at the high school that he had helped desegregate?

Yes, he was a Federal judge. Yes, of course, he did great things. He stopped the deportation of 76 Haitians, when they thought they were gone.

Then, in 1992, he made history again, becoming one of the first African Americans coming up to this great body from Florida since Reconstruction, joining Corrine Brown and Carrie Meek.

The Helsinki Commission was a special love for him. Can you imagine an international organization led for the first time—they had to vote for him. And that was a place where they raised up the issue of slavery. They raised up reparations. They raised up human rights. They raised up stopping hatred around the world. Alcee set that tone.

Then, of course, he continued to counsel, even in these times. I would come to him. LUCY MCBATH reminded me, as a cancer survivor, you would always check on him. But I tell you, he

would walk in with those socks and those suits, and he would be having a pep in his step.

But let me leave you with this: Continuing to do nothing in the face of continued threats to our people and our way of life is hardly what America elected us to do.

So as I close, let me simply say: Deepest sympathy. But let me remind his family that those who die in the Lord—and I paraphrase—they will, in fact, rest from their labor, but their deeds will follow them. Alcee Hastings' deeds will follow him. A tribute to America, a Floridian, a son, and a great man, both of this Nation and as a freedom fighter.

GENERAL LEAVE

Ms. JACKSON LEE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON LEE. Madam Speaker, I yield back the balance of my time.

#### THE BIDEN BORDER CRISIS AND SO-CALLED INFRASTRUCTURE PLAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Louisiana (Mr. JOHNSON) for 60 minutes.

GENERAL LEAVE

Mr. JOHNSON of Louisiana. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. JOHNSON of Louisiana. Madam Speaker, during my Special Order tonight, my colleagues and I will address the inaction by the Biden administration and House Democrats to address this major crisis that we see on our southern border, this humanitarian crisis. And, yes, that is the right word. It is a crisis by any objective measure.

We are also going to address tonight the President's so-called infrastructure plan. That is a lot for us to talk about. So we will squeeze it into this hour.

When President Biden was inaugurated, the American people will remember, Madam Speaker, that he called for unity. He promised to work across the aisle, to work with Republicans in Congress. But so far those words have been completely empty promises.

Everyone can acknowledge and everyone can see on television that there is a real crisis at the southern border,

and it is a crisis of the administration's creation.

President Biden has stopped construction of the border wall. He re-implemented the catch-and-release policy of the Obama administration. He reversed the remain in Mexico policy of the Trump administration. And he selectively is enforcing immigration laws.

The results are not surprising. Our Border Patrol is now completely overwhelmed, and the southwest border encounters have reached a 15-year high. I want you to look at these numbers, Madam Speaker. This is the border crisis. The first column here is January of this year. We had 78,323 southwest border encounters. The next month, in February, it goes up to 100,441. Last month, in March, it was 171,700. This is a crisis. We all know the numbers for April are going to be staggering.

I know that there are Members on both sides of the aisle here—I know there are Members, our Democrat colleagues, who want to join us to take action to fix this. But we can't do it without the administration.

Look, here are five simple steps that we can take that would help end the border crisis:

Number one, finish the wall;

Number two, reinstate the remain in Mexico policy;

Number three, turn away high-risk individuals at our border. These are dangerous folks, some of them, coming across, and we know that.

Number four, require negative COVID tests before releasing migrants, illegal immigrants, into the U.S.;

Number five, let's send a clear message to the whole world to discourage illegal immigration.

What a concept. These aren't difficult things. The Trump administration had it all figured out, but now politics has gotten in the way of good policy.

In addition to finally solving the border crisis, there is another item in the news that Americans desperately want us to address, and that is the need for an infrastructure package. That could be a bipartisan solution that we could all work on together. It should be non-partisan, but because it impacts every single congressional district in every State, all of us, every American, wants this to happen.

But the plan that the White House introduced isn't really about infrastructure at all. In fact, only 6 percent of the \$2.5 trillion proposal would go towards bridges, highways, and roads. The rest goes to fund Democrat Big Government priorities, like the Green New Deal, and payoffs to liberal special interest groups. What an outrage.

The facts are that the House majority is the slimmest of any House majority since World War II, and the Senate is divided 50/50. Given these facts, we just want our Democratic colleagues and President Biden to end this partisan agenda for the sake of the American people.

I look forward, Madam Speaker, to hearing from my Republican colleagues tonight about both of these issues.

Madam Speaker, I yield to the gentleman from Wisconsin (Mr. GROTHMAN), who represents the Sixth Congressional District of Wisconsin.

Mr. GROTHMAN. Madam Speaker, I would like to address the Chair with regard to the upcoming infrastructure bill. I am going to talk about some numbers. I don't mean to bore you with numbers.

When you put together a bill, you don't want to be an outlier. I am going to address two areas in which I think this bill makes this an outlier in very, very serious ways.

The first one is, you have changes in the tax law. And when you look at the taxes that a business pays in this country, a corporation, you have to look at kind of a double taxation. They will tax you at a corporate rate when the business earns the money; and when the business gives the money to its shareholders, you will be taxed at a dividend rate.

There is a graph here comparing all of the OECD countries around the world as to where they stand on this combined tax rate. The lowest countries, the Baltic countries, Latvia and Estonia, are 20 percent.

Right now, the United States, even after the last tax cut, at 47 percent, is middle of the pack. Actually, a little bit higher. If the tax hikes are put in effect that are published right now, you are going up to 62.7 percent. In other words, of the over 20 countries here, the United States will have the highest combined dividend, plus corporate tax rate. That is an outlier and a dangerous place to be an outlier.

There are a lot of things that go into a decision as to where you put a manufacturing facility, but taxes is certainly one of them. And given one of our goals should be to bring manufacturing back to the country, it is a bad place to be as the highest combined corporate tax rate, plus dividends.

The next area I am going to address is the money supply. To a certain extent, because of previous bills passed during the COVID crisis, we have had a rather dramatic increase in the money supply.

I would suggest you google "M1." You will see that, in the last 6 months, the amount of dollars floating around has gone through the roof. Some people, including me, would say M2 would be a better measurement. But even if you look at M2, we have a 27 percent increase in the money supply over the past year. That is just screaming we are going to have a lot of inflation in the very near future.

It is certainly not the only reason, but we already see the rapid increase in the cost of housing construction. We see an increase in food prices and an increase in energy prices. This is given what we have already done.

Now, you are going to tell us—or some people are going to say that we

are going to raise enough taxes to pay for this spending. But we are going to be raising enough taxes over the next 10 or 15 years. We know around here that when we say we are going to make a pay-for the next 10 or 15 years, a lot of times that pay-for never materializes.

So I am afraid we are going to have another big increase in the money supply when we have already had a 27 percent increase in the last year, and this is going to come back and cause serious concern. I beg the majority to look at a graph of the combined tax rates, us compared to the other OECD countries, and I beg them to look at the money supply and don't make us any more of an outlier on either.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman from Wisconsin for that dire warning. I guess if you subscribe to modern monetary theory, none of this is a concern, but it is for those of us who live in the real world.

Madam Speaker, I yield to the gentleman from Texas (Mr. FALLON), who represents the Fourth Congressional District of Texas.

Mr. FALLON. Madam Speaker, the Biden infrastructure plan is another classic example of the old bait-and-switch. Much like the COVID relief bill, where only 9 percent of the \$1.9 trillion price tag actually went to COVID relief, this plan has very little to do with infrastructure.

The definition of the word in the Cambridge Dictionary is: The basic system and services, such as transport and power supplies, that a country or organization uses in order to work effectively.

So we know what it really means: roads, bridges; and, in the 21st century, broadband internet would qualify.

How much of the \$2.2 trillion is actually going to infrastructure?

\$115 billion is set aside for bridges, roads, and highways; just 5 percent. And under a more broad definition, if we include public transportation and broadband, the total grows to \$405 billion, which is still just 18 percent of the new spending.

So where does the other 82 percent go?

Democrats across the country have said their definition of infrastructure includes universal pre-K, climate action, climate justice, eradicating right-to-work environments, caregiving, affordable housing, police accountability, and paid leave.

This ain't infrastructure.

So we all know what this is: The largest corporate welfare slush fund in American history.

Joe Biden will have virtual carte blanche to nepotistically dole out hundreds of billions of dollars to curry favor with allies, supporters, friends, and family.

This isn't the hallmark of innovation, but it will ensure that the D.C. swamp continues to be a festering pool of corruption.

□ 2000

Mr. JOHNSON of Louisiana. I thank the gentleman from Texas.

We came here to drain the swamp, but it is really difficult during the current administration. We will get back to it soon, though, I am confident of that.

Madam Speaker, I yield to the gentleman from Ohio (Mr. LATTA), who represents the Fifth District.

Mr. LATTA. I thank my friend for yielding and hosting tonight's Special Order.

Quite a few of us have gone down to the border in the last several weeks, and, Madam Speaker, we do have a crisis at the border. When I say, a crisis, I mean an unmitigated crisis at the border.

We were at McAllen and going in to see the border crossing that night and the people streaming across, the Border Patrol was probably going to process over a thousand people that night. A thousand people.

The next morning, we were able to go to the Donna facility. And the Donna facility, the best way to describe it, it is a canvas building, you might say, a very nice building. It has air conditioning and all, but it was only built to hold 250 people. The day we were there, there were 3,500 people being housed there, the vast majority being kids.

We went into the pods they have. These pods are only supposed to hold 33 children. One held 412. Another had 450. And the week before there were over 600 in one.

There is a problem; it is a crisis. But it is not being seen as a crisis down at the White House. I implore the President and the Vice President to go down there and see what is happening. It is absolutely essential, because these children that are being held there, according to what they say, they are supposed to only be there for 72 hours. Some are being held for 3 weeks. One little girl was there for over 28 days.

So we do have a crisis at the border. It has got to be noted, and the President and Vice President have to know it. It is absolutely essential.

Let me just finish with this: The other thing that is happening, when you take 40 percent of our Border Patrol offline and put them into the facilities and also in processing, we have got drugs flowing across the border. Last year we had 88,000 people in this country die of overdoses. That is going up exponentially.

So let's get something done down there, Mr. President. It is essential. We have got to do it today.

Mr. JOHNSON of Louisiana. I thank my friend for that compelling eyewitness account. Anyone who is looking at the evidence cannot deny this is a problem.

I would like to yield to the gentleman from Arizona (Mrs. LESKO). Being from a border State, she knows a whole lot about this.

Mrs. LESKO. Madam Speaker, there is a border crisis. Let's just face it.

President Biden even slipped over the weekend and said it was a crisis. Then the White House had to pull it back. When thousands of people are crossing the border each and every day, it is a humanitarian crisis, it is a health crisis, and it is a national security crisis because we now know that at least a couple of the people that they caught were on the terrorist watch list.

Just yesterday, the Governor of Arizona declared a State emergency and sent National Guard to help our law enforcement in our border communities. You know what the Customs and Border Patrol did under the Biden administration? They dropped off 16 people, including kids, in the middle of a park in a small community 80 miles north of the border, Gila Bend, Arizona.

They don't have a shelter; they don't have a hospital there. They have nothing. The mayor and his wife had to borrow a van to transport these people to a Phoenix shelter. Now, what kind of President does that?

If this happened, if these unaccompanied children were just left to be handled by cartels, by a U.S. citizen, that U.S. citizen would be charged with child abuse and be in prison right now. This is unconscionable, and it needs to stop now.

Mr. JOHNSON of Louisiana. I thank the gentlewoman for that passion. She is right, she has been there, and she sees it herself.

I yield to the gentleman from Texas (Mr. NEHLS), who represents the 22nd Congressional District and will bring another border State perspective. He also knows a lot about law enforcement.

Mr. NEHLS. Madam Speaker, for weeks now our country has witnessed the never-ending horrific images and stories from our southern border. We have heard from Border Patrol that they don't have enough agents to secure the southern border and babysit—yes, babysit—the tens of thousands of migrant children flooding across our southern border. As a result, criminal illegal aliens are slipping through undetected.

We are a nation of laws and law and order, or at least we used to be. Ever since this current administration assumed control of the White House, there has been an outright refusal—yes, refusal—to put the American people first and address the crisis at our southern border.

The administration's inactions will cost American lives, will cost billions of taxpayer dollars, and once again put the responsibility of the Federal Government on individual States.

I know this. I dealt with it firsthand as a sheriff in Fort Bend County, Texas. I had to tell dozens of residents in my home county whose homes were burglarized by a ring of illegal aliens from Honduras and Colombia that many of the illegal aliens had been deported multiple times.

In January of 2020, in my office, I had to sit and tell a son whose mother was

killed in a hit and run that the illegal alien that ran his mother over had been deported six—yes, six—times prior. That fellow right there.

Madam Speaker, enough is enough. End this crisis. Put the American people first and secure our southern border.

Mr. JOHNSON of Louisiana. I am so grateful for those comments and for the gentleman's expertise. This passion that you see, Madam Speaker, is deserved. We are so concerned that the President doesn't share it, and that is what you are hearing echoed over and over tonight.

Madam Speaker, I yield to the gentleman from Texas (Mr. TAYLOR), who represents the Third District.

Mr. TAYLOR. Madam Speaker, as I walked through rows and rows of children who had just made a long and dangerous journey to Texas' southern border sitting on cots in a crowded room three times the size of the room that we are in right now, it has never been more clear to me than right there that illegal immigration benefits no one.

I have witnessed the heartbreaking conditions inside these emergency intake sites. In the words of one facility commander, the volunteers and staff that were working there tirelessly, they were operating under a crisis level of care. A crisis level of care. There is no doubt that we are facing a humanitarian crisis, a health crisis, and a national security crisis, all of great proportions.

We didn't get here overnight. The Biden-Harris administration made a reckless decision, choosing to overturn policies implemented by President Trump. But those policies were working, and the Biden-Harris administration had no replacement policy, no strategy, no plan to replace it.

During my visit to this facility in north Texas, I listened to the stories of cartels and coyotes advertising that they could get your children across the U.S. border on television. That is right. The cartels are advertising on television that they can get children smuggled across our southern border.

By stopping construction and the strategic importance of the border wall and rescinding the remain in Mexico policy, President Biden and Vice President Harris are sending a clear message: If you come to the United States, we will let you in.

Currently, as cartels are exploiting this administration's irresponsible open border policies, the cartels are raking in roughly \$14 million a day. That is right, you heard me correctly. \$14 million a day going straight into the hands of criminals because of the reckless policy decisions of the Biden administration.

If that statistic isn't enough on its own, DHS is projecting 117,000 children without their parents will arrive at the border this year alone. That is a 45 percent increase over the highest we have ever had.

Madam Speaker, this is a crisis, and this administration and Democrats in

Congress need to call it just that and fix it.

Mr. JOHNSON of Louisiana. I thank the gentleman for that perspective from Texas again. So we've got Texas and Arizona. Madam Speaker, we are going to move a little further west, all the way west to California.

I yield to the gentleman from California (Mr. GARCIA), who represents the 25th District there.

Mr. GARCIA of California. I thank Mr. JOHNSON for hosting this very important Special Order hour.

I rise today to share my concerns about our crisis at the southern border. As a first-generation American, I understand the opportunities that this Nation provides and why every human being on this planet should want to come to the United States. I am a product of the American Dream, but I also value the law. I value law and order.

The first step in fixing our broken immigration system must be securing our border. In March we saw over 172,000 migrants attempt to illegally cross our border. That is a 71 percent increase in just one month.

The Biden administration continues to fail to address this crisis. This is no doubt a product of the Biden administration's policy, but make no mistake, this is now our collective problem. It is affecting our local neighborhoods, it is affecting our governments, it is affecting those who have come here legally, who are now being cut in front of by folks who are breaking the law to come here.

Communities in border towns are stretched thin and running low on local resources as more migrants flood their communities. This isn't just about the border. The crisis impacts all of us across America, including my district, the beautiful 25th District, where we see a rise in crime tied to illegal immigration and human trafficking. This is being aggravated by the defund the police movement.

The crisis at our border is about security. It is about safety, and it is about humanity. No human being should be experiencing in their entire lifetime what hundreds of thousands of humans are experiencing right now at our own southern border.

Let me be clear. We can be a welcoming nation, but we can also be a nation that abides by its own laws and enforces them simultaneously. We need to secure the border, provide the resources to our Border Patrol agents, and stop incentivizing people to come here illegally. When we do those things, we can address the rest of our problems.

Mr. JOHNSON of Louisiana. I thank the gentleman for that compelling testimony from a first-generation American. That is meaningful. We prize immigration, the legal kind. We believe in the rule of law, and that is what maintains order.

I yield to the gentleman from North Carolina (Mr. CAWTHORN), the youngest Member of Congress, but he is wise beyond his years.

Mr. CAWTHORN. Madam Speaker, if Americans like what Democrats did for Baltimore, then they will love what Democrats will do for the planet.

The Biden infrastructure bill and the stimulus bill before it shows that Democrats are more interested in transforming our Nation's definitions of words than they are our physical infrastructure of roads and bridges. We need to cut government waste, not create more.

And now the left wants to drag the Green New Deal through America's back door without any regard for the wishes of millions of Americans. Make no mistake, this infrastructure proposal is a wolf in sheep's clothing. It is a Socialist wish list disguised as a roads and bridges initiative.

This is exactly what Democrats have been doing since the day I was sworn in. They know that America is in desperate need of infrastructure reform, and they know that Republicans and Americans nationwide would vote for a commonsense infrastructure proposal, but have they proposed such an initiative? Absolutely not.

□ 2015

They will pretend that this legislation deals with infrastructure, and then they will stand on the steps of their multimillion-dollar mansions and decry any votes against their Trojan horse of a bill.

Americans are fed up. Why aren't we passing legislation that does what it claims to be doing? Why are my colleagues on the left so excited to pretend critical race theory is the same as critically needed roads?

Let's dispense between this false equivalency. Let's build bridges, not just the physical but actual bipartisan bridges here in Congress. Why aren't we working together on the pitifully few issues that we still happen to agree on these days?

I am wondering. My constituents are wondering. America is wondering.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank Mr. CAWTHORN for that perspective.

Madam Speaker, I will move briskly because we have a lot of Members, as you can see, who are passionate about these issues and want to weigh in tonight.

I yield to the gentleman from the First District of the great State of Alabama (Mr. CARL), who will take the podium here.

Mr. CARL. Madam Speaker, I rise today to express my concern for the unprecedented crisis at our southern border because of the Biden administration's reckless open-border policy and failure to enforce our Nation's immigration laws.

We are seeing thousands of illegal immigrants crossing the border every single day, and there is no sign of letting up. The President and the Vice President are nowhere to be found.

That is not leadership. We need leadership. We have a crisis at the border,

and leadership, we are making a call for help, please.

The Vice President was appointed as the border czar weeks ago and has yet to take a single trip to the southern border. That is unacceptable.

We must have strong border protection for the health, safety, and security of American citizens. It is time for this administration and the far left to put America first by enforcing our immigration laws and putting an end to this horrific crisis at our southern border.

Mr. JOHNSON of Louisiana. Madam Speaker, I yield to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Madam Speaker, I thank my colleague from Louisiana for yielding and for holding this Special Order tonight.

The American people are frightened by what they are seeing unfold at the southern border. That fear is real, and it is only amplified by an administration that has chosen to sit back and do absolutely nothing.

For months, the Biden administration has struggled to decide what to call this situation, often scrambling to find the newest and less severe synonym to the word "crisis." The word "crisis" suits this situation perfectly, but apparently, that word is too harsh, according to the White House.

Pretty soon, this administration won't have any words left to use, and they will accept the reality that they need to own up to the crisis they created.

Republicans are not interested in letting complacency take hold while the country we love is left open and vulnerable and changed forever. We will continue to call out this administration for its failures, and we will continue to fight to protect America and its citizens.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentlewoman from North Carolina for her remarks, and we do call out the administration. That is what this Special Order is all about.

I yield to the gentleman from Tennessee's Second District (Mr. BURCHETT).

Mr. BURCHETT. Madam Speaker, I thank Vice Chairman JOHNSON for yielding.

Madam Speaker, the crisis at the southern border is a problem of the Biden administration's own creation. As soon as they took office, the Biden administration slapped an "open for business" sign on our southern border. They scrapped commonsense immigration policies that were keeping our country secure. Now, our southern border is overwhelmed with immigrants who expect to enter the country without proper vetting.

Hiding among those massive crowds of people are drug smugglers, child traffickers, and terrorists who have no intention of positively impacting American communities.

We need to know who is coming into our country and why, for the sake of national security.



Ironically, even though Joe Biden and KAMALA HARRIS decried this practice, children are still being packed into overcrowded detention facilities and sleeping in cages. They were outraged about this back when they were campaigning for President, but now they are actually silent on the issue.

We need to get back to the successful border security policies of the Trump administration, including construction of our border wall. I am an original cosponsor of the Finish the Wall Act, which would resume construction of the border wall and make it more difficult for folks, especially the bad actors, to cross the southern border illegally.

House Republicans are ready to secure the border, and I am proud to join my colleagues on the floor this evening to call out the Biden administration's ongoing inaction. If President Biden is not physically or mentally capable of addressing this problem, he should step down.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman from Tennessee for those bold words, and he is right. I think that expresses the sentiment of a lot of Americans.

I yield to the gentleman from Florida (Mr. GIMENEZ), who knows a lot about immigration as well as infrastructure because he is a former fire chief and mayor and now a Member of Congress.

Mr. GIMENEZ. Madam Speaker, over the past several weeks, I have joined Leader MCCARTHY and House Homeland Security Committee Republicans on two separate trips to our southern border. What I saw on the ground is heart-breaking: countless unaccompanied minors, often very young girls, left at the hands of international cartels, many of them violated; migrants packed into cramped processing facilities; and seizures of illicit narcotics being trafficked into the United States.

Unfortunately, the Biden-Harris White House has drastically shifted from the previous administration's policies on immigration and border security through executive order. At no point during the crafting of these executive orders were congressional Republicans consulted, nor have Republicans had a proper venue for input on plans from the White House. The result? Day by day, the crisis along our southern border is getting worse.

It has been a month since President Biden named our Vice President, KAMALA HARRIS, as the border czar. What have we seen so far? Zero media appearances about the border, no press conferences, no trips to the border, radio silence for the Vice President.

She said she is going to the Northern Triangle to meet with Guatemalans and Hondurans. She doesn't need to. She can come to the southern border and talk directly to Guatemalans and Hondurans, and migrants from many other countries, while they are illegally crossing the border.

While she is at it, Vice President HARRIS should speak with Customs and

Border Protection agents who are on the ground handling the situation instead of Federal bureaucrats sitting in their offices in Washington.

As an immigrant, I call on Vice President HARRIS to do her job and fix this crisis.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman for speaking with such authority.

Madam Speaker, I yield to the gentleman from Pennsylvania's Ninth District (Mr. MEUSER).

Mr. MEUSER. Madam Speaker, I thank my friend, the gentleman from Louisiana, Vice Chair MIKE JOHNSON, for yielding.

Madam Speaker, we can all agree our Nation's transportation and infrastructure system is in need of investment to improve our quality of life and economic competitiveness. Very unfortunately, the Biden administration has thus far chosen a go-it-alone approach in solving this problem with a \$2.3 trillion proposal, whereby less than 8 percent would go toward improving our Nation's roads, bridges, highways, airports, ports, and waterways, traditional infrastructure.

The rest is filled with provisions that have nothing to do with traditional T&I as we all know it, including \$173 billion for electric cars and car electrical ports for powering; \$400 billion to expand Medicaid programs, which is not infrastructure; and hundreds of billions of dollars to implement provisions of the Green New Deal.

As a means to pay for it, the Biden administration and Democratic leadership plan to raise taxes by over \$2 trillion. At a time when our economy is in recovery, and we are supposed to be on the side of American manufacturing and repatriating jobs, bringing these companies back to America, the idea of significant tax increases is another upside-down policy and will certainly not attract business but only export them.

Additionally, our infrastructure plan needs to be supplemented by private capital investment. That is where accountability comes from. That is why I plan to introduce the Infrastructure Bank for America Act, which would add to existing government funding with private investment, increasing access to capital for worthy infrastructure projects that deliver on R&I and deliver value to the American people at a fraction of the cost to the taxpayer.

Contrary to the Biden infrastructure plan, IBA investments would not be restricted and would help finance surface transportation projects, grid security, broadband, and revitalization of cities and towns across America and my district.

Thus far, the Biden administration has failed to reach across the aisle in a meaningful way to accomplish anything. We should unite to fix our roads, bridges, highways, airports, and other gateways to growth and innovation, not exploit this opportunity and pass a \$2 trillion liberal wish list that will raise taxes, impose Green New Deal

mandates, and add trillions to our national debt.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman for mentioning just one of the many Republican ideas we have. And as he said, we are not there at the table.

Madam Speaker, I yield to the gentleman from Tennessee's Sixth District (Mr. ROSE).

Mr. ROSE. Madam Speaker, I rise today to call attention to a critical need for infrastructure for all of America, and especially in my home State of Tennessee.

I believe it is past time that we build new transportation systems and refurbish structures to accommodate our modern economy and our growing workforce. I am a strong proponent of fixing our crumbling roads and bridges and expanding access to broadband internet in unserved areas.

In Tennessee, over half a million residents only have access to one internet service provider, and 274,000 Tennesseans still have no access at their place of residence. These are real infrastructure projects that desperately need our attention.

Unfortunately, President Biden's most recent multitrillion-dollar giveaway has little to do with actual infrastructure, with only 6 percent of this bill going to projects that fund roads, bridges, or highways.

Even if we use the most expanded definition of infrastructure, which might include upgrading wastewater and drinking water systems, expanding high-speed broadband internet service to 100 percent of the Nation, modernizing the electric grid, and improving infrastructure resilience, infrastructure in this plan is only 24 percent of its total cost.

President Biden is attempting to redefine infrastructure to include all of the Democratic Party's pet projects and extreme priorities. In this case, it means enacting Green New Deal-style programs and implementing job-killing tax hikes on Americans and their businesses.

Since this proposal has little to do with infrastructure and grossly inflates the number of jobs it would actually create, we should call this proposal what it really is, a con job.

Mr. JOHNSON of Louisiana. Madam Speaker, it is a con job, indeed.

Madam Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Louisiana has 32 minutes remaining.

Mr. JOHNSON of Louisiana. Madam Speaker, I yield to the gentleman from Michigan's First District (Mr. BERGMAN), who is the highest ranked military officer ever elected to the United States Congress and also my dear friend and classmate.

Mr. BERGMAN. Madam Speaker, I thank Representative JOHNSON for yielding. It is an honor to be here on the floor with him tonight.

Our country recognizes leadership at all levels, regardless of party ideology,

and I see here on the floor real leadership, committed leadership.

I rise today to express deep concern for the state of our Nation's southern border. Words matter, and it is time we start calling this situation what it really is: a crisis. In simple words, it is what it is. Don't try to paint it in many different ways.

President Biden has invited this crisis through his words and in his executive actions, including terminating construction of the wall on our southern border.

We need real leadership now. Now is not the time to be hiding. We need the leaders to step out and step up. It is time to put up and put out the political gamesmanship, put that all behind us and take a serious look at what is happening on the southern border. When I say a serious look, I mean that literally.

Vice President HARRIS, let alone President Biden, has yet to visit the border since being charged with addressing the crisis there. The United States is and must always remain a free and welcoming Nation.

We are all immigrants. We are immigrants by generations who came here for one of two reasons, for an opportunity or fleeing persecution. That hasn't changed.

□ 2030

We are also, and by all standards measured, a Nation of law and order, and our laws must be followed.

Madam Speaker, I urge Congress to take up critical legislation, such as Representative ANDY BIGGS' Stopping Border Surges Act and Representative JEFF DUNCAN's H.R. 88, Build up Illegal Line Defenses with Assets Lawfully Lifted Act of 2021. These bills will begin to address the root cause of our immigration issues.

In addition, the bureaucracies here in D.C. can play a positive role, such as Department of Labor and DHS. They can help. Because when you look at those who seek to come here legally and work as guest workers, we can bring good people from around the world here through the H2B and H2A programs. They do not seek permanent status; they come here to work, and they go home. The bureaucracies can get involved to help good, legal immigration occur after you separate out the guest worker programs.

Madam Speaker, we can secure our border, protect those wishing to come here legally, and crack down on those who wish to do us harm—and I mean, crack down on those who wish to do us harm. It is time this body gets to work to address this critical issue immediately.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the general. I appreciate that so much.

Madam Speaker, I yield to the gentleman from Indiana (Mr. BAIRD), Fourth District, another American hero, another hero of mine, a gentleman who sacrificially served his

country and deserves to speak here tonight and has great insight for us.

Mr. BAIRD. Madam Speaker, I thank my colleague from Louisiana for yielding. I appreciate the opportunity to be here.

Madam Speaker, this evening I really rise to voice my concerns over the President's \$2 trillion infrastructure plan.

One concern is the steep price tag, but a bigger concern is what the administration is trying to classify as infrastructure. These attempts from some on the other side of the aisle to classify their partisan priorities as infrastructure, is inexcusable and it is irresponsible.

The President is asking American taxpayers to fork over \$2 trillion. If the President is asking Americans to make a substantial investment, it is Congress' responsibility to ensure that these tax dollars are spent wisely.

Unfortunately, the President's proposed bill doesn't do this. How can it be infrastructure legislation when less than 6 percent goes to roads and bridges and less than 5 percent goes to broadband infrastructure?

There is a true need for infrastructure. For instance, in my district, our rural communities need help getting their last mile of broadband. This pandemic has proven that high speed broadband must be addressed.

Madam Speaker, I hope we can remove the partisan approach to this bill and solve the real infrastructure challenges of our country.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank my friend. It is so sad that broadband needs are not being met because politics are in the way.

Madam Speaker, I yield to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise today with serious reservations about the proposed infrastructure policies coming before this body.

Every Member in Congress represents a district with infrastructure needs. Urban or rural, conservative or liberal, we all represent communities that have dire infrastructure needs we should be addressing.

That is why President Biden's recent discussion about infrastructure, along with his comments about wanting to establish a bipartisan legislative effort were encouraging.

Unfortunately, none of this would come to fruition. We didn't see a bipartisan push. We didn't see significant input taken from Members and Senators on our side of the aisle. We didn't see a willingness to want to work together.

The \$2.2 trillion plan wasn't released after significant back-and-forth discussions. No, it was released after development by the White House and then pushed out in a media blitz.

As anticipated, the package was a partisan exercise. Just 5 percent goes

to repairing roads and bridges. As the core definition of infrastructure, there is very little attention shown. Only 1 percent goes to airports. Other countries around the world continue to build state-of-the-art airports, as airports here in the United States struggle to keep up with demand. Ports and inland waterways, an issue important to me as the representative of two major seaports, is even more astounding. Just one percent of this bill goes to ports and inland waterways. Ridiculous.

Now is the time for real infrastructure investments, but this isn't the plan Americans need.

I urge my colleagues to start from scratch and focus on the real issue here: Our Nation's infrastructure needs.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman so much for that.

Madam Speaker, I am delighted to go back across the country again to the great State of California's Eighth District. I yield to the gentleman from California (Mr. OBERNOLTE).

Mr. OBERNOLTE. Madam Speaker, infrastructure is a bipartisan issue. We all agree that one of the primary functions of government is to provide for the people collectively what they are unable to individually provide for themselves. I am talking about things like highways and roads and dams and harbors and airports. Things that represent long-term investments in the future of our country.

Unfortunately, the infrastructure package we are currently considering only devotes 12 percent of the over \$2 trillion of spending to infrastructure projects like those.

To give you some egregious examples, the proposed infrastructure package devotes substantially more money to subsidizing the purchase of electric vehicles than it does to building the roads and the highways that those vehicles would drive on.

The proposed infrastructure package devotes over ten times as much money to expansion of Medicaid than it does to the construction of water infrastructure, of dams and of airports put together.

It is not to say that these other projects are without merit, but the problem is that almost every dollar of this spending contributes to our national debt. That means that we need to consider only the projects that represent a true, long-term investment in our country.

Madam Speaker, I urge my colleagues on both sides of the aisle to pare this package down to the projects that accomplish exactly that.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman for that California perspective.

Madam Speaker, I yield to the gentleman from Pennsylvania (Mr. THOMPSON), the Republican leader of the House Agriculture Committee.

Mr. THOMPSON of Pennsylvania. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, I rise today to discuss the Democrat's infrastructure bill.

We have seen a lot in the news over the last few weeks about President Biden's not-so-much infrastructure plan. There is so much unrelated pork in this bill that even Washington reporters are hesitant to call it an infrastructure plan.

When we think of the word "infrastructure," we think roads, bridges, highways. We can expand further and think of ports, waterways, and airports. Democrats so-called infrastructure plan is not really about infrastructure—6 percent is allocated to roads, bridges, and highways, and a mere 2 percent for airways, waterways, and ports. Together, we are just barely getting to 8 percent of the \$2.3 trillion plan to focus on infrastructure.

But what is the rest focused on? Well, it is a wish list of Progressive policies and it is an excuse for Democrats to give \$600 billion—over half a trillion dollars—to the Green New Deal.

While I believe there is an opportunity for bipartisanship—a successful infrastructure bill must be bipartisan—the majority must be willing to make reasonable concessions to address our reasonable concerns. If we do this right, it should look like a bill that we wrote together.

This bill has the chance to fix our infrastructure, provide jobs, and jumpstart our economy following COVID-19, but it will only succeed if Democrats choose to include Republicans and bring us to the table.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman. That went so well, I think we will stay in the State of Pennsylvania, going to the 12th District.

Madam Speaker, I yield to the gentleman from Pennsylvania (Mr. KELLER).

Mr. KELLER. Madam Speaker, I thank the gentleman from Louisiana for yielding.

Madam Speaker, improving America's infrastructure should be bipartisan. Revitalizing our Nation's roads and bridges, delivering broadband to rural America, and working together to build a more connected society are all things we can and should strive to accomplish.

The Biden administration's so-called infrastructure plan is not infrastructure, and it is definitely not bipartisan. Less than 2 months removed from the last multi-trillion-dollar bill, the American people are about to be saddled with another massive tax-and-spend package—this time with a price tag of \$2.3 trillion and a bag of empty promises.

With only a fraction of the \$2.3 trillion going toward things like roads, bridges, waterways, dams, airports, and broadband, the majority of the plan is instead filled with non-infrastructure items.

Case in point: Joe Biden spends 74 percent more of your money on subsidies for electric vehicles than it allo-

cates for rural broadband. It is ironic that Washington Democrats talk about improving infrastructure while simultaneously working to dismantle and eliminate American energy jobs. Make no mistake, it takes American energy to build American infrastructure.

While Washington Democrats talk about improvements to American infrastructure, they fail to recognize that Biden's \$2.3 trillion plan is not the answer. Instead, we must embrace America's domestic energy industry, which has made greater strides in investing in our Nation's infrastructure than Joe Biden's wasteful spending plans ever could.

If Joe Biden truly believes this is an infrastructure package, it is evidence that he has been in Washington, D.C., for far too long.

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman. And he has indeed been in Washington too long.

Madam Speaker, there is a common denominator tonight. The crisis at the border and the problems with the infrastructure package were both entirely created by the Biden administration.

They were both thus completely avoidable, completely predictable, and they have done and are doing an extraordinary disservice and real damage to the American people.

We ask, again, of all of our Democrat colleagues and President Biden and his administration, please, please, for the sake of our country, put the partisanship aside. Let's govern with common sense, let's fix these problems before they become so great that we are unable to do so.

Madam Speaker, we end the Special Order, and I yield back the balance of my time.

#### UNEMPLOYMENT BY EDUCATION LEVEL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the Chair recognizes the gentleman from Arizona (Mr. SCHWEIKERT) for 30 minutes.

Mr. SCHWEIKERT. Madam Speaker, this is going to be one of those evenings where you have a lot of things to share, but they are actually really about two subjects. And I am going to ask us to try to think about things a little bit differently. And as is my bad habit, I brought a number of charts to just try to get our heads around it.

Some of what I am going to share tonight—I am going to try to dial back the sarcasm, but we have got to get our heads around facts and reality.

One of the first things I want to go through is what we did employment-wise, who got hurt during this last year.

Our brothers and sisters who have sort of less-than-a-high-school education, if you see this green chart right there, this is sort of talking about the unemployment levels for those who are lower on education.

You have got to understand, this last year was absolutely crushing to our brothers and sisters who really either didn't graduate high school or barely graduated high school. Their value that they sell is their labor. And the numbers are still just really, really high. Look at the disproportion between those of us who have bachelor's degrees or graduate degrees. We had a blip, but not much of one.

Individuals here who didn't graduate high school, they are getting their heads kicked in, and they still are. So we are going to talk about some of the policy going around us.

□ 2045

And the next part is, it is beyond just unemployment. For those of us in the Joint Economic Committee, those on Ways and Means, those who actually pay attention to the numbers, the U-6, and all these things put out by the Labor Department, the real number we need to pay attention to is actually something called labor force participation.

What does it mean when someone is not in the labor force with their skill sets, age?

Their attachment to work gets broader and more difficult to reattach. Their ability to climb to a supervisor or watch their pay go up gets really damaged.

And on this one, do you see this line down here?

We are, right now, seeing some labor force participation by education levels. For those who didn't finish high school, half of them aren't in the labor force.

Do you understand what is going on right now with what we would traditionally refer to as the working poor, except they are not working?

Now, part of this is because of the absurd policies we have engaged in. What happens when you make public policy by your heart, by feelings, instead of math, instead of facts, instead of actual compassion that understands what makes someone's life better?

We just financed keeping people out of the labor force.

Do you understand? Do we understand? Do we understand? As a body, do we understand what we just did to the future earning powers of those individuals that we incentivized not to be in the labor force?

And we are already seeing it.

Was the goal here to make these individuals permanently poor?

Because that is what we are accomplishing right now.

So, obviously, because the rhetoric around here, particularly from the left, is that they care about the working poor, we would be seeing public policy that actually takes care and helps the working poor, makes the value of their labor more valuable.

What is the single number one thing that crushes the labor value of the working poor?

It turns out—and we were a little surprised, but we did a bunch of research—it is when you have an open

border policy, because, all of a sudden, you have those who actually—their value economically is selling their labor.

You now have decided you are going to make them compete with those coming across the border. And, on occasion, we will be here on the floor and we will hear arguments about compassion for individuals from around the world who have presented themselves at our border in Arizona. And I just desperately wonder, Where the hell is the compassion for the working poor in our own country?

Here is the math. I mean, you know, the peak pandemic unemployment rate was well over 20 percent for those who didn't finish high school, for those who basically—their economic value is their labor. But it is worse than that. When you have an open border policy, you have basically crushed their wages. Their future wages go negative.

You know, I know we all just heard an hour of border policy and those things. Maybe I see too much of the world through sort of an economic lens, but I think that is also a fairer lens. It is not meant to be brutality right or left. It is a love and compassion for those in our society who were being left behind for so long. We are crushing them again.

I mean, the best math we have come up with is if you didn't finish high school and you have a society that has moved to open borders, which functionally is the math you have added hundreds of thousands of new moderate- to low-skill workers.

What is the value of the skills or lack of skills of a population who are already with you?

On the chart, it goes down well over 6 percent. They are going to be paid less. We have just created more poverty not by those who have presented themselves at the border, but to our domestic population here.

This is a type of economic cruelty. I mean, it may be a little rhetorically flamboyant, but it is a type of economic cruelty on the very population that so many of us here talk about we care, talk about we want to help. And what is going on right now to the working poor with the policy, particularly being promulgated by the left, is crushing. And this is just the open border side.

Do we understand that what we have also done economically?

Say I came to you tomorrow and said, Hey, here is what we are going to do. We are going to pump stunning amounts of money into the economy, and we are going to look the other way when we start to see inflation on commodity prices, on food prices, and on a lot of the basics. A lot of our constituents are going to shrug, and say, Okay, a little bit of inflation, fine.

Has anyone also talked about what inflation does to the working poor?

The fact of the matter is, when you start to look at the actual data—if you are in the top 10 percent of income, a

little bit of inflation actually makes you wealthier because you own real estate, you own assets. They become more valuable. But if you are an individual where a substantial portion of your income just goes to pay your food bill—what we have engaged in in economic policy this last year is substantially malpractice. We are making their lives miserable. And the solution from the left is, well, we will just subsidize them more.

So let's talk about that. Do we understand what you have just done?

If I incentivize you by—we are going to send you a check, and then we are going to give you an additional monthly check, an enhanced unemployment benefit, and we will give you maybe some more money for this and that. None of those things incentivize you, saying, we know you need help, we are going to help you get reattached to work so you can gain skills, so you can move up in the organization, so your wages can go up so there is actually productivity in the society, so you are actually paying taxes into what is your Social Security and Medicare account, so you have, what is it, your 60 quarters, all of those things that are so important to raising the poor out of poverty.

Instead, we have done just the opposite. We have financially incentivized millions of Americans not to be part of the labor pool. We have incentivized millions of Americans for a year to not gain the skill sets, the labor attachment.

There are some of our economists we are talking to that say we are going to spend decades paying for this. And it is right in front of us. We all knew what we were doing. It was just easy, because creating policy says, hey, we are going to give you this to help you work through the devastation of this last year, but here is the incentive to get back in the labor pool and the market.

So when we actually have our small employers complain to us that they can't hire anyone, yet at the same time—we go back to my previous slide about labor participation. We have millions and millions and millions of Americans who aren't working. Unemployment has been going down. It is because these folks have dropped out. They are not counted as unemployed.

We will pay a devastating societal price for doing this to so many people.

And why is this so important and why is it such a contrast to where we were in 2018, 2019, and the first quarter of 2020?

Do you understand what a miracle we were living for a couple of years there?

The fact of the matter is, if you look at income and equality, which used to be the harbinger of society fairness after tax reform, as to the regulatory reform, after making labor valuable for our working poor, they got dramatically less poor, and we have lost that.

In this last year, we have basically wiped out one of the steepest curves of progress in economic history of the

United States. You take a look at this chart and you start to think about the wage gains that Hispanics, African Americans, Asians were having. Their wage gains were going up much faster than Anglos.

This is what we all claim we desire. This makes a much fairer, more egalitarian society. We made the value of our brothers' and sisters' talents, skills, labor, much more valuable. And then now we have adopted policies that crush them. We have done everything half-ass backwards.

And you start to take a look at what happened after tax reform, regulatory reform, and many of the things we did before. It really was just stunning. One of the most interesting numbers was the value of female participation in the economy. Remember, before the pandemic, we actually had more females working than males. They had a dramatically faster wage gain. We had one of the year's—actually, I think if I do 2018, 2019, African-American females had double-digit wage gains, finally.

The rhetoric in this place for decades: We need to think and care about the working poor.

Suddenly, economic policy did something for the working poor. It just happened to be making tax policy and regulatory policy that invested in plants and equipment and technology that made those businesses more productive. Meaning—because you all remember your elementary economics class.

What are the two common factors that change your wages?

Inflation. Okay. That doesn't get you anywhere. Your wages go up just to catch up with buying the same thing with more dollars.

Productivity. Wages go up with productivity. This was a productivity curve because of what was done in tax reform. And it was the beneficiaries—they weren't rich people. They were poor people, except it is heresy to tell the truth with the math around here.

So what breaks my heart is we have come so far and we have lost it. We keep adopting policies, whether it is what is going on at the border, what we have done to subsidize people not to join the labor pool, what we have done to promote inflation. All these are things that will crush the working poor.

Once again, if you take a look at just the employment groups of the population that had just amazing growth, Hispanic women, African-American women and men, White men, down here, White women. It was all the groups that my brothers and sisters on the left claim they care about. In 2018, 2019, these numbers are miraculous. They aren't little fractions. These are big deals.

So why would this body on one hand be rhetorically—that this is the populations they care about, and then turn around and knife them with economic policy that will make the working poor poorer.

Is it they don't know better? Is it they are just leading with their hearts

and their feeling instead of some calculator math?

I do this because there is a path. We can be compassionate, but we need to understand what makes poor people less poor. What actually drives income and equality. It is not trying to make rich people less rich. The idea is to make the multitudes of poor people less poor.

And I can give you sort of a disruptive thought. In Ways and Means, we have had hearings and discussions of the healthcare outcome differential by populations from COVID. It is absolutely real. If you are a Native American, which I represent a couple of Tribal communities that are good friends; if you happen to be an urban minority, you have had much worse healthcare outcomes.

But if you want to be honest about what you are seeing, is that racist?

Well, the data says no. What it says is there were precursors in those communities of health presentations that were much worse. So if you take a look at the charts—and we are working on this chart now—the early numbers are fascinating.

Take a look at an urban minority population, my diabetes, my hypertension, the still use of tobacco products, and you line that up with the bad outcomes from COVID, they almost line up exactly.

□ 2100

Madam Speaker, if you give a damn about poor people, minority populations—and my Native Americans who are suffering in remarkable numbers from diabetes, which actually turns out to be the key precursor for why they have had such horrible outcomes during COVID—then it is time to step up and say that we can basically do the typical vision of the left which will put in some more health clinics, because we are going to try to make your misery more tolerable, or we can do a disruption and end the misery.

It is time for something like an Operation Warp Speed for diabetes. Instead of patching over the misery, let's find a way to cure it. I understand type 1 autoimmune, type 2 lifestyle, these are complicated and difficult. But if I came to you a couple years ago and said, mRNA vaccines, we are going to do it in just several months, you would have thought I was out of my mind, Madam Speaker. You see the discussions now that we just leaped 10 years in technology of using the mRNA. We are functioning, it is a software problem now.

The ability to cure virus infections, a number of cancers, and a number of other diseases is now a software problem. We are on the edge of miracles.

Is this going to be the continued policy of, well, we are going to just patch over people's miseries, or are we going to cure them?

There are some brilliant examples in just the last couple years.

Do you remember hepatitis C, the projections it was going to cost for the

coming liver transplants and the number of people who had served in the military who were going to be dying miserable deaths waiting for that liver transplant?

Then what did we do?

We came up with a cure. The cure was really expensive at first—dramatically less expensive than a liver transplant—and now with competition and technology we have crashed the price.

We have a cure for hemophilia.

Madam Speaker, you saw that with the mRNA technology, we may be on the cusp finally for a vaccine for HIV.

As a body and as Members, we talk about how much we love and care about the minority populations we represent, and then we are not willing to think disruptively on what ends the misery. We seem to have our heads stuck somewhere decades ago that we are just going to make the misery more tolerable. My passion is let's make it go away.

Madam Speaker, if you really care about healthcare differentials between ethnic populations, understand what caused it—we have that data—and go at it. Let's cure it.

It turns out over the next 30 years—the best number I have come up with for the next 30 years of Medicare—Medicare will be the primary driver of U.S. debt. Ten years from now, we are at \$42 trillion of debt and the curve steepens. It is demographics. It is just baby boomers are getting older, and we are going to consume a lot of resources. But it turns out 30 percent of that healthcare spending in Medicare, it actually turns out that over 30 percent is diabetes.

If compassion and love for our brothers and sisters in curing something like diabetes isn't what drives you, Madam Speaker, how about just the debt?

The single biggest impact we can have on the debt, it turns out, would be a cure for diabetes.

So if you are a fiscal hawk, Madam Speaker, go at it. If you claim to be compassionate, go at it. If you want to keep people just having a nicer way to suffer, then leave the types of policies we are doing right now where we are going to do a patchwork quilt of a couple more healthcare centers.

So, Madam Speaker, I am incredibly distressed that the Democrat policies adopted so far this year, when you lay them out—when our brothers and sisters who are on the sidelines, because they have been able to financially live—survive, if that is what you want to call it, and they are out of the workforce, what is their economic skill set a year from now when the rug is pulled out from underneath them when we go back to something semi more normal?

What violence have we done to their futures?

I hope someone out there is listening and thinking about this.

One of the other things I want to walk through is: my understanding is, over the next couple weeks we will talk infrastructure, we will talk the envi-

ronment, we will talk global warming, and we will talk greenhouse gasses.

Can I beg of some of the folks around here to actually read?

The amount of folklore that is spewed at these microphones is just intensely frustrating.

Madam Speaker, can I give you a simple, simple example?

I have used this one before, but it is sort of the hallmark of the thought experiment.

Madam Speaker, if I came to you tomorrow and asked you: Do you care about plastic in the oceans?

Yes.

Should we get rid of plastic straws in Washington, D.C., in your community? Of course.

How many plastic straws are in the ocean from North America?

None.

We do an amazingly good job in our waste management, so why is there so much plastic floating in the ocean?

It doesn't come from the U.S. straws. There are 10 rivers in the world. Nine of them are in Asia and two are in Africa that account for 90 percent of the plastic in the oceans.

Getting rid of your plastic straws is called virtue signaling. Hey, look at me, I care. Except that caring doesn't do anything. It may make you feel better, it may give you a selfie you can put up on your social media, but it didn't do anything.

Madam Speaker, if you actually cared about plastic in the ocean—and we have dozens of variations of this type of thing where we have folklore around the environment.

We need to start doing the math. Go to the 10 rivers—eight in Asia and two in Africa—and finance the collection of the plastic. Create the recycling. Yes, it is a type of foreign aid. Yes, it is the adoption of technology. But if you want to deal with 90 percent of the plastic in the ocean, then go to where the plastic in the ocean is coming from, and it is not straws in your community. That is theater. This place rewards theater. We get campaign contributions from theater. We get behind these microphones so we can do theater.

If you actually give a darn, Madam Speaker, then do something where the math actually says it has an actual impact.

One of the other proofs—and oddly enough, we relate this to tax policy. One of the really neat things that has been happening the last several years—and this goes back to the Obama administration and the last administration—do you see this line here, Madam Speaker?

That is GDP growth. This curve coming down, particularly after tax reform where the curve dramatically steepens—we are still working on our 2019 numbers, we believe it steepens even more—this is greenhouse gases going into the environment.

Do you notice something, Madam Speaker?

We were growing as a society and economy, yet environmental pollutants were crashing. We believe some of this inflection had to do with tax reform, the expensing portion where a company can say, I get to deduct 100 percent of the new, cleaner, better, faster, cheaper and more environmentally sensitive equipment, and we saw massive capital expenditures where productivity went up and greenhouse gases came down.

It is a demonstration that if you get the regulatory and the tax policy right, you can have economic growth. People can have those opportunities. It doesn't have to be a Malthusian world where you crush people.

Some of this is new. If I came to you right now and said, hey, here is a ton of carbon, here is a ton of methane, the math is changed. So that is why a lot of the environmental calculations have changed the last couple years.

My best guess is, from the latest things I am reading, methane has about a 9-1 ratio as a greenhouse effect. But also its half-life has been cut back dramatically in some of the formulas. If you wanted to have a remarkable impact on greenhouse gases, then stop the flaring and design a way to go collect the methane where we are producing natural gas.

It turns out we now have the technology where you pull up a truck, it super chills, compresses it, takes it away, and it is useable fuel; and it has a remarkable calculus.

We actually did a thought experiment—actually, it was more of a math experiment. I was blessed to have a Ph.D. of nuclear physics on staff, so his math was just remarkably good.

We did a thought experiment. If I could run a major pipeline through west Texas capturing methane, did you know you basically come within a fraction of hitting the Paris accords, Madam Speaker?

When I proposed that to a number of my Democrat colleagues who are my friends, they said, DAVID, I love the math. This is exciting. But you have to understand, I can't support a pipeline, because pipelines are heresy on our side.

□ 2110

I said, if we would basically find the tax regulatory policy to make a pipeline work like this that collects methane where you compress it and make it a usable fuel, it turns out you could get all the way to the Paris accord by a single major project.

Yes, DAVID, but you don't understand. It is actually not about hitting

the numbers. It is about surviving politically.

I am going to beg of us to start using actual math and science instead of worrying about our next campaign contribution or our feelings.

The last one on this tirade—and when we come back, we have a stack of these. There is a revolutionary technology that is happening at this moment. Remember that curve we showed where we were having economic growth, GDP growth, yet greenhouse gases, particularly carbon, were going down for the United States? We can make that curve dramatically steeper.

This is a facility that is about to be built by Occidental Petroleum in west Texas. There has also been a remarkable improvement in the technology. MIT, about a year ago, had a major breakthrough and almost doubled the capacity of taking ambient air and pulling carbon right out of it. It is almost carbon mining out of the air.

This is a really big facility about to go in. They are going to take the carbon and shove it back into the ground. It is a negative calculator. We should be finding joy as conservatives and liberals that technology has brought us these types of opportunities.

If we get the regulatory, if we get the Tax Code, and we update our thinking to this century, we can stop arguing about greenhouse gases and how much of the economy and how many people you want to unemploy or, you know, green jobs don't pay as much, and say: Let's just have the disruption in the economy like we always do. Let's promote the things that make our world cleaner, healthier, more prosperous. Then, if we do things like this, maybe we end the economic violence on the working poor.

Maybe this could be a really amazing decade instead of what I see going on right now, where we are pandering to functional extremists in so many of the environmental and other types of communities. They may be passionate, but their math is really, really bad.

Madam Speaker, I think I have had far too much caffeine today. I yield back the balance of my time.

#### PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2021

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, April 21, 2021.

DEAR MADAM SPEAKER: To facilitate application of sections 302 and 311 of the Congress-

sional Budget Act of 1974, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal year 2021. This status report is current through April 2, 2021. The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 compares the current levels of total budget authority, outlays, and revenues to the overall limits filed in the Congressional Record on February 25, 2021 for fiscal year 2021 and for the 10-year period of fiscal years 2021 through 2030. These comparisons are needed to implement section 311(a) of the Congressional Budget Act of 1974, which establishes a rule enforceable with a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2021 because appropriations for those years have not yet been completed.

Table 2 compares the current status of appropriations for fiscal year 2021 with the limits filed in the Congressional Record on February 25 for fiscal year 2021 for the Committee on Appropriations. The comparison is needed to enforce section 302(f) of the Congressional Budget Act of 1974, which prohibits the consideration of measures that would breach the section 302(a) allocation of new budget authority.

Table 3 compares the current levels of budget authority and outlays for legislative action completed by each authorizing committee with the limits filed in the Congressional Record on February 25 for fiscal year 2021, and for the 10-year period of fiscal years 2021 through 2030. These comparisons are needed to enforce the point of order under section 302(f) of the Congressional Budget Act of 1974. It is also needed to implement section 311(c), which provides an exception for committees that comply with their allocations from the point of order under section 311(a).

Table 4 displays the current level of advance appropriations in fiscal year 2021 appropriations bills. This table is needed to enforce a rule against appropriations bills containing advance appropriations that: (i) are not identified in the statement of the Chairman published in the Congressional Record on May 1, 2020 or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in section 203 of the Bipartisan Budget Act of 2019, as continued in effect by the Concurrent Resolution on the Budget for Fiscal Year 2021.

In addition, a letter from the Congressional Budget Office is attached that summarizes and compares the budget impact of legislation enacted after the adoption of the budget resolution against the budget resolution aggregate in force.

If you have any questions, please contact Jennifer Wheelock or Raquel Spencer.

Sincerely,

JOHN YARMUTH,  
Chairman.

TABLE 1.—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2021, AND 2021–2030 CONGRESSIONAL BUDGET, REFLECTING ACTION COMPLETED AS OF APRIL 2, 2021

(On-budget amounts, in millions of dollars)

	Fiscal Year 2021	Fiscal Years 2021–2030
Appropriate Level:		
Budget Authority .....	5,868,572	n.a.
Outlays .....	5,998,437	n.a.
Revenues .....	2,523,057	35,075,136
Current Level:		
Budget Authority .....	5,786,297	n.a.
Outlays .....	5,862,608	n.a.



TABLE 1.—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2021, AND 2021–2030 CONGRESSIONAL BUDGET, REFLECTING ACTION COMPLETED AS OF APRIL 2, 2021—Continued

[On-budget amounts, in millions of dollars]

	Fiscal Year 2021	Fiscal Years 2021–2030
Revenues .....	2,463,210	35,047,816
Current Level over (+) / under (–) Appropriate Level:		
Budget Authority .....	– 82,275	n.a.
Outlays .....	– 135,829	n.a.
Revenues .....	– 59,847	– 27,320

n.a. = Not applicable because the Concurrent Resolution on the Budget for Fiscal Year 2021 (S. Con. Res. 5) does not provide an allocation for the Appropriations Committee beyond the budget year.

TABLE 2.—APPROPRIATIONS FOR FISCAL YEAR 2021, COMPARISON OF APPROPRIATIONS COMMITTEE ACTION WITH 302(a) ALLOCATION, REFLECTING ACTION COMPLETED AS OF APRIL 2, 2021

[Unified budget amounts, in millions of dollars]

	Fiscal Year 2021
302(a) Allocation:	
Discretionary: <sup>1</sup>	
Budget Authority .....	1,396,516
Outlays .....	1,457,891
Current Law Mandatory:	
Budget Authority .....	1,370,975
Outlays .....	1,321,625
Enacted Legislation:	
Discretionary:	
Budget Authority .....	1,396,516

TABLE 2.—APPROPRIATIONS FOR FISCAL YEAR 2021, COMPARISON OF APPROPRIATIONS COMMITTEE ACTION WITH 302(a) ALLOCATION, REFLECTING ACTION COMPLETED AS OF APRIL 2, 2021—Continued

[Unified budget amounts, in millions of dollars]

	Fiscal Year 2021
Outlays .....	1,457,891
Current Law Mandatory:	
Budget Authority .....	1,370,975
Outlays .....	1,321,625
Difference:	
Discretionary:	
Budget Authority .....	– – –
Outlays .....	– – –
Current Law Mandatory:	
Budget Authority .....	– – –

TABLE 2.—APPROPRIATIONS FOR FISCAL YEAR 2021, COMPARISON OF APPROPRIATIONS COMMITTEE ACTION WITH 302(a) ALLOCATION, REFLECTING ACTION COMPLETED AS OF APRIL 2, 2021—Continued

[Unified budget amounts, in millions of dollars]

	Fiscal Year 2021
Outlays .....	– – –

<sup>1</sup> The allocation filed on February 25, 2021 pursuant to the S. Con. Res. 5 is consistent with appropriations amounts enacted in fiscal year 2021, including cap adjustments.TABLE 3.—DIRECT SPENDING LEGISLATION, COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(a) ALLOCATIONS <sup>1</sup> FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF APRIL 2, 2021

[On-budget amounts, in millions of dollars]

House Committee	Fiscal Year 2021		Fiscal Years 2021–2030 Total		House Committee	Fiscal Year 2021		Fiscal Years 2021–2030 Total	
	BA	Outlays	BA	Outlays		BA	Outlays	BA	Outlays
Agriculture:					Judiciary:				
Change in Allocation .....	– – –	– – –	– – –	– – –	Change in Allocation .....	– – –	– – –	– – –	– – –
Enacted Legislation .....	16,092	12,644	16,092	16,091	Enacted Legislation .....	1,000	200	1,000	1,000
Difference .....	16,092	12,644	16,092	16,091	Difference .....	1,000	200	1,000	1,000
Armed Services:					Natural Resources:				
Change in Allocation .....	– – –	– – –	– – –	– – –	Change in Allocation .....	– – –	– – –	– – –	– – –
Enacted Legislation .....	– – –	– – –	– – –	– – –	Enacted Legislation .....	1,005	409	1,005	1,005
Difference .....	– – –	– – –	– – –	– – –	Difference .....	1,005	409	1,005	1,005
Education and Labor:					Oversight and Reform:				
Change in Allocation .....	– – –	– – –	– – –	– – –	Change in Allocation .....	– – –	– – –	– – –	– – –
Enacted Legislation .....	220,795	26,836	220,892	220,749	Enacted Legislation .....	362,950	284,451	362,950	362,810
Difference .....	220,795	26,836	220,892	220,749	Difference .....	362,950	284,451	362,950	362,810
Energy and Commerce:					Science, Space, and Technology:				
Change in Allocation .....	– – –	– – –	– – –	– – –	Change in Allocation .....	– – –	– – –	– – –	– – –
Enacted Legislation .....	121,784	34,110	138,713	137,909	Enacted Legislation .....	750	125	750	750
Difference .....	121,784	34,110	138,713	137,909	Difference .....	750	125	750	750
Financial Services:					Small Business:				
Change in Allocation .....	– – –	– – –	– – –	– – –	Change in Allocation .....	– – –	– – –	– – –	– – –
Enacted Legislation .....	77,500	37,294	76,780	75,397	Enacted Legislation .....	53,600	63,550	53,600	64,940
Difference .....	77,500	37,294	76,780	75,397	Difference .....	53,600	63,550	53,600	64,940
Foreign Affairs:					Transportation and Infrastructure:				
Change in Allocation .....	– – –	– – –	– – –	– – –	Change in Allocation .....	– – –	– – –	– – –	– – –
Enacted Legislation .....	10,000	1,159	10,000	9,526	Enacted Legislation .....	96,213	28,645	96,213	91,225
Difference .....	10,000	1,159	10,000	9,526	Difference .....	96,213	28,645	96,213	91,225
Homeland Security:					Veterans' Affairs:				
Change in Allocation .....	– – –	– – –	– – –	– – –	Change in Allocation .....	– – –	– – –	– – –	– – –
Enacted Legislation .....	1,560	311	1,560	1,529	Enacted Legislation .....	17,080	10,510	17,065	16,653
Difference .....	1,560	311	1,560	1,529	Difference .....	17,080	10,510	17,065	16,653
House Administration:					Ways and Means:				
Change in Allocation .....	– – –	– – –	– – –	– – –	Change in Allocation .....	– – –	– – –	– – –	– – –
Enacted Legislation .....	– – –	– – –	– – –	– – –	Enacted Legislation .....	607,457	602,864	829,040	818,037
Difference .....	– – –	– – –	– – –	– – –	Difference .....	607,457	602,864	829,040	818,037

<sup>1</sup> Amounts for reconciliation instructions included in S. Con. Res. 5 were not distributed in Committee allocations. However, reconciliation amounts enacted in the American Rescue Plan (P.L. 117–2) have been distributed by Committee. Those distributed amounts are \$53,598 million less over the 2021–2030 budget window than was assumed in S. Con. Res. 5.

TABLE 4.—ADVANCE APPROPRIATIONS PURSUANT TO SECTION 203 OF THE BIPARTISAN BUDGET ACT, REFLECTING ACTION COMPLETED AS OF APRIL 2, 2021

[Budget authority in millions of dollars]

For Fiscal Year 2022:	
Accounts Identified for Advance Appropriations:	
Appropriate Level .....	28,852
Enacted Advances:	
Employment and Training Administration .....	1,772
Education for the Disadvantaged .....	10,841
School Improvement .....	1,681
Career, Technical, and Adult Education .....	791
Special Education .....	9,283
Tenant-based Rental Assistance .....	4,000
Project-based Rental Assistance .....	400
Subtotal, Enacted Advances .....	28,769
Enacted Advances vs. Limit .....	– 83
Veterans Accounts Identified for Advance Appropriations:	
Appropriate Level .....	n.a.
Enacted Advances:	
Veterans Medical Services .....	58,897
Veterans Medical Support and Compliance .....	8,403
Veterans Medical Facilities .....	6,735
Veterans Medical Community Care .....	20,148

TABLE 4.—ADVANCE APPROPRIATIONS PURSUANT TO SECTION 203 OF THE BIPARTISAN BUDGET ACT, REFLECTING ACTION COMPLETED AS OF APRIL 2, 2021—Continued

[Budget authority in millions of dollars]

For Fiscal Year 2022:	
Subtotal, Enacted Advances .....	94,183
For Fiscal Year 2023:	
Accounts Identified for Advance Appropriations:	
Appropriate Level .....	n.a.
Enacted Advances:	
Corporation for Public Broadcasting .....	475
Subtotal, Enacted Advances .....	475

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, April 14, 2021.Hon. JOHN YARMUTH,  
Chairman, Committee on the Budget, House of  
Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2021 budget and is current through April 2, 2021. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on February 25, 2021, pursuant to the Concurrent Resolution on the Budget for Fiscal Year 2021 (S. Con. Res. 5).

Since our last letter dated October 15, 2020, the Congress has incorporated legislation

that cleared in the 116th Congress as previously enacted and therefore this current level letter only itemizes the legislation that cleared beginning with the 117th Congress. The Congress has cleared and the President has signed the following legislation that has

significant effects on budget authority, outlays, and revenues in fiscal year 2021 for the 117th Congress:

American Rescue Plan Act of 2021 (Public Law 117-2); and

PPP Extension Act of 2021 (Public Law 117-6).

Sincerely,

PHILLIP L. SWAGEL,  
Director.

Enclosure.

#### FISCAL YEAR 2021 HOUSE CURRENT LEVEL REPORT THROUGH APRIL 2, 2021

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted: <sup>a,b</sup>			
Revenues .....	n.a.	n.a.	2,538,727
Permanents and other spending legislation .....	2,420,529	2,896,181	n.a.
Authorizing and Appropriation legislation .....	2,809,248	2,895,033	n.a.
Offsetting receipts .....	-1,031,266	-1,031,714	n.a.
Total, Previously Enacted .....	4,198,511	4,759,500	2,538,727
Enacted Legislation			
Authorizing Legislation: <sup>b</sup>			
American Rescue Plan Act of 2021 (P.L. 117-2) .....	1,587,786	1,088,108	-75,517
PPP Extension Act of 2021 (P.L. 117-6) .....	0	15,000	0
Total, Enacted Legislation .....	1,587,786	1,103,108	-75,517
Total Current Level: <sup>a,b</sup> .....	5,786,297	5,862,608	2,463,210
Total House Resolution .....	5,868,572	5,998,437	2,523,057
Current Level Over House Resolution .....	n.a.	n.a.	n.a.
Current Level Under House Resolution .....	82,275	135,829	59,847
Memorandum			
Revenues, 2021-2030			
House Current Level <sup>b</sup> .....	n.a.	n.a.	35,047,816
House Resolution .....	n.a.	n.a.	35,075,136
Current Level Over House Resolution .....	n.a.	n.a.	n.a.
Current Level Under House Resolution .....	n.a.	n.a.	27,320

Source: Congressional Budget Office.

n.a. = not applicable; P.L. = public law.

<sup>a</sup> Sections 1001-1004 of the 21st Century Cures Act (P.L. 114-255) require that certain funding provided for 2017 through 2026 to the Department of Health and Human Services—in particular the Food and Drug Administration and the National Institutes of Health—be excluded from estimates for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act) and the Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act). Therefore, the amounts shown in this report do not include \$474 million in budget authority and \$733 million in estimated outlays.

<sup>b</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the House, the aggregate spending and revenue levels for 2021 published in the Congressional Record on February 25, 2021, by the Chair of the House Committee on the Budget pursuant to the Concurrent Resolution on the Budget for Fiscal Year 2021 (S. Con. Res. 5), do not include budget authority, outlays, or revenues for off-budget amounts. As a result, amounts in this current level report do not include those items.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 422.—An Act to allow Senators, Senators-elect, committees of the Senate, leadership offices, and other offices of the Senate to share employees, and for other purposes.

#### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned until 9 a.m. tomorrow.

Thereupon (at 9 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, April 22, 2021, at 9 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-893. A letter from the Acting Assistant Secretary of Defense for Manpower and Reserve Affairs, Department of Defense, transmitting a Department's 2021 Report, pursuant to 10 U.S.C. 113 note; Public Law 115-232, Sec. 2862(f); (132 Stat. 2284); to the Committee on Armed Services.

EC-894. A letter from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting the Bureau's 2021 annual report to Congress on the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. 1692m(a); Public Law 90-321, Sec. 815(a) (as amended by Public Law 111-203, Sec. 1089(1)); (124 Stat. 2092); to the Committee on Financial Services.

EC-895. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services,

transmitting the Department's final rule — Electronic Import Entries; Technical Amendments [Docket No. FDA-2016-N-1487] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-896. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Technical Amendments [Docket No.: FDA-2021-N-0246] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-897. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs; Correcting Amendments [Docket No.: FDA-2005-N-0464] (RIN: 0910-AA49) received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-898. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Rhode Island; Control of Volatile Organic Compound Emissions [EPA-R01-OAR-2020-0712; FRL-10022-16-Region 1] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-899. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; West Virginia; 1997 8-Hour Ozone National Ambient Air Quality Standard Second Maintenance Plan for the West Virginia Portion of the Wheeling, WV-OH Area Comprising Marshall and Ohio Counties [EPA-R08-OAR-2020-0198; FRL-10022-11-Region 3] received April 1,

2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-900. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; New Mexico and Albuquerque-Bernalillo County, New Mexico; Control of Emissions From Existing Other Solid Waste Incineration Units [EPA-R06-OAR-2011-0513; FRL-10021-41-Region 6] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-901. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Maine; Infrastructure State Implementation Plan Requirements for the 2015 Ozone Standard and Negative Declaration for the Oil and Gas Industry for the 2008 and 2015 Ozone Standards [EPA-R01-2020-0327; FRL-10021-93-Region 1] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-902. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Texas; Interstate Visibility Transport [EPA-R06-OAR-2016-0611; FRL-10021-20-Region 6] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-903. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; South Dakota; Control of Emissions From Existing Municipal Solid Waste Landfills [EPA-R08-OAR-2020-0516; FRL-10020-22-Region 8] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-

121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-904. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of 2019 and 2020 Renewable Fuel Standard Compliance and Attest Engagement Reporting Deadlines [EPA-HQ-OAR-2020-0725; FRL-10021-95-OAR] (RIN: 2060-AV07) received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-905. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; California; Infrastructure Requirements for Ozone [EPA-R09-OAR-2020-0096; FRL-10015-36-Region 9] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-906. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyriofenone; Pesticide Tolerances [EPA-HQ-OPP-2020-0335; FRL-10019-55] received April 1, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-907. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a certification of a proposed license amendment for the export of defense articles, including technical data and defense services; to the Committee on Foreign Affairs.

EC-908. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a certification of a proposed license for exports; to the Committee on Foreign Affairs.

EC-909. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a certification of a proposed license for exports; to the Committee on Foreign Affairs.

EC-910. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a certification of a proposed license for exports; to the Committee on Foreign Affairs.

EC-911. A letter from the Senior Advisor, Department of Health and Human Services, transmitting a notification of an action on nomination, and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

EC-912. A letter from the Solicitor, Federal Labor Relations Authority, transmitting a designation of acting officer, and a change in previously submitted reported information, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

EC-913. A letter from the Chair, Federal Mine Safety and Health Review Commission, transmitting the Commission's 2020 No FEAR Act Report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Reform.

EC-914. A letter from the General Counsel, Office of Personnel Management, transmitting a notification of a designation of acting officer, and a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. CAROLYN B. MALONEY of New York: Committee on Oversight and Reform. Supplemental report on H.R. 51. A bill to provide for the admission of the State of Washington, D.C. into the Union. (Rept. 117-19, Pt.2).

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. RODGERS of Washington (for herself, Mr. BRADY, Ms. FOXX, Mr. GUTHRIE, Mr. NUNES, and Mr. ALLEN):

H.R. 19. A bill to provide for certain reforms with respect to the Medicare program under title XVIII of the Social Security Act, the Medicaid program under title XIX of such Act, the Food and Drug Administration, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Mr. JOHNSON of Georgia, Mr. CASTRO of Texas, Mr. GARCIA of Illinois, Ms. KAPTUR, Ms. OMAR, Mr. BLUMENAUER, Mr. CICILLINE, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Mr. ESPAILLAT, Mr. GRIJALVA, Ms. JAYAPAL, Mr. LOWENTHAL, Mr. MCGOVERN, Mrs. NAPOLITANO, Ms. NORTON, Mr. PANNETTA, Mr. POCAN, Ms. PORTER, Mr. RASKIN, Mr. RUSH, Ms. TLAIB, Mr. VARGAS, Mr. WELCH, Ms. SCANLON, and Ms. PRESSLEY):

H.R. 2716. A bill to suspend certain United States assistance for the Government of Honduras until corruption, impunity, and human rights violations are no longer systemic, and the perpetrators of these crimes are being brought to justice; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILLIAMS of Texas (for himself and Mr. DEUTCH):

H.R. 2717. A bill to establish a grant program to encourage schools to conduct independent facility security risk assessments and make hard security improvements, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS (for himself, Mr. WILSON of South Carolina, Mr. NORMAN, Mr. ROUZER, Mr. JOYCE of Pennsylvania, Mr. LAMALFA, Mr. TIFFANY, Mr. STEUBE, Mr. TIMMONS, Mrs. HARSHBARGER, Mr. JOHNSON of Louisiana, Ms. TENNEY, Mr. GOOD of Virginia, Mrs. LESKO, Mr. HILL, Mr. GOODEN of Texas, Ms. HERRELL, Mr. BABIN, Mr. JACOBS of New York, Mr. ARMSTRONG, Mr. WITTMAN, Mr. CAR-

TER of Georgia, Mrs. McCLAIN, Mr. FULCHER, Mr. PFLUGER, Mr. JOHNSON of Ohio, Mr. WEBER of Texas, Mr. ADERHOLT, Mr. SCALISE, Mr. RESCHENTHALER, Mr. TURNER, Mr. JACKSON, Mr. AUSTIN SCOTT of Georgia, Mr. LATURNER, Mr. TONY GONZALES of Texas, Mr. STEIL, Mr. LAMBORN, Mr. CAWTHORN, Mrs. WALORSKI, Mr. BARR, Mr. WENSTRUP, Mr. ARRINGTON, Mrs. CAMMACK, Mr. BISHOP of North Carolina, Mr. GOSAR, Mr. GARCIA of California, Mr. CARL, Mr. LOUDERMILK, Mr. HUDSON, Mr. HERN, Mrs. HARTZLER, Mr. BUDD, Mr. GIBBS, Mr. BRADY, Mr. BACON, Mr. BERGMAN, Mr. GROTHMAN, Mr. FALLON, Mr. WILLIAMS of Texas, Mr. HIGGINS of Louisiana, Mr. MCCLINTOCK, Mr. MOORE of Utah, Mr. OWENS, Mr. WALTZ, Mr. MANN, Mr. LAHOOD, Mr. MULLIN, Mr. SMUCKER, Mr. CHABOT, Mr. C. SCOTT FRANKLIN of Florida, Mr. FITZGERALD, Mrs. FISCHBACH, Mr. PALMER, Mr. STAUBER, Ms. MALLIOTAKIS, Mr. FEENSTRA, Mr. LATTI, Mr. ROY, Mr. PALAZZO, Mr. BURGESS, Mr. HUIZENGA, Mr. HAGEDORN, Mr. MEUSER, Mr. BAIRD, Ms. CHENEY, Mr. DUNCAN, and Ms. FOXX):

H.R. 2718. A bill to impose additional sanctions with respect to Iran and modify other existing sanctions with respect to Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Oversight and Reform, Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself and Mr. AMODEI):

H.R. 2719. A bill to amend title 49, United States Code, to make modifications to the passenger facility charge program administered by the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BUDD:

H.R. 2720. A bill to provide for domestic sourcing of personal protective equipment, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, Veterans' Affairs, Homeland Security, Education and Labor, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARDENAS (for himself and Mrs. HAYES):

H.R. 2721. A bill to reauthorize the Clean School Bus Program; to the Committee on Energy and Commerce.

By Mr. CARTWRIGHT (for himself, Mr. KRISHNAMOORTHY, Mr. KHANNA, Mr. CORREA, Ms. MATSUI, Ms. NORTON, and Mr. COHEN):

H.R. 2722. A bill to amend the Elementary and Secondary Education Act of 1965 to require local educational agencies to implement a policy on allergy bullying in schools, and for other purposes; to the Committee on Education and Labor.

By Mr. CUELLAR (for himself and Mr. MCCAUL):

H.R. 2723. A bill to promote bilateral tourism through cooperation between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. DELGADO (for himself and Ms. MACE):

H.R. 2724. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide for peer support specialists for claimants who are survivors of military sexual trauma, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ESPAILLAT:

H.R. 2725. A bill to establish a commission to address the fundamental repercussions of a misguided intervention, by the United States on the Dominican Republic between 1916-1924 and 1965-1966, including to study and consider an apology and proposals for the repair of relations and reconciliation with the people of the Dominican Republic, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GALLEG0 (for himself and Mr. MURPHY of North Carolina):

H.R. 2726. A bill to direct the Secretary of Veterans Affairs to establish a plan to reduce the backlog of requests for information made to the Department of Veterans Affairs pursuant to section 552 of title 5, United States Code, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GOLDEN (for himself, Mr. THOMPSON of Pennsylvania, Mr. GALLAGHER, Ms. KUSTER, Mr. TIFFANY, Mr. PALMER, Mr. GROTHMAN, Ms. PINGREE, Mr. NORMAN, Mr. PALAZZO, and Mr. GUEST):

H.R. 2727. A bill to amend the Fair Labor Standards Act of 1938 to exempt certain 16- and 17-year-old individuals employed in timber harvesting entities or mechanized timber harvesting entities from child labor laws, and for other purposes; to the Committee on Education and Labor.

By Mr. TONY GONZALES of Texas (for himself, Mr. JACKSON, and Mr. FALLON):

H.R. 2728. A bill to require the Committee on Foreign Investment in the United States to review any purchase or lease of real estate near a military installation or military airspace in the United States by a foreign person connected to, or subsidized by, the Russian Federation, the People's Republic of China, the Islamic Republic of Iran, or the Democratic People's Republic of Korea, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Foreign Affairs, Energy and Commerce, Armed Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS of Louisiana (for himself, Mr. KATKO, Mr. MCCAUL, Mr. ROGERS of Alabama, Mr. BUDD, Mr. VAN DREW, Mr. PFLUGER, Mr. PERRY, Mr. BURCHETT, Mr. STEUBE, Ms. HERRELL, Mr. ROY, Mr. HICE of Georgia, Mr. BIGGS, Mr. GIMENEZ, Mr. BALDERSON, Mr. GREEN of Tennessee, Mr. ROSENDALE, Mr. CAWTHORN, Mr. GRAVES of Louisiana, Mr. NEHLS, Mr. BABIN, Mr. JOHNSON of South Dakota, Mr. BISHOP of North Carolina, Mr. GUEST, Mr. C. SCOTT FRANKLIN of Florida, Mrs. MILLER of Illinois, Mrs. HARSHBARGER, Mr. BERGMAN, Mrs. CAMMACK, Mr. SESSIONS, Mr. MAST, Mr. AUSTIN SCOTT of Georgia, Mr. MELJER, Mr. YOUNG, Mr. MCCLINTOCK, Mr. NORMAN, Mr. JOHNSON of Louisiana, Mr. MOORE of Alabama, Mrs. WAGNER, Mrs. MILLER-MEEKS, Mr. CLYDE, Mr. JORDAN, Mr. WEBER of Texas, Mr. ALLEN, Mr. MURPHY of North Carolina, Mr. FLEISCHMANN, Mrs. BICE of Oklahoma, Mr. MANN, Mr. BAIRD, Mr. GARBARINO, Mr. FEENSTRA, and Mr. LATURNER):

H.R. 2729. A bill to immediately resume construction of the border wall system along the international border between the United States and Mexico to secure the border, enforce the rule of law, and expend appropriated funds as mandated by Congress, and for other purposes; to the Committee on Homeland Security.

By Ms. JAYAPAL (for herself, Mr. BLUMENAUER, Ms. LEE of California, Mr. GARCÍA of Illinois, Mr. KHANNA, Mrs. CAROLYN B. MALONEY of New York, Mr. MCNERNEY, Mrs. NAPOLITANO, Ms. NORTON, Mr. WELCH, Mr. ESPAILLAT, Ms. OMAR, Mr. POCAN, Ms. OCASIO-CORTEZ, Ms. TLAIB, Mr. TAKANO, Mr. JONES, Mr. BOWMAN, Ms. WILLIAMS of Georgia, Ms. BUSH, Mr. SWALWELL, Ms. PINGREE, Mr. THOMPSON of Mississippi, Mr. TORRES of New York, Ms. CLARKE of New York, Mr. VARGAS, Mrs. WATSON COLEMAN, Ms. SCHAKOWSKY, Mr. GOMEZ, Mr. RASKIN, Mr. JOHNSON of Georgia, Ms. MENG, Ms. CHU, Mr. GRIJALVA, and Ms. PRESSLEY):

H.R. 2730. A bill to amend the Higher Education Act of 1965 to ensure College for All; to the Committee on Education and Labor, and in addition to the Committees on the Budget, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KHANNA (for himself, Mr. GALLAGHER, Ms. WILD, Mr. TURNER, Mr. BOWMAN, Mr. FITZPATRICK, and Ms. SHERRILL):

H.R. 2731. A bill to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN:

H.R. 2732. A bill to provide for the discharge of parent borrower liability if a student on whose behalf a parent has received certain student loans becomes disabled; to the Committee on Education and Labor.

By Mr. LANGEVIN (for himself and Mr. THOMPSON of Pennsylvania):

H.R. 2733. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to States to establish a comprehensive school career counseling framework; to the Committee on Education and Labor.

By Mr. LARSEN of Washington (for himself, Mr. CONNOLLY, Ms. NORTON, Mr. RUSH, Mr. MCGOVERN, Ms. HOULAHAN, Mrs. HAYES, Ms. CHU, Ms. OMAR, Mrs. DINGELL, Mr. KRISHNAMOORTHY, Ms. TITUS, and Mr. MOULTON):

H.R. 2734. A bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to certain members of the Armed Forces, veterans, and their spouses or partners, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Ms. NORTON, Ms. PINGREE, Mr.

GARCÍA of Illinois, Mr. COHEN, Ms. CHU, Mr. JONES, Ms. OMAR, Ms. JAYAPAL, Mr. GRIJALVA, and Mr. GARAMENDI):

H.R. 2735. A bill to impose a tax on certain trading transactions to invest in our families and communities, improve our infrastructure and our environment, strengthen our financial security, expand opportunity and reduce market volatility; to the Committee on Ways and Means.

By Ms. MACE:

H.R. 2736. A bill to amend the Social Security Act to prohibit State and local governments from obligating any coronavirus relief funds provided by the American Rescue Plan Act of 2021 until all coronavirus relief funds made available by the CARES Act are obligated, and for other purposes; to the Committee on Oversight and Reform.

By Mrs. MURPHY of Florida (for herself and Mr. LAHOOD):

H.R. 2737. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to qualified small issue manufacturing bonds, to expand certain exceptions to the private activity bond rules for first-time farmers, and for other purposes; to the Committee on Ways and Means.

By Mr. NADLER (for himself and Ms. LOFGREN):

H.R. 2738. A bill to amend section 2702 of title 18, United States Code, to prevent law enforcement and intelligence agencies from obtaining subscriber or customer records in exchange for anything of value, to address communications and records in the possession of intermediary internet service providers, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'HALLERAN (for himself, Mr. YOUNG, and Mr. COLE):

H.R. 2739. A bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes; to the Committee on the Judiciary.

By Mr. O'HALLERAN (for himself and Mr. COLE):

H.R. 2740. A bill to protect Native children and promote public safety in Indian country; to the Committee on Natural Resources, and in addition to the Committees on Education and Labor, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PANETTA (for himself, Mr. ESTES, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LAHOOD, Ms. DEAN, and Mr. BARR):

H.R. 2741. A bill to modify rules relating to 403(b) plans; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAPPAS (for himself, Mr. FITZPATRICK, Mr. DELGADO, and Ms. KUSTER):

H.R. 2742. A bill to require the Secretary of Veterans Affairs to establish and maintain a registry for certain individuals who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam on military installations; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a

period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAYNE (for himself and Mr. SAN NICOLAS):

H.R. 2743. A bill to amend the Homeland Security Act of 2002 to establish a process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes; to the Committee on Homeland Security.

By Mr. PAYNE (for himself, Mr. BROWN, Ms. JACKSON LEE, Mr. SUOZZI, Ms. NORTON, Mr. VARGAS, Ms. NEWMAN, and Mr. CARSON):

H.R. 2744. A bill to provide hazardous duty pay for Federal employees who may be exposed to COVID-19, and for other purposes; to the Committee on Oversight and Reform.

By Mr. POCAN (for himself, Mr. GARCÍA of Illinois, Mr. KHANNA, Mr. LYNCH, and Ms. NORTON):

H.R. 2745. A bill to provide incentives for businesses to keep jobs in America, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and Labor, Oversight and Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROSS (for herself, Mr. BUTTERFIELD, Mr. MURPHY of North Carolina, Mr. PRICE of North Carolina, Ms. FOX, Ms. MANNING, Mr. ROUZER, Mr. HUDSON, Mr. BISHOP of North Carolina, Mr. MCHENRY, Mr. CAWTHORN, Ms. ADAMS, and Mr. BUDD):

H.R. 2746. A bill to amend title 28, United States Code, to redefine the eastern and middle judicial districts of North Carolina; to the Committee on the Judiciary.

By Ms. SCANLON (for herself and Mr. THOMPSON of Pennsylvania):

H.R. 2747. A bill to amend the Child Abuse Prevention and Treatment Act to provide for better protections for children raised in kinship families outside of the foster care system; to the Committee on Education and Labor.

By Mr. SCHNEIDER (for himself, Mrs. WAGNER, Ms. GARCIA of Texas, Mr. MEIJER, Mr. MEEKS, and Mr. MCCAUL):

H.R. 2748. A bill to encourage the normalization of relations with Israel, and for other purposes; to the Committee on Foreign Affairs.

By Ms. UNDERWOOD (for herself, Ms. BROWNLEY, Mr. LEVIN of California, Mr. MRVAN, and Mr. PAPPAS):

H.R. 2749. A bill to direct the Secretary of Veterans Affairs to update the Lethal Means Safety and Suicide Prevention training course of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCLINTOCK (for himself, Mrs. HINSON, Mr. MOORE of Alabama, Mr. RICE of South Carolina, and Mr. DUNCAN):

H.J. Res. 42. A joint resolution proposing an amendment to the Constitution of the United States to provide that a new State may only be admitted into the Union upon a vote of two-thirds of each House of Congress; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY (for herself, Ms. JAYAPAL, Mr. RUSH, Ms. BARRAGAN, Ms. NORTON, Mr. ESPAILLAT, Mr. BLUMENAUER, Ms. PINGREE, Ms. OMAR, Ms. SCANLON, Mr. RASKIN, Mr. KHANNA, Mr. LYNCH, Mr. POCAN, Ms.

JACOBS of California, Ms. TLAIB, Ms. NEWMAN, Mr. JONES, Mr. HUFFMAN, Mr. GRIJALVA, Mr. COHEN, Ms. MCCOLLUM, Mrs. CAROLYN B. MALONEY of New York, Ms. DEGETTE, Ms. VELÁZQUEZ, Ms. BONAMICI, Ms. WILLIAMS of Georgia, Mr. MORELLE, Ms. CASTOR of Florida, Mr. SARBANES, Mrs. WATSON COLEMAN, Mr. CÁRDENAS, Ms. BROWNLEY, Ms. MATSUI, Ms. CLARKE of New York, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, Ms. MENG, Mr. GARCÍA of Illinois, Mr. MCGOVERN, Mr. BOWMAN, Ms. BASS, and Mr. NADLER):

H. Con. Res. 31. Concurrent resolution recognizing that the climate crisis is disproportionately affecting the health, economic opportunity, and fundamental rights of children, recognizing the importance of renewed leadership by the United States in addressing the climate crisis, and recognizing the need of the United States to develop a national, comprehensive, and science-based climate recovery plan to phase out fossil fuel emissions, protect and enhance natural sequestration, and put the United States on a path towards stabilizing the climate system; to the Committee on Energy and Commerce.

By Mr. AGUILAR:

H. Res. 339. A resolution electing the Sergeant-at-Arms of the House of Representatives; considered and agreed to.

By Ms. KAPTUR (for herself, Mr. FITZPATRICK, Mr. MEEKS, Mr. MCCAUL, Mr. KEATING, Mr. PFLUGER, Mr. QUIGLEY, and Mr. MEIJER):

H. Res. 340. A resolution condemning the Government of Russia's attempted assassination of Mr. Navalny and criminal acts to intimidate and silence Russian freedom defenders; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, Transportation and Infrastructure, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ (for himself, Ms. CHU, Mrs. BEATTY, Ms. BARRAGAN, Mr. MEEKS, Ms. GARCIA of Texas, Mr. CORREA, Ms. MATSUI, Mr. PASCRELL, Mr. TAKANO, Mr. LIEU, Mr. VARGAS, Ms. LEGER FERNANDEZ, Mr. EVANS, Mr. LARSON of Connecticut, Mr. MCNERNEY, Ms. SCHAKOWSKY, Mr. ESPAILLAT, Mr. GARCÍA of Illinois, Mr. GALLEGO, Ms. BONAMICI, Ms. MENG, Ms. NORTON, Mr. GREEN of Texas, Mr. VELA, Ms. JAYAPAL, Mrs. NAPOLITANO, Mr. CASTRO of Texas, Ms. VELÁZQUEZ, Ms. ESCOBAR, Mr. GOMEZ, Ms. ROSS, and Mr. CARBAJAL):

H. Res. 341. A resolution urging the promotion of equity in the distribution and allocation of COVID-19 vaccines among Hispanic, Black, Asian-American, Native Hawaiian and Pacific Islander, and Native American communities; to the Committee on Energy and Commerce.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. RODGERS of Washington:

H.R. 19.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 and Clause 3 of the United States Constitution

By Ms. SCHAKOWSKY:

H.R. 2716.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 and 18.

The Congress shall have Power . . .

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mr. WILLIAMS of Texas:

H.R. 2717.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BANKS:

H.R. 2718.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. BLUMENAUER:

H.R. 2719.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Mr. BUDD:

H.R. 2720.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution: "Congress shall have Power To . . . provide for the common Defence and general Welfare of the United States" and "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. CÁRDENAS:

H.R. 2721.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representative.

By Mr. CARTWRIGHT:

H.R. 2722.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. CUELLAR:

H.R. 2723.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. DELGADO:

H.R. 2724.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. ESPAILLAT:

H.R. 2725.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "The Congress shall have Power [. . .] To regulate Commerce with foreign Nations, and among the several States . . ."

By Mr. GALLEGO:  
H.R. 2726.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

[The Congress shall have Power . . .] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GOLDEN:

H.R. 2727.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. TONY GONZALES of Texas:

H.R. 2728.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3

By Mr. HIGGINS of Louisiana:

H.R. 2729.

Congress has the power to enact this legislation pursuant to the following:

U.S.C. Article I Section 8

By Ms. JAYAPAL:

H.R. 2730.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. KHANNA:

H.R. 2731.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution gives Congress the power to make laws that are necessary and proper to carry out its enumerated powers.

By Mr. LANGEVIN:

H.R. 2732.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution in that the legislation exercises legislative powers granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested by the Constitution in the Government of the United States or any Department or Office thereof."

By Mr. LANGEVIN:

H.R. 2733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution in that the legislation exercises legislative powers granted to Congress by that clause "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested by the Constitution in the Government of the United States or any Department or Office thereof."

By Mr. LARSEN of Washington:

H.R. 2734.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1—all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Ms. LEE of California:

H.R. 2735.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. MACE:

H.R. 2736.

Congress has the power to enact this legislation pursuant to the following:

(Art. I, §8, cl. 3)

By Mrs. MURPHY of Florida:

H.R. 2737.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

Article I, Section 8, Clause 18: "To make all Laws which shall be necessary and proper for carrying into the Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. NADLER:

H.R. 2738.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I to the Constitution

By Mr. O'HALLERAN:

H.R. 2739.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. O'HALLERAN:

H.R. 2740.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. PANETTA:

H.R. 2741.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 18

By Mr. PAPPAS:

H.R. 2742.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution

By Mr. PAYNE:

H.R. 2743.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause 15:

Congress shall have Power to provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions

By Mr. PAYNE:

H.R. 2744.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, Section 8, Clause 15:

Congress shall have Power to provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions

By Mr. POCAN:

H.R. 2745.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Ms. ROSS:

H.R. 2746.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, specifically clause 9, which states "The Congress shall have Power . . . To constitute Tribunals inferior to the supreme Court."

In addition, Article III, Section 1 states that "The judicial power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress

may from time to time ordain and establish."

By Ms. SCANLON:

H.R. 2747.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution

By Mr. SCHNEIDER:

H.R. 2748.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. UNDERWOOD:

H.R. 2749.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution.

By Mr. MCCLINTOCK:

H.J. Res. 42.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, which confers on Congress the power, whenever two thirds of both Houses shall deem it necessary, to propose Amendments to this Constitution.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 243: Mr. BRADY.

H.R. 255: Mr. LARSON of Connecticut.

H.R. 256: Mr. LARSON of Connecticut, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE of New York, Mr. HIGGINS of New York, Mr. VARGAS, Ms. SÁNCHEZ, Ms. CASTOR of Florida, Ms. SLOTKIN, Mr. CARTWRIGHT, Mr. DELGADO, Ms. ROYBAL-ALLARD, and Mr. DAVIDSON.

H.R. 426: Mr. LUETKEMEYER.

H.R. 461: Mr. SUOZZI and Ms. PORTER.

H.R. 471: Mr. GRIFFITH and Mr. LATURNER.

H.R. 476: Ms. DELBENE.

H.R. 496: Mr. CICILLINE and Mr. JACKSON.

H.R. 521: Ms. PINGREE.

H.R. 541: Ms. LETLOW and Mr. BRADY.

H.R. 558: Ms. LETLOW.

H.R. 568: Mr. GRAVES of Louisiana and Mrs. HINSON.

H.R. 620: Mr. BRADY.

H.R. 666: Mr. THOMPSON of Mississippi.

H.R. 682: Mr. DAVIDSON.

H.R. 686: Mr. CONNOLLY.

H.R. 705: Mr. BRADY.

H.R. 708: Ms. PORTER.

H.R. 826: Mr. CICILLINE.

H.R. 856: Ms. TENNEY.

H.R. 881: Ms. JOHNSON of Texas, Ms. NEWMAN, Mr. HUFFMAN, Mr. NEGUSE, Mr. JOHNSON of Georgia, and Mr. GARCÍA of Illinois.

H.R. 890: Mr. CICILLINE, Mrs. CAROLYN B. MALONEY of New York, Ms. ESHOO, and Ms. TITUS.

H.R. 909: Mrs. NAPOLITANO.

H.R. 1012: Ms. STRICKLAND.

H.R. 1015: Mr. LOWENTHAL, Ms. ROYBAL-ALLARD, and Mr. GARAMENDI.

H.R. 1035: Mr. CONNOLLY.

H.R. 1036: Mr. PERRY, Mr. SHERMAN, and Mr. CICILLINE.

H.R. 1080: Mr. BRADY.

H.R. 1111: Ms. JACKSON LEE.

H.R. 1115: Mr. BARR, Mrs. TRAHAN, Mr. FALLON, and Mr. BUCHSON.

H.R. 1117: Mr. LOWENTHAL.

H.R. 1145: Mr. SUOZZI and Mr. GALLEGO.

H.R. 1155: Mr. LIEU, Mr. CICILLINE, and Mr. JACKSON.

H.R. 1179: Mr. MCCLINTOCK.

H.R. 1194: Mr. LOWENTHAL.

H.R. 1219: Mr. LANGEVIN, Ms. BONAMICI, and Mr. SESSIONS.

H.R. 1259: Mr. GREEN of Tennessee.

H.R. 1346: Mr. HUIZENGA and Mr. PENCE.



- H.R. 1488: Mr. CICILLINE.  
H.R. 1496: Mr. GREEN of Tennessee.  
H.R. 1534: Mr. WILLIAMS of Texas.  
H.R. 1548: Mr. DELGADO.  
H.R. 1650: Mr. COMER.  
H.R. 1656: Mr. KELLY of Pennsylvania.  
H.R. 1667: Mrs. LURIA and Mr. MRVAN.  
H.R. 1695: Mr. OWENS.  
H.R. 1703: Mr. CONNOLLY.  
H.R. 1718: Mr. JACKSON.  
H.R. 1769: Ms. KELLY of Illinois.  
H.R. 1807: Mr. FALLON.  
H.R. 1929: Ms. NORTON.  
H.R. 1931: Ms. STRICKLAND, Mr. WELCH, Ms. JAYAPAL, Ms. JACKSON LEE, Ms. ROYBAL-ALLARD, Mr. MALINOWSKI, Mr. POCAN, Mrs. TORRES of California, Mr. HUFFMAN, Ms. DELBENE, Mrs. KIM of California, and Mr. LARSEN of Washington.  
H.R. 1974: Mr. KELLY of Mississippi.  
H.R. 2042: Ms. NORTON.  
H.R. 2059: Mr. WITTMAN.  
H.R. 2062: Ms. SALAZAR.  
H.R. 2096: Mr. MOULTON and Mr. PAPPAS.  
H.R. 2100: Mr. TONY GONZALES of Texas.  
H.R. 2103: Mr. RESCHENTHALER.  
H.R. 2125: Mr. DESAULNIER.  
H.R. 2165: Mr. FALLON.  
H.R. 2168: Mr. VAN DREW.  
H.R. 2182: Ms. ESHOO, Ms. JOHNSON of Texas, and Mr. DEUTCH.  
H.R. 2198: Ms. CASTOR of Florida.  
H.R. 2218: Mr. BUDD.  
H.R. 2222: Ms. BARRAGÁN, Ms. ESCOBAR, Mrs. NAPOLITANO, Ms. NEWMAN, Ms. PINGREE, and Mr. SHERMAN.  
H.R. 2224: Mr. LUETKEMEYER and Mr. SMITH of Nebraska.  
H.R. 2226: Mr. RUIZ.  
H.R. 2282: Mr. AUCHINCLOSS.  
H.R. 2283: Ms. STRICKLAND and Ms. SCANLON.  
H.R. 2294: Mr. KATKO.  
H.R. 2328: Ms. DAVIDS of Kansas and Mr. KIND.  
H.R. 2349: Mr. FALLON.  
H.R. 2372: Mr. KAHELE and Mrs. DINGELL.  
H.R. 2373: Mr. DESAULNIER, Ms. NORTON, and Ms. MOORE of Wisconsin.  
H.R. 2378: Mr. FITZPATRICK and Mr. COLE.  
H.R. 2380: Ms. ROSS.  
H.R. 2399: Ms. CRAIG.  
H.R. 2400: Mr. KELLY of Mississippi.  
H.R. 2469: Mr. DAVIDSON.  
H.R. 2483: Mr. PANETTA.  
H.R. 2488: Mr. DAVIDSON and Mr. WESTERMAN.  
H.R. 2500: Mr. ROSENDALE and Mr. LAMALFA.  
H.R. 2579: Mr. SMITH of Missouri.  
H.R. 2598: Mr. THOMPSON of Mississippi, Mr. TAKANO, Ms. WILLIAMS of Georgia, Ms. TLAIB, Mr. JONES, and Ms. JACKSON LEE.  
H.R. 2600: Mr. NEHLS.  
H.R. 2606: Mr. BACON.  
H.R. 2608: Ms. STEFANIK.  
H.R. 2619: Mr. GOOD of Virginia, Mr. BRADY, and Mr. MAST.  
H.R. 2639: Mr. GUTHRIE, Mr. WENSTRUP, Mr. BABIN, and Mr. SMITH of Missouri.  
H.R. 2646: Mr. SUOZZI, Mr. DESJARLAIS, Mr. GALLAGHER, Mr. SMITH of New Jersey, and Mr. JOHNSON of Ohio.  
H.R. 2651: Mr. BIGGS, Mr. LAMALFA, Mr. WEBSTER of Florida, Mrs. GREENE of Georgia, Ms. HERRELL, Mr. BABIN, Mr. GOSAR, and Mr. NORMAN.  
H.R. 2660: Mr. BUCSHON.  
H.R. 2661: Ms. JAYAPAL.  
H.R. 2662: Ms. NORTON.  
H.R. 2705: Mr. BURGESS, Mr. COLE, Mr. LATURNER, Mr. DUNCAN, Mr. MULLIN, Mr. YOUNG, Mr. HIGGINS of Louisiana, Ms. TENNEY, Mr. MAST, Mr. HAGEDORN, and Mr. OWENS.  
H.R. 2708: Ms. MALLIOTAKIS, Mr. TIFFANY, Mr. WEBER of Texas, Mr. GOOD of Virginia, Mr. SMITH of Missouri, and Ms. HERRELL.  
H.R. 2712: Mr. PHILLIPS.  
H. Con. Res. 19: Ms. JOHNSON of Texas.  
H. Con. Res. 29: Ms. MCCOLLUM, Ms. NORTON, Mr. HORSFORD, Ms. VELÁZQUEZ, Mr. LOWENTHAL, Ms. DEAN, Mr. SUOZZI, Ms. TITUS, Ms. MENG, Mr. NADLER, Mrs. CAROLYN B. MALONEY of New York, Mr. CICILLINE, Mr. TORRES of New York, Mr. PAPPAS, Ms. SÁNCHEZ, and Mr. DANNY K. DAVIS of Illinois.  
H. Res. 47: Mr. NORCROSS and Ms. OCASIO-CORTEZ.  
H. Res. 114: Ms. CHENEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. NORCROSS, Mr. KILMER, Mr. REED, and Ms. OCASIO-CORTEZ.  
H. Res. 118: Ms. ESCOBAR, Mr. PASCRELL, Mr. REED, Mr. PFLUGER, and Mr. TAKANO.  
H. Res. 186: Ms. KAPTUR, Mr. CICILLINE, Mr. MEUSER, and Ms. SPANBERGER.  
H. Res. 225: Ms. NEWMAN and Ms. ESHOO.  
H. Res. 289: Mr. SCHNEIDER, Mr. RUSH, Mr. PAPPAS, Mr. FITZPATRICK, Mr. SMITH of Missouri, and Mr. PASCRELL.  
H. Res. 294: Mr. CICILLINE, Mr. LIEU, Mr. REED, and Mr. FOSTER.  
H. Res. 309: Mr. JACKSON.  
H. Res. 317: Mr. SHERMAN, Mr. ZELDIN, Mr. LIEU, and Mr. ADERHOLT.  
H. Res. 334: Mr. SMITH of New Jersey.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, FIRST SESSION

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No. 69

## Senate

The Senate met at 10:30 a.m. and was called to order by the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, we thank You for Your great blessings. Lord, we are grateful that though the arc of the moral universe is long, it bends toward justice.

Continue to use our lawmakers to permit justice to roll down like waters and righteousness like a mighty stream.

May our Senators trust Your prevailing providence as they realize that behind the dim unknown, You stand within the shadows, keeping watch above Your own.

Lord, be with all the families affected by the Derek Chauvin trial. Be also with the many brave men and women who faithfully serve You in law enforcement.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, April 21, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN RAY LUJÁN, a Senator from the State of New Mexico, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. LUJÁN thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 60; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table with no intervening or debate; that no further motions be in order to the nomination; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Adm. John C. Aquilino

### LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. The Senate will now resume legislative session.

### TRIAL OF DEREK CHAUVIN

Mr. SCHUMER. Mr. President, yesterday, a jury of former police officer Derek Chauvin's peers determined that he was guilty of murdering George Floyd, confirming what was plain to the millions of Americans who watched his murder on video—9½ excruciating minutes that documented the senseless and unnecessary loss of one man's life in broad daylight.

Our country was forever changed by the horrendous video of Derek Chauvin killing Mr. Floyd. His searing final words, screaming for air, calling for his mother, are etched in our memory. This guilty verdict serves as an official proclamation of what so many of us have known for nearly a year: George Floyd was murdered by an officer who was sworn to protect and to serve but who, obviously, didn't.

The brutality of George Floyd's murder, yet another in a seemingly endless string of tragedies, sparked a summer of protest unlike any we have seen in American history, elevating a long-building movement for more justice in policing. Americans of every age, color, and creed took to the streets in peaceful protest—from Minneapolis to Maine and Los Angeles to Atlanta, and including in my own home city of New York. A community of global citizens would soon join them in protest. In foreign capitals—from Rome, Paris, and London to Amsterdam, Berlin, and Mexico City—the name George Floyd would echo through the public square. This was not only a fight for justice but a fight against the mistreatment, discrimination, and outright bigotry that Black men and women suffer at the hands of State power, not just here in America but around the globe.

The death of George Floyd provoked such a reaction because folks in those

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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communities knew a George Floyd of their own. Names of friends and colleagues who were tragically killed or suffered the brutal sting of racism sprang to their tongues. They still do.

Philando Castile, Ahmaud Arbery, Breonna Taylor, Trayvon Martin, Eric Garner, Daniel Prude, Sandra Bland—each circumstance different, the underlying tragedy much the same. Their names, and countless others, serve as a reminder that a single verdict in a single trial will never be enough.

It wasn't long ago that excessive force by police was never caught on iPhones or body cameras. It was out of sight and often beyond the reach of the law, which gave almost reflexive deference to police officers who were brought to trial, if they were ever brought to trial.

So this was an important event for the American justice system. Not only were the events concerning George Floyd caught on camera, but the offending officer was tried and convicted in a court of law. Let it serve as the proper deterrent—a deterrent that should have existed long ago—to the kind of egregious misconduct that led to George Floyd's death.

However, and most certainly, we should not mistake a guilty verdict in this case as evidence that the persistent problem of police misconduct has been solved or that the divide between law enforcement and so many of the communities they serve has been bridged. It has not.

We must remain diligent in our efforts to bring meaningful change to police departments across the country, to reform practices and training, and the legal protections that grant too great a shield to police officers guilty of misconduct.

We also must remain diligent in striving to root out the racial bias in our society: in our healthcare system, in jobs, in housing, in the economy, in the boardroom and at the ballot box, on our streets, and in our schools.

This goes way beyond party or political faction. Racism strikes at the very core of this country. Justice—true justice—will not come until we finally banish the ancient poison of racism from the American soul.

The Senate will continue that work as we strive to ensure that George Floyd's tragic death will not be in vain. We will not rest until the Senate passes strong legislation to end this systemic bias in law enforcement.

#### NOMINATION OF VANITA GUPTA

Mr. SCHUMER. Mr. President, now on a related subject, part of that effort, though modest, is installing committed, experienced, compassionate civil rights leaders in positions of power in the Justice Department, our Nation's top law enforcement Agency. It just so happens that, today, the Senate will vote on the confirmation of Ms. Vanita Gupta to be the next Associate Attorney General.

Not only is Ms. Gupta the first woman of color to ever be nominated to the position, she is the first civil rights attorney ever to be nominated to the position—the third ranking official in the Justice Department. That is shocking, really. We never have had a former civil rights attorney serving in such a position of prominence at the Justice Department. In that sense alone, Ms. Gupta would bring a long overdue perspective to our Federal law enforcement Agency.

Just to give you a sense of Ms. Gupta's commitment to civil rights and racial equity, in her very first case after law school, she won the release of several African Americans who had been wrongly convicted by all-White juries in Texas. Her clients later won a full pardon from Texas Governor Rick Perry.

At a time when our country needs to make strides against racial injustice, how can we not install one of the Nation's top civil rights lawyers at the Department of Justice? How can our colleagues not rise to the occasion—our colleagues on the other side of the aisle—and vote for her? I am so, so troubled by the fact that they are virtually unanimously against such a fine person who is needed so much at this time.

Yes, but, unfortunately, Ms. Gupta might be the first nominee in this Congress where the vote falls entirely down on party lines. I hope it doesn't come to that. The effort to elevate highly qualified civil rights attorneys like Ms. Gupta should be bipartisan.

I urge my colleagues—all of them, and particularly my friends on the other side of the aisle—to vote in favor of Ms. Gupta's nomination today.

#### ENDLESS FRONTIER ACT

Mr. SCHUMER. Mr. President, on a different matter here, for nearly a century, America's national security and economic security has been grounded in our scientific and technological superiority, often supported by smart investments by the Federal Government. But in recent years, countries like China have closed the gap with the United States. If we fail to respond, they will overtake us, with drastic consequences for our workers, businesses, allies, and partners around the world.

It is long past time for the United States to make the next wave of investments to fix dangerous weak spots in our economy and preserve our place as the world leader in science and technology, which then leads to millions of good-paying jobs here in this country.

So, today, I am proud to join with my friend the Republican Senator from Indiana, Senator YOUNG, and several of my colleagues from both sides to reintroduce the Endless Frontier Act. It is a big, bold, and bipartisan initiative to propel American science and technology into the 21st century. Let me stress that last point. This bill is bipartisan.

As Senator YOUNG and I have worked on the bill over the past several months, several Senators from both sides have been added as original co-sponsors: six Democrats and six Republicans. That is because there is a bipartisan consensus that the United States must invest in the technologies of the future to outcompete China. Whichever nation develops new technologies first, be they democratic or authoritarian, will set the terms for their use. The stakes for personal privacy and personal liberties, as well as for national security, economic security, and minority rights around the globe, are simply enormous.

So at the center of this legislation is a \$100 billion investment in research, commercialization, and workforce training in the kinds of technology that will play an outsized role in the future—semiconductors, artificial intelligence, quantum computing, and 5G, to name a few.

Another \$10 billion would foster the development of technological hubs around the country. We want to see Silicon Valleys across the country, from my home State of New York and upstate to communities in the South, to the Midwest, to other places that rarely get the attention they merit despite the potential of their workforces, their institutions, and their links to the global economy.

Technological growth in jobs should not be limited to a few centers in America, and this bill attempts to spread it to other communities as well. It will also strengthen the critical supply chains in the United States and with global allies and partners. The Endless Frontier Act is exactly what we need to reinvigorate American science and technology, to promote our national security, and to create the jobs of the future.

I have committed to put a bipartisan, competitive-related bill on the floor of the Senate. The Endless Frontier Act will be a central part of that legislation. We will also push for emergency spending to implement the bipartisan semiconductor manufacturing provisions in last year's Defense bill.

Another potential component, led by Senators Menendez and Risch, is being marked up in the Senate Foreign Relations Committee this week. This is exactly what our Republican colleagues have asked for when it comes to regular order.

We are marking up bipartisan bills in committee and considering bipartisan amendments here on the floor. We have just seen this back process play out on the anti-Asian hate crimes bill this week, and next week we are going to follow it up with a water infrastructure bill that is also thoroughly bipartisan.

Our efforts to cement another century of American economic leadership should be no different—thoroughly bipartisan.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. 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.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### BIDEN ADMINISTRATION

Mr. MCCONNELL. Mr. President, early on, a major theme of the Biden administration has been false advertising. We have the so-called COVID relief bill that broke a long bipartisan streak on pandemic response and only spent 1 percent of the money on vaccinations.

We have the reintroduction of a sprawling election takeover bill that Democrats wrote years ago under the guise that it is a commonsense voting rights bill.

We have a President who ran on protecting norms flirting with proposals to hot-wire the Senate rules and pack the Supreme Court. And then we have the latest example, where even one Ivy League expert says Democrats' spin "does a bit of violence to the English language." They have assembled a patchwork of leftwing social engineering programs and want to label it "infrastructure."

Now, as I pointed out before, the first notable thing about the Biden administration's plan is what it doesn't focus on. Less than 6 percent of the alleged infrastructure bill would invest in roads and bridges. The total amount of funding it would direct to roads, bridges, ports, waterways, and airports combined—all together—adds up to less than what it would spend just on electric cars.

The far left sees a strong family resemblance between these proposals and their socialist Green New Deal. Yesterday, the House and Senate authors of that manifesto reintroduced it, while noting and boasting that the DNA of the Green New Deal is all over President Biden's legislative proposals. No wonder that White House's document rolling out the President's bill mentioned the words "climate" and "union" more often than "roads" and "bridges."

It would pick winners and losers in automotive manufacturing. It would force-feed the electrical grid some of the least reliable forms of energy. It would hector school cafeterias to stop using paper plates and force new standards and mandates on family homes.

And the relative pittance this proposal does allocate to actual infrastructure would have to creep through a tangled environmental review process. Without serious permitting reform,

it won't build back better; it will build back never.

But at least some of these bad ideas have a tangential relationship to the actual concept of infrastructure, not so for some other statements we have heard from actual Democrats in recent days:

Climate action is infrastructure.

Police accountability is infrastructure.

Caregiving is infrastructure.

Supreme Court expansion is infrastructure.

Now, unsurprisingly, this liberal omnibus is not exactly an efficient engine for driving our economy. The White House's inflated claims of expected job creation have been fact-checked and received Pinocchios from the Washington Post.

Even under the rosier scholarly assumptions—the rosier assumptions—the White House's own favored estimates, taxpayers would pay more than \$800,000 for each job the plan might create. Now, I know a lot of small businesses that could create more than one job if we handed them \$800,000.

And then there are the tax hikes. This proposal is a Trojan horse to roll back the historic 2017 tax reform plan that helped spur big-time wage growth and the best job market in a generation before COVID-19. So the administration's proposal bears little resemblance to the bipartisan infrastructure bill Americans need and deserve. It just reads like customer service for the radical fringe.

#### NOMINATION OF VANITA GUPTA

Mr. MCCONNELL. Mr. President, now on another matter, over the past few months, Senate Republicans have made clear we believe a President is entitled to choose qualified, mainstream nominees to staff the executive branch and receive prompt and fair treatment from the Senate. I would say the 50 Senate Republicans have treated President Biden's nominees considerably more fairly than Senate Democrats treated the last President's, but the nominee we are considering this week is way outside the mainstream.

I will strongly oppose confirming Vanita Gupta to serve as Associate Attorney General, and I would urge colleagues to do the same. Ms. Gupta has spent her career, in large part, as an activist for leftwing causes. Her work for high-profile liberal interest groups and the Obama Justice Department have left a record of astoundingly radical positions. Those far-left positions were loud and proud until this prospect of promotion seemed to change the nominee's tune.

Previously, this nominee stated that "states should decriminalize simple possession of all drugs." She said "states should decriminalize simple possession of all drugs." Ah, but now Ms. Gupta claims her position has "evolved."

At her confirmation hearing, she refused to say she would accept any—any—limitation on abortions, up to

and including partial-birth. That puts her at odds with nearly 70 percent of Americans across the political spectrum.

Recently, Ms. Gupta has insisted she can be trusted to oppose efforts to defund law enforcement, but she told the Judiciary Committee just last year that State and local leaders should "heed calls" from groups demanding that they decrease—decrease—police budgets.

This nomination has revealed a lengthy trail of radical claims and hasty backtracks, but there are also questions of temperament. The nominee has repeatedly amplified leftwing fearmongering toward judicial nominees and sitting Federal judges. She has levied ad hominem attacks on Members of this body. And during the confirmation process, she employed the loosest possible interpretation of her oath to deliver honest testimony, even drawing the ire of the liberal Washington Post for transparent flip-flops and misleading Senators about her own public statements.

This nominee contrasts sharply—sharply—with the resume and reputation of Attorney General Garland, whom I voted to confirm. The White House needs to make a better choice for this key post. The Senate should create that opportunity by voting no today.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Vanita Gupta, of Virginia, to be Associate Attorney General.

The ACTING PRESIDENT pro tempore. The majority whip.

#### INFRASTRUCTURE

Mr. DURBIN. Mr. President, before making a comment related to Vanita Gupta, which is before the Senate, I would like to respond briefly to the minority leader Senator MCCONNELL's remarks.

The Senate is a venerable institution, but when it comes to defining infrastructure in the 21st century, what we are hearing from the other side of the aisle is not venerable thinking. It

isn't even old-fashioned thinking. It isn't in tune with the times in America. It doesn't reflect reality.

For the Republicans to argue that unless it is bricks and mortar, the government shouldn't be involved in building it for the good of the economy and the strength of business and good-paying jobs really is sinking their head deep into the sand.

And I think we ought to make a record, at least for the moment, that in the last 4 years of the last Presidential administration, there were no infrastructure bills—none. After all the promises of the Trump campaign and what he would bring, nothing happened—nothing. So to be lectured by the Republicans about what infrastructure is all about is to suggest to them that they missed a golden opportunity to help America, and we are not going to miss it.

To think that the Republican definition of infrastructure in America does not include the expansion of broadband coverage across this Nation—what are they thinking? Their minds are back 10 and 20 years ago.

Is broadband coverage for all Americans in every corner of this country a socialist idea to the Republicans? I think it is a commonsense idea to the people of America. They know it when their kids have laptops, and they have to sit in the parking lot of a library or next to a McDonald's or Starbucks in order to get access. They know what that means to their child, to their student in terms of their progress. Businesses know it too.

Try to advertise some section of America without access to broadband coverage to locate a new business. It is a laughing matter, and we know it.

So when President Biden suggests that broadband is part of infrastructure in America and then he is mocked as being a socialist by the Republicans, we have a clear definition of where the party values are today.

When it comes to other basic things, the Senator from Kentucky just doesn't empathize with what families go through to put people on the job. It isn't just a matter of finding a good job and being qualified to fill that job. There is also a family concern—a family concern that can literally make a difference as to whether you take that job.

The Democrats believe that childcare—affordable quality childcare—is part of the equation in terms of good-paying jobs being filled by Americans, where families want to be sure their kids are safe.

Is that socialism? Is that another example of socialism for the Republicans—quality daycare, affordable for families? It is not socialism in my book. It is a family value. That is why I think the efforts of the Republicans to run down President Biden's attempts to strengthen this economy really are antiquated and perhaps not in the best interest of this country.

#### NOMINATION OF VANITA GUPTA

Mr. President, we will be voting in a few minutes on Vanita Gupta.

Yesterday was a day that many Americans will never forget with the decision in a trial in Minnesota, carefully watched by millions across America and around the world. The death of George Floyd was a stark moment, when one piece of videotape has been emblazoned in the minds of people in the United States and around the world.

Under the knee of Officer Chauvin, George Floyd lost his life on a street in Minneapolis. Whether there would be accountability and justice as a result was an unanswered question until yesterday, and the answer came through loud and clear. The jury spoke, and justice was served. And now we have a responsibility to move forward.

The reason I make reference to that in light of the nomination of Vanita Gupta is the fact that the path to civil rights progress in America is often difficult and, for those who try to lead, often a lonely battle.

Vanita Gupta has taken more than her fair share of criticism from the Republican side of the aisle. I sometimes find it hard to believe that this amazing, outstanding, remarkable young woman is being degraded by so many Republicans when she comes to the floor for consideration by the Senate.

She has a record that is incredible. She is the right person for this job in the Department of Justice as Associate Attorney General. She is unquestionably well-qualified. She would be the first civil rights attorney and the first woman of color to be an Associate Attorney General. And, you know, I think that is at the heart of the problem as far as some Republicans are concerned. They are just not ready for that kind of change. Well, they should be.

Anybody who has turned on the news in the last week has seen that we need police reform in this country. We need to repair the relationship between law enforcement and the communities they serve.

Vanita Gupta has a proven track record of doing just that. As head of the Justice Department's Civil Rights Division, she led efforts to reform police departments across the Nation, and she did it in a way that brought people together: civil rights advocates, community leaders, and police and law enforcement. As a result, she has incredibly broad support.

When I hear them talk about defunding the police and how she is anti-police, how in the world do the Republicans explain the fact that she has the support of every major law enforcement group in this country? They just conveniently ignore that fact. If anything they said were true—really true—do you think that the Fraternal Order of Police would be standing behind her, as well as the civil rights community?

Consider this statement from the Federal Law Enforcement Association.

They said: “Ms. Gupta has a proven history of working with law enforcement agencies, corrections officials, advocates, stakeholders, and elected officials across the political spectrum.”

That is an incredible statement for an attorney—a civil rights attorney—who has not shied away from the battle, has walked into the most controversial situations in her time, and has proven over and over that she can not only just get the job done but she can do it to the satisfaction of both sides believing she was fair in the process.

She has the support of outstanding conservatives like Grover Norquist, Michael Chertoff, and Mark Holden, former counsel of Koch Industries.

I listened to the Republicans' baseless charges and smears against Ms. Gupta last week, and I find it amazing that they can ignore every law enforcement group that supports her and every leading conservative spokesman who has come out for her.

She has been the head of the Department's Civil Rights Division. She led efforts to prosecute human trafficking, combat religious discrimination, protect the rights of men and women in uniform, and to ensure that members of our military are not taken advantage of.

She has a career as a civil rights lawyer. This book tells the story. Six months out of law school, working for the Legal Defense Fund, she ended up taking an assignment in Tulia, TX. Why did she take this assignment? Because, when she did, there were some 40 people who had been arrested in this town. One out of every five Black adults in town was behind bars, all accused of dealing cocaine to the same undercover officer, Tom Coleman.

Coleman, the son of a well-known Texas ranger, had been named “Officer of the Year” in Texas. Not until after the trials in which Coleman's uncorroborated testimony secured sentences as long as 361 years—that is not a typo, 361 years—did it become apparent that Mr. Coleman had misrepresented his own qualifications and, sadly, misrepresented all of the cases before him.

Two dozen people were in prison, most of them African Americans. The town of Tulia had become a battlefield in the national debate over the war on drugs. And who was sent into this to represent the civil rights of those sitting in jail, who had been wrongly convicted? Vanita Gupta. Six months out of law school, she went down to Texas.

I would imagine that, 6 months out of law school, I was still searching for the right place to eat lunch with a partner in a firm—but not her. She went down there and became an outstanding advocate. And what happened as a result? As a result of her efforts and the efforts of other civil rights attorneys and the courage they showed, the determination they showed, the Republican Governor of Texas, Perry,

ended up pardoning every one of these criminal defendants and authorized the payment of millions of dollars in compensation for their damages.

And so when we hear from the Republicans that she is not ready for prime time, she is too radical, she can't handle this job, we are all going to vote against her—and they have—you think to yourself: Did they ever take a minute to read what she has done with her life, time and time again?

I will tell you, it is incredible to me that we are at this moment in history that a woman of color with an extraordinary civil rights record wants to make history in the Department of Justice, wants to continue to serve this Nation, representing our government and prosecuting cases for the American people, that she is prepared to take her experience and expertise and sit down and try to help us solve these monumental challenges we currently face and can't get a single Republican to stand in support—not one. It is hard to imagine.

Well, as I mentioned before, she has tackled tough assignments before successfully in the cause of the name of justice. The Justice Department, her service there, the Tulia case, which many don't want to talk about, has been true throughout her career. She is guided by an unshakable belief in upholding the rule of law and vindicating the rights of those who are too frequently taken advantage of, marginalized, and forgotten.

To Vanita Gupta, the people who have suffered discrimination in this country matter. She has dedicated her life to that. It troubles some. It wrangles them. It makes them angry, but the fact of the matter is, she is an extraordinary, essentially amazing woman in my estimation.

She has demonstrated already what kind of leader she is, what kind of courage she had 6 months out of law school to go to Tulia, TX, and to represent people already serving time in jail, who were ultimately released.

She also has a proven record of bipartisanship, a record of working with law enforcement and community leaders, and a record of upholding the rule of law.

In just a few minutes—3 or 4 minutes—the Senate will get a chance to advance her nomination, and perhaps several hours after that, we will finally give her the vote of confidence she deserves to join the Department of Justice, Merrick Garland, and now Lisa Monaco, who is being sworn in today, and be part of the team that heard the message in Minnesota yesterday and is prepared to move forward to make America a better place for all, a better place for opportunity and equality and real justice.

We need the right people in the Department of Justice at this moment in history more than ever in current memory, and we have the beginnings of that team with our Attorney General and with Lisa Monaco. Vanita Gupta

should join them. She should be able, the day after tomorrow or even sooner, if possible, to be sworn into office and have this opportunity to continue her service to the Department of Justice and the cause of justice. That, to me, is indicated by her background and by the endorsement she has faced.

When you hear the bad comments about her from the other side of the aisle, pause and think for a moment: But, Senator, if she is so bad, why did all of the law enforcement groups in America support her? Why do all the civil rights organizations support her? Why does she have the support of so many conservatives, even in the business community, if she is as bad as you say she is?

The honest answer is she is not. She is a quality individual with remarkable credentials and a remarkable wealth of experience that she wants to continue to bring to our government. I hope the Senate will give her that opportunity. I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. THUNE. Mr. President, I ask unanimous consent that I be able to complete my remarks before the vote.

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

#### FOR THE PEOPLE ACT

Mr. THUNE. Mr. President, it is another day and another manufactured crisis. Yesterday, I came down to the floor to talk about the supposed crisis of confidence in the Supreme Court that requires us to immediately add four additional Democrat-chosen Justices.

Today, I want to talk about another manufactured crisis, and that is the supposed election crisis that requires us to pass H.R. 1, a Democrat piece of legislation designed to increase Democrats' chances of maintaining their current tenuous hold on power.

H.R. 1 is not new legislation. Democrats introduced a nearly identical version of this bill in the last Congress as well. Back then, we were told that we needed this bill to address profound electoral problems in our democracy—in other words, Democrats didn't like the results of the 2016 elections.

Then, of course, last year, we had an election with record voter turnout—the highest voter turnout since 1900—an election that gave Democrats the Presidency and paper-thin majorities in Congress, and the story changed. Now we are told that we need to pass H.R. 1 and federalize elections because legislatures around the country are passing “voter suppression” laws.

The State of Georgia recently passed an election reform measure—a law that keeps Georgia squarely in the mainstream when it comes to State election laws.

The Speaker of the Georgia House of Representatives noted yesterday in testimony before the Senate Judiciary Committee that while Georgia has made its no-excuse absentee voting

more secure with this law, States like Delaware and New York—among many others—don't even allow no-excuse voting.

Delaware, of course, is the home State of the President of the United States. New York is the home State of the Democratic leader. I haven't noticed the President or the Democratic leader criticizing their home States for voter suppression. Nevertheless, Democrats decided that the Georgia measure would serve as a useful rallying cry for H.R. 1, so they spread a web of misinformation and outright lies, attempting to get people worked up by portraying Georgia's fairly ordinary election reform laws as a radical attempt to suppress voters and to suppress votes.

President Biden irresponsibly described the law as “Jim Crow on steroids,” as if the Georgia Legislature had decided to reinstate the evil of segregation. The President has been repeatedly rebuked by none other than the Washington Post for repeating a completely false claim about the Georgia law. In fact, the Washington Post gave the President four Pinocchios—a rating that the Post reserves for “whoppers”—for his false claim that the law is designed to keep working Americans from voting. In fact, as the Post's Fact Checker piece makes clear, there is reason to think the law might actually—wait for it, Mr. President—expand access to early voting.

A fair-minded piece in the New York Times, hardly a newspaper that carries water for Republicans, concluded that the voting provisions of the Georgia law are “unlikely to significantly affect turnout or Democratic chances.” But that hasn't stopped Democrats from using Georgia's law as the poster child for supposed voter suppression and the pressing reason to pass H.R. 1.

Let's talk about the substance of H.R. 1. To start with, this legislation would transfer control over elections from States to the Federal Government despite the fact that the Constitution gives primary control over elections to the States. Under this law, States' ability to develop election systems that address the needs and challenges facing their States would be substantially limited.

Of course, Democrats would like us to believe that this Federal power grab is urgently needed since, they argue, States are contemplating voter suppression laws, but as I pointed out, the last election, with its record turnout—the largest turnout since 1900—did not exactly suggest that States are incapable of setting their own election rules.

Ironically, H.R. 1, which purports to be an election integrity bill, would actually undermine election integrity. The bill takes aim at State voter ID laws—a longtime obsession, I might add, of the Democrats. I have always been at a loss to understand Democrats' passionate opposition to requiring people to provide identification before voting.



Democrats, of course, present voter ID laws as an attempt to suppress votes by forcing people to go through a challenging process of obtaining a government ID. I have to ask if Democrats also think laws requiring ID to drive are somehow discriminatory. We constantly require photo identification in our society to drive, to board planes, to enter many government buildings, to pick up tickets to Major League baseball games. These requirements are pretty universally accepted. It is difficult to understand how requiring identification to vote is so outrageous. The American people don't seem to think so. Polls show that a majority of Americans support voter ID laws.

In addition to effectively eliminating State voter ID requirements, H.R. 1 also requires that States allow ballot harvesting, the controversial practice of allowing political operatives to collect and submit ballots. Needless to say, ballot harvesting opens up a lot of questions about voter fraud and election integrity, but the Democrats' bill would require it.

As I mentioned, Democrats introduced an almost identical version of H.R. 1 in the last Congress, and—get this—the ACLU opposed it. The ACLU opposed it. That is right. The American Civil Liberties Union opposed it. Why? Because the bill would “unconstitutionally burden speech and associational rights.” Unconstitutionally burden speech and associational rights. H.R. 1 would impose a vast new array of restrictions on political speech and issue advocacy, and it would impose disclosure requirements for organizations that would open up donors to retaliation and intimidation.

I could fill up several speeches with a discussion of all the bad provisions in this bill. H.R. 1 would turn the FEC, the Federal Election Commission, into a partisan body. It would require taxpayer funding of political campaigns. Taxpayer dollars would go to fund bumper stickers and political ads. It would allow the IRS to deny tax-exempt status to organizations whose positions it doesn't like and on and on.

Then there is the fact that on a purely practical level, this bill would be a disaster. A recent Daily Beast article highlighted the onerous and impossible-to-meet requirements the bill imposes on conducting elections. To quote the Daily Beast, another media outlet not exactly known for its favoritism toward conservative Republicans, the bill “was written with apparently no consultation with election administrators, and it shows . . . it comes packed with deadlines and requirements election administrators cannot possibly meet without throwing their systems into chaos.”

The article goes on to say:

The sections of the bill relating to voting systems . . . show remarkably little understanding of the problems the authors apply alarmingly prescriptive solutions to. Many of the changes the bill demands of election administrators are literally impossible to implement.

That, again, is from the Daily Beast. Like the Democrats' Supreme Court power grab, H.R. 1 is a solution in search of a problem. Protecting the right to vote and preserving the integrity of our election systems are essential. While we are fortunate that our electoral system by and large seems to be operating well, there are certainly measures that we can take up to further enhance election integrity. H.R. 1 is not one of those measures. This legislation is an unacceptable Federal takeover of elections that would undermine election integrity and substantially curtail First Amendment rights. Every single Member of Congress should be opposing it.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

#### CLOTURE MOTION

Mr. DURBIN. I ask unanimous consent that the mandatory quorum call with respect to the Gupta nomination be waived.

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

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 62, Vanita Gupta, of Virginia, to be Associate Attorney General.

Charles E. Schumer, Richard J. Durbin, Mazie Hirono, Tammy Baldwin, Tammy Duckworth, Alex Padilla, Maria Cantwell, Sheldon Whitehouse, Cory A. Booker, Debbie Stabenow, Brian Schatz, Tim Kaine, Kirsten E. Gillibrand, Benjamin L. Cardin, Gary C. Peters, Patrick J. Leahy, Christopher Murphy.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Vanita Gupta, of Virginia, to be Associate Attorney General, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 51, nays 49, as follows:

[Rollcall Vote No. 159 Ex.]

#### YEAS—51

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

Van Hollen  
Warner

Warnock  
Warren

Whitehouse  
Wyden

#### NAYS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoeven	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Toomey
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	
Fischer	Portman	

(Mr. KELLY assumed the Chair.)

The PRESIDING OFFICER (Mr. HICKENLOOPER). On this vote, we have 51 yeas and 49 nays.

The motion is agreed to.

The Senator from Texas.

#### NOMINATION OF VANITA GUPTA

Mr. CORNYN. Mr. President, as my friend the Republican leader likes to remind us, the Senate is not just a legislative body; we are also in the personnel business. One of the Senate's core responsibilities is to provide advice and consent for the President's nominees for a range of important jobs throughout the Federal Government. In fact, it is a constitutional duty of the Senate to perform that function.

When the President is of the opposing party, there is all but a guarantee that you will not see eye to eye with every nominee, but the process isn't just about politics or judging nominees based on whether their opinions align with your own. As I see it, we are charged with evaluating these individuals to see if they are qualified not only to carry out the duties of their position but will also do so with honor and integrity.

Take Attorney General Merrick Garland, for example. When the Senate considered his nomination, it became clear that he had both the experience and the temperament to lead the Department of Justice. Do we agree on everything? No. But he committed to do everything in his power to keep politics out of the Department of Justice, and I have no reason to doubt his credibility.

The same could be said of the President's nominee for Deputy Attorney General, Lisa Monaco, who was confirmed yesterday by the Senate. Ms. Monaco is a longtime public servant who previously served for 15 years at the Department of Justice. Throughout her career, she has earned the respect of folks on both sides of the aisle, and I believe she will bring a wealth of experience and institutional knowledge to the Department.

So my point is, I have supported the majority of President Biden's nominees thus far, and every single nominee has received bipartisan support at some level. But unfortunately, it looks like we are about ready to break that record of bipartisanship.

Today, the Senate will vote on the nomination of Vanita Gupta to serve as

Associate Attorney General, the third highest official at the Department of Justice. Unlike previous nominees who have received bipartisan support, there is not a single person on this side of the aisle who believes that Ms. Gupta is fit to serve as the third in command at the Department of Justice.

I can't predict what the final vote will be. It will be at 2:30. But I hear nobody on this side of the aisle saying she is an exemplar of the type of person who should serve in the Department of Justice.

As I said, this is not about politics; nor are those of us who are opposed to her nomination opposed because of her gender or race. To the contrary, those are irrelevant. Instead, the lack of support for Ms. Gupta is a result of her radical record far outside the mainstream and her career as a partisan activist. In fact, she has championed radical policies basically all of her professional career.

In addition, throughout the confirmation process, Ms. Gupta was asked about the long, long list of controversial, misleading, and sometimes outright false public statements that she has made in the past—her statement before the Judiciary last summer, for example, that we should effectively defund the police; her op-ed that argued we should effectively revoke qualified immunity for law enforcement in civil lawsuits; but worst of all were her prior statements on drug policy.

In 2012, Ms. Gupta wrote in an op-ed in the Huffington Post that “States should decriminalize simple possession of all drugs.” “All drugs.” This is obviously an incredibly controversial statement and way out of step with most Americans’ views, for good reason. What she said is, as long as they were small amounts, she would legalize heroin, fentanyl, cocaine, ecstasy, methamphetamine, you name it.

When Ms. Gupta tried to distance herself from these previous positions that are published in black and white, here is what the Washington Post Fact Checker said:

For this tango of previously unacknowledged flip-flops, Gupta earns an Upside-Down Pinocchio.

Now I have seen a one Pinocchio, two Pinocchio, three Pinocchio, even a four, but I have never seen an upside-down Pinocchio for a “tango of previously unacknowledged flip-flops.” The Fact Check examined Ms. Gupta’s confusing then and now statements on police budgets, qualified immunity, and drug policy, and that is what they found.

Now, I understand and respect the fact that people’s opinions can change over time. As we learn new information or have different experiences in life, we all understand that one’s views can change. But there is a big difference between honestly forming a new opinion and undergoing a confirmation conversion to bury radical views on controversial subjects. After all, how could

anyone support a nominee who advocated the decriminalization of all drugs, especially for the No. 3 spot at the Department of Justice? I am not sure anyone in this Chamber, Republican or Democrat, could support someone to serve in the upper echelon of the Justice Department who supported the legalization of heroin, fentanyl, and other dangerous street narcotics. That is why she attempted to whitewash it. She knew she couldn’t get nominated, much less confirmed, if she didn’t.

But here is what we know about drug abuse in America. This is a map of national opioid death rates in America. As you can see, they go from the dark colors, which is where the death rate is 29 to 43 per 100,000 population, to the slightly lighter range, which is 20 to 29, roughly, people per 100,000, and then the lighter ones, obviously, until you get to the lowest one, which is 3.5 to 10.9.

Every community in America has felt the pain and anguish from the opioid crisis. In 2019, there were more than 70,000 overdose deaths in America. There were 70,000 Americans who lost their lives. We are still waiting on complete figures from 2020, but preliminary data shows things are trending in the wrong direction. From June 2019 through May 2020, more than 81,000 Americans have died from drug overdoses.

Fighting the opioid epidemic is a cause every person in this Chamber can get behind because, as you can see, each of our States has been impacted. In 2016, thanks to the hard work of a bipartisan group of Senators, we passed what became known as the CARA Act—the Comprehensive Addiction and Recovery Act—to help more Americans break this devastating cycle of drug use, drug abuse, and overdose, and we appropriated tens of billions of dollars to fight this scourge.

As I said and as you can see, no State has been spared the pain and suffering from the opioid epidemic, but we do know some have been hit harder than others. For example, one of the States, with the darkest color, with the highest rate of overdose deaths is Ohio. And we can see here what had happened in the period, roughly, from 2009 to 2019.

From 2009 to 2019, 10 years, there were more than 33,000 drug overdoses and deaths in Ohio alone—33,000 Ohioans, each with their unique value, contribution, and story. It is an absolutely heartbreaking number of deaths that should have been prevented.

Another one of those States with the worst problems with opioids was New Hampshire. In 2013, the drug overdose deaths per capita were slightly above the national average, at 15 deaths per 100,000. In New Hampshire, in 2016, just 3 years later, the death rate increased 158 percent.

First responders across New Hampshire experienced a dramatic increase in the calls they got for overdoses so they started carrying Narcan, a medication used to reverse an overdose if

you get there in time before the overdosed individual dies. They carry them in their emergency gear because these overdose calls became so common.

Another one of those States hit particularly hard is West Virginia. In 2019, West Virginia had the highest overdose deaths per capita. For every 100,000 population, more than 52 were from an overdose, double the national figure. That is 21.6 per 100,000 that went up—that is the national—and the West Virginia number is double, as you can see.

Our friend Senator CAPITO has been a tireless advocate for West Virginia families, many of whom have felt the pain of this crisis firsthand. She recently wrote an op-ed about this nominee and the contradictory and confounding statements she has made in the past, particularly on drug policy.

Senator CAPITO wrote:

It’s hard to imagine the level of devastation [that] we would see if all of these drugs actually were legalized. And, it’s even harder to imagine that a nominee for a critical law enforcement position would hold this view.

I completely agree with our friend from West Virginia. Given the ruin that the opioid epidemic has dealt in communities across the country, I can’t even begin to imagine how much worse it would be had the States heeded Ms. Gupta’s call to decriminalize all drugs for personal use. If fentanyl, heroin, methamphetamine, and other highly addictive drugs were decriminalized, how many more Americans would become addicted? How many more would have died? How many more families would suffer the loss of a child? a sibling? a parent?

I am profoundly concerned by Ms. Gupta’s prior statements on drug policy, as well as her radical statements on defunding the police, disarming the police in civil lawsuits by eliminating qualified immunity, abolishing the death penalty for the most heinous crimes, and so much more.

Worse, though, is her inability to be honest about her position on issues that would directly fall within her purview at the Department of Justice. The American people deserve to know that leaders at any government Department or Agency—but especially the Department of Justice—they deserve to know that these public servants are honest and will tell them the truth. As Ms. Gupta’s upside-down Pinocchio indicates, no Senator can have the confidence that Ms. Gupta would be honest with them or tell them the truth.

We hold hearings. We put witnesses under oath promising to tell the truth, the whole truth, and nothing but the truth, so help me God, and we don’t expect people will come into those hearings and lie. We ask followup questions. Perhaps there was some misunderstanding that you would like to clear up.

Believe it or not, Ms. Gupta answered a written question under oath stating that she had never advocated for the decriminalization of all drugs, even

though in 2012, in an op-ed she published in the Huff Post, she did exactly that. But then, for some reason, she decided to lie about it under oath to the U.S. Senate Judiciary Committee. If she would lie to us, she would lie to you. And I fail to see how, for some reason, we think she will change the way she acts or behaves or improve her standard of behavior when it comes to honesty and truthfulness. We hold these hearings and ask these questions to understand the opinions and the character and the motivation of these nominees. But based on what the Senate has learned about Vanita Gupta, I don't believe she is fit to serve as the Associate Attorney General.

The Department of Justice, perhaps more than any other Department or Agency, must be led by men and women of honesty and integrity, people like Merrick Garland and people like Lisa Monaco who received overwhelming bipartisan votes here on the Senate floor. High-ranking public officials at the Department of Justice cannot be motivated by partisanship. They must pursue no other agenda other than fair and impartial justice.

In contrast, Ms. Gupta has shown she is a partisan activist with a penchant for skirting the truth. If confirmed as Associate Attorney General, I believe she has the potential to use the powerful tools at the Department of Justice to wage partisan warfare that has been part of her professional career to this point. If we can't trust her to be honest with us, how can we expect her to fulfill her duty of candor in courtrooms, including all aspects of the legal process that depend on honest, truthful answers and communications.

If we can't depend on her to tell the truth at the Senate Judiciary Committee in the confirmation hearing, how can we depend on her to exercise her duty of candor when applying for a warrant from the Foreign Intelligence Surveillance Court, for example.

Sadly, I believe Ms. Gupta will be a clear and present danger to the American people if she is given the muscle and might of the Department of Justice, as well as the entire Federal Government of the United States of America.

I cannot support her nomination, and I would urge all of my colleagues to do likewise.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, it has been many years ago that I went to law school, and I still remember some of the courses and some of the teachers and certainly some of my grades. One of the most interesting courses that should have been required of every student in every law school in America basically was about this document, this Constitution, because in its simplicity, you are sometimes put off by the fact that there is real wisdom behind the words, and applying them in real life can take twists and turns. I found one

way, a quick course in constitutional law, where average people come to understand the Bill of Rights better than most, and I found this when I was practicing law in Springfield, IL.

I would get a telephone call from a parent who would say to me: Durbin, you have got to help me. They arrested my 17-year-old son for possession of marijuana. What are his rights under the Constitution? Did they give him a Miranda warning?

I started hearing things from parents coming back to me about this document, which I was surprised—surprised to hear. The point I am trying to make is this: The many years ago when I was practicing law in Springfield, IL, we were going through a learning process about drugs and addiction, and it has continued to this day. In fact, I don't believe there is a single Senator on either side of the aisle who would say: You know, I have been here 20 years or plus, and I have never changed my views on drugs. Maybe some feel that way. I am not one of them.

There have been dramatic changes in the American attitude toward drugs. I think we know that, obviously. There have been changes in many States. In my State of Illinois, I think about that parent who called so many years ago—in a State where the sale and possession of marijuana and products made with marijuana is now legal and taxed.

Things have changed dramatically when it comes to drugs. There are very few people who hold to the old school, which says: Simple possession of one marijuana cigarette, and we are going to put you in jail and throw away the key.

No, it has changed a lot. In fact, it has changed in Washington so much so that there was a bill called the FIRST STEP Act. The FIRST STEP Act was a bill that I worked on with Senator GRASSLEY and Senator LEE and Senator BOOKER, who is here today, that basically said: We are changing our attitude toward drugs. Simple possession of a small amount of drugs will not require a mandatory minimum sentence because we have seen the terrible outcome otherwise.

We put that bill together on a bipartisan basis, and President Donald Trump signed the bill into law. He not only signed it but came before us in the State of the Union Address and was proud of the fact that he had changed and reformed drug laws.

So when I hear the arguments made on the floor that perhaps some nominee coming before us may have changed her or his opinion on drugs as, say, America has, by and large, think about what has happened with this opioid crisis now that it is no longer just an—I say “just,” underlined—an inner-city crime but a crime that affects families who live in wealthy suburbs. We now are looking at addiction so differently.

So let's go to this issue of Vanita Gupta and her positions on drugs. In questions for the record, Senator COR-

NYN, the senior Senator from Texas, asked Vanita Gupta what research, books, studies, and other material did you rely on before concluding that “all drugs should be legal”?

Gupta said that she has never said that all drugs should be legal or completely decriminalized.

In his floor speech last week, Senator CORNYN claimed 15 times that Gupta had lied in response to this question. Senator CORNYN held up a poster purportedly showing that Gupta had denied ever making a 2012 statement in favor of decriminalizing the simple possession of small amounts of drugs. The Senator said: If you publish an op-ed saying the sky is purple and now you say the sky is blue, don't tell us you never thought the sky was purple.

Senator CORNYN's claim, I am afraid, is false. Vanita Gupta was completely honest and forthright. Cornyn's poster left out the very next sentence of Gupta's response, in which she clearly acknowledged her past position on decriminalizing the simple possession of drugs. Gupta stated, and I quote: “I have never advocated for the decriminalization of all drugs, and I do not support the decriminalization of all drugs. In 2012, nine years ago, I coauthored an article that advocated for states to decriminalize and defelonize simple possession of all drugs, particularly marijuana, and for small amounts of other drugs.”

Does this sound like a person who is on a crusade to promote fentanyl, opioids, heroin? It sounds like a person who might have voted for the FIRST STEP Act, signed into law by President Donald Trump, who said we have to take an honest look at what arrest and imprisonment for simple possession of drugs has done to America. When one out of three Black adult males, has, unfortunately, a history of incarceration, it raises a question about overincarcerating for possession—possession—of drugs. So I think this argument that she cannot be trusted on the issue of drugs falls apart when you read what she actually said.

Then there is the question of defunding the police. I don't know who dreamed up that phrase. I don't think much of it. I have never espoused it nor argued for it because I think it is so misleading, and, in many respects, it has been exploited.

Republicans like to claim that Vanita Gupta supports efforts to defund the police. She has never called for defunding the police. Suggesting she has done so, including an ad by the conservative, dark money-funded Judicial Crisis Network—they pop up around here whenever mysterious groups want to spend millions of dollars to discredit someone. These claims in that ad are patently false.

A Washington Post editorial wrote of the Judicial Crisis Network claim: “Awkwardly, there's zero proof of that, including in the ad's own footnoted citation.” The Washington Post called Judicial Crisis Network's ad a “baseless smear campaign,” “categorically

dishonest," and "mainly notable for the magnitude of lies and distortions it crams into 30 seconds."

And listen to the response and the source. The executive director of the National Fraternal Order of Police, Jim Pasco, called this ad that claimed that Gupta wanted to defund the police—do you know what he called it?—"partisan demagoguery." And yet we still hear it on the floor of the Senate as if it is gospel truth.

The Fraternal Order of Police supports Vanita Gupta's nomination to this position in the Department of Justice, and they aren't the only ones. Virtually every major law enforcement group supports Vanita Gupta. You wouldn't know that, would you, when you hear on the floor that she wants to legalize all drugs and take the money away from police. Those simplistic statements belie the truth and the fact that these organizations support her.

The Republicans, starting with Senator McConnell and continuing to this moment, will not acknowledge the obvious. These are hard-nosed organizations that don't give their endorsement out easily, and they weren't fooled by Vanita Gupta. They know Vanita Gupta.

In a letter to the Senate endorsing Gupta's nomination, the president of the Major County Sheriffs' Association of America—that is a pretty hard-nosed group. Here is what they wrote: "During our meetings, Ms. Gupta emphasized that she does not support efforts to defund the police." They addressed it directly. They didn't beat around the bush. You don't expect them to; do you?

During her tenure at the Justice Department, Vanita Gupta worked closely for law enforcement, which is why the Senate has received numerous letters of support for her nomination from law enforcement groups. I can go through the list, and it is long. I won't. Trust me, it has all been entered into the RECORD. Every Senator—Democrat and Republican—has had a chance to see it.

But I think there is something more fundamental to this nomination, which we are considering Wednesday, April 21, in the year 2021. Late yesterday afternoon, a verdict in a trial in Minnesota captured the attention of America and other places around the world. We all know what it was about. It was about the death of George Floyd and the culpability of a law enforcement officer in his death. It was a trial that was followed as closely as any trial that I can remember, and the verdict against the police officer gave some people the hope that we are finally going to walk down that path again of civil rights and be honest about it and demand equality under the law for everyone in this country in the enforcement of law.

I hope that happens, and I hope that we can be a part of it—and we should be—in the U.S. Senate. But I will tell you, and I can predict with certainty,

that it is going to be a rocky path for those advocates for asserting civil rights. History has shown it, and many of us have lived it, at least as witnesses, that those who step out and speak out for civil rights and human rights often pay a heavy price.

One of the people in our history—our recent history—who has done just that is Vanita Gupta, the nominee who is before us today.

I mentioned earlier, and I want to commend to my colleagues and anyone else, this book "Tulia," written by a man named Nate Blakeslee. It is a story of a town in Texas. I want to briefly describe to you why they would write a book about this town in Texas.

Mr. CORNYN. Mr. President, at the appropriate time, I would ask the Senator to yield for a brief question. But I don't want to interrupt him in his train of thought.

Mr. DURBIN. Sure.

Let me read the summary of this book and the book cover. I have had a chance to read parts of it but not in its entirety. Here is what it says: "Early one morning in the summer of 1999, authorities in the tiny West Texas town of Tulia began a roundup of suspected drug dealers. By the time the sweep was done, over 40 people had been arrested and one out of every five black adults in town was behind bars, all accused of dealing cocaine to the same undercover officer, Tom Coleman. Coleman, the son of a well-known Texas Ranger, had been named Officer of the Year in Texas. Not until after the trials, in which Coleman's uncorroborated testimony secured sentences as long as 361 years, did it become apparent that Coleman was not the man he claimed to be. By then, two dozen people were imprisoned, and the town of Tulia had become a battlefield in the national debate over the war on drugs."

And there they sat, dozens of them, in prison, accused of serious drug crimes.

And then a young lady graduated from law school and went to work in the area of civil rights. Six months out of law school, she traveled to Tulia, TX. Her assignment? Bring justice to the situation. I can't imagine, 6 months out of law school, barely having passed some State's bar exam, to be given that assignment. The woman, of course, was Vanita Gupta, and she got on a plane from New York. Her civil rights organization sent her to Tulia, TX, to take on this injustice.

By then, they were all sitting in jail. Most of them were African American. And she was sent to Tulia, TX, to rescue them and try to help them.

Well, she quickly assessed the situation, decided writs of habeas corpus would have to be filed to try to get reconsideration of the charges against these individuals, and then she quickly realized she was in over her head. She couldn't do this alone. There were too many cases.

So she went back to New York and started calling law firms, saying: I

need your help. I need pro bono attorneys, volunteer attorneys who will help me do this case. She tackled it and took it on, and at the end of the day, this brave young woman, whom we are about to vote on in an hour and a half, was responsible for leading a team that liberated these prisoners.

The Republican Governor of the State of Texas officially pardoned them for the drug crimes they had been charged with, and the State of Texas offered damages to them for what they had suffered.

I can't imagine Vanita Gupta, fresh out of law school, heading down to this town of Texas and tackling this. How about that for your first assignment? Most new lawyers are stuck in a library looking up footnotes and cases. She didn't waste any time but to go down there.

The reason I raise that is, at this moment today, not even 24 hours after the verdict in the trial in Minneapolis, we are going to need people just like her who have the courage to stand up for civil rights, against what seem to be insurmountable odds, to bring back this Nation of ours—Black and White and Brown—together in moving forward.

I don't believe she should be discredited, dishonored by what is said on the floor of the Senate. She should be praised for her courage and determination.

She went on to serve in the Department of Justice as the head of the Civil Rights Division. She took that responsibility, and that is not an easy assignment. Many times, that division is called on to deal with police departments and law enforcement and to tell them the bad news that sometimes they had done things that are just plain wrong and unacceptable. She did it. She did it with class, with integrity, and the same law enforcement organizations have endorsed her today.

The Republicans who criticize her and they have come to the floor and called her a "radical cultural warrior"—"radical cultural warrior." Recently, she was just called on the floor "a clear-and-present danger." I find it hard to imagine that anyone could read or know of any section of what she did in this book and describe her as a "radical cultural warrior."

She brought justice to a situation where few people could have done it and did it fresh out of law school. She is an extraordinary person. She is a courageous person. She is a person of integrity and honesty and dedication to public service. I am happy to support her nomination.

I will yield for a question.

Mr. CORNYN. Mr. President, will the Senator yield for a question?

Mr. DURBIN. I yield for a question.

Mr. CORNYN. This is the quote from the article that Vanita Gupta wrote on November 4, 2012. It says: "States should decriminalize simple possession of all drugs, particularly marijuana, and for small amounts of other drugs."

And then in her sworn testimony, in response to written questions, she said: "I have never advocated for the decriminalization of all drugs, and I do not support the decriminalization of all drugs."

In 2012, support for the decriminalization of all drugs; in 2021, "I have never" supported "the decriminalization of all drugs."

I wonder if my colleague—I just simply can't reconcile those two statements, both given under oath to the Judiciary Committee.

Can you reconcile those statements?

Mr. DURBIN. Thank you, Senator.

I will reconcile it in the words of Vanita Gupta: "In 2012, I coauthored an article that advocated for states to decriminalize and defelonize simple possession of all drugs, particularly marijuana, and for small amounts of other drugs."

How much more clarity do you need?

Now, you and I know that we live by our words. And many times, even as Senators, people find statements and speeches that we have made and come back and challenge us. And I would just say, her statement is not only clear, it is a mainstream statement. To argue that this woman is for legalizing all drugs, as someone has suggested, is ridiculous. She has never said that, and she had made it clear what her position is, and it is a position which most Americans share.

Mr. CORNYN. Mr. President, I would ask the Senator to yield for one last question.

We can all understand how people's views change over time, but there is no way to reconcile these two statements, 2012 and 2021, which is the reason I believe that Ms. Gupta, for some reason lost to me, decided to tell the Senate Judiciary Committee two inherently conflicting statements under oath.

She could have gotten out of it the easy way and said: "Well, I made a mistake" or "I forgot" or "My views changed over time." I would have accepted that. But to come back on questions for the record and to state something that is 180 degrees opposed to her views in 2012—I have not heard her, I have not heard the distinguished majority whip, I have not heard anybody be able to reconcile those two statements.

Mr. DURBIN. Mr. President, I reclaim my time, if the Senator is finished.

So do you believe that the Fraternal Order of Police thinks that she wants to decriminalize and legalize all drugs? Do you think the county sheriffs association believes that? Do you think they ever would have endorsed her nomination if they believed that for 1 minute?

They don't. I don't. Her words are clear.

The Senator from New Jersey had a question.

Mr. BOOKER. Mr. President, I appreciate that. I want to acknowledge my speaking time was far earlier. I am

supposed to be presiding right now, but I did not want to get between. I am but a mouse in the U.S. Senate, as a junior person. Those are two elephant titans over there.

Mr. DURBIN. Let me stipulate, Mr. President, a pretty large mouse.

Mr. BOOKER. I appreciate the indulgence of the Presiding Officer. I wanted to just give general remarks about Vanita Gupta, but I would love to weigh in and maybe pick up exactly where Senator DURBIN left off.

Mr. DURBIN. Mr. President, I will tell you what, let me end my remarks, then, and just say to the Senator from New Jersey, I am here to listen to him as well and to close by saying this extraordinary woman is presenting her credentials for approval by the U.S. Senate at exactly the right moment in history.

We need, in the Department of Justice, Vanita Gupta, who has given a lifetime of courageous service in the pursuit of justice and in the pursuit of civil rights.

Is there a lesson from Minnesota that we should bring to the floor of the Senate? It is the fact that we need people like her who can communicate effectively with law enforcement and civil rights groups and resolve our differences, more at this moment in history than ever.

If you can still remember that verdict—and I will remember it for a long, long time, as others will—when you cast your vote on the Senate floor today, vote for Vanita Gupta to be part of this Department of Justice team.

At this moment in American history, never have we needed a person with her qualifications more than at this moment.

I yield the floor.

Mr. BOOKER. Mr. President, I appreciate Senator DURBIN quickly wrapping up his remarks and indulging me. I had some prepared remarks, but I want to break away from them.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, thank you very much for the recognition.

I think—I am not sure, but I think I am the only Senator here who lives in a low-income, Black and Brown community in the U.S. Senate. I live in a beautiful neighborhood in the beautiful Central Ward of Newark, N.J.

We don't mistake wealth with worth. In fact, I went off to get a fancy education. I may have gotten my B.A. from Stanford, but I got my Ph.D. on the streets of Newark, learning from some of the most incredible people I have ever encountered in my life.

If there is one lesson that I have learned early in my days, in the 1990s, living in the Central Ward of Newark at the height of the drug war, it is that this War on Drugs was not a War on Drugs; it was a war on people—and not all people but certain people. It was a war on poor people. It was a war on Black people.

And it was destroying lives. People were getting criminal convictions for

doing things that two of the last four Presidents admitted to doing—simple possession, getting criminal convictions for it.

And here is what is even more anguishing at a time in the opioid addiction where everybody now is on the same page that people who are addicted deserve to have treatment. Back in those days, churned into the criminal justice system were African Americans, for simple possession, who were in desperate need of compassion and care and love and treatment.

And this gets me to Vanita Gupta. I watched the two statements that my friend and colleague from Texas put up, there—screaming—the difference between those two statements: I don't support the legalization of all drugs, but I do support the decriminalization of small amounts of drugs and getting people help and not a lifetime scarlet letter of being a convicted criminal.

She does not support the decriminalization of all drugs. I am glad to see that she is looking at the challenge that we have in this country of arresting people who need help.

And my friend Senator DURBIN, with great patience and not relying on raising his voice like I do, a real gentleman, said it simply: Vanita Gupta is not a partisan. She is a patriot.

Look at her career. I mean, my mom used to tell me: Who you are speaks so loudly I can't hear what you say. In other words, judge a person by what they have done in their life, how they have lived, where they have sacrificed, what commitments they have made.

You chart Vanita's career, from her activism in law school to defend the Constitution, from her very first assignment as a lawyer in Texas defending an outrage of injustice—and winning. Where are the people lining up to criticize her in those days working in her nonprofit work?

And then, for the great high salaries of Department of Justice workers, she goes to lead the Civil Rights Division. Are there people coming forward from their experiences? Are there police officers, are there police agencies, are there police groups coming forward to say: When she had that high and vaunted position in the Department of Justice, did she do something that so showed her partisanship?

Not one. In fact, quite the contrary to that, group after group of police organizations are coming forward and saying: She is not a partisan; she is a patriot. I stand by her. She is not a Democrat or a Republican; she is an honest broker, a fair actor who pursues justice.

She has conservatives who are partisans supporting her. I mean, that is the thing that gets me. We see partisan appointees all the time in here, but here is a woman who actually got people—Mark Holden from the Koch brothers organization is supporting her.

So I understand that maybe people are taking words and twisting them. There is not a Member of this body who

hasn't had that experience, when the intention, the good will, the honesty behind the words is distorted and twisted by millions of dollars from outside organizations that somehow want to destroy this woman.

I know Vanita Gupta. She is not just somebody I have a professional relationship with. I confess to the floor of the U.S. Senate, she has been my friend for years. I had occasion to talk to her dad, not during this time when she was nominated—months ago.

God, the stories he related about her, the pride that beamed through the telephone about her, about how he came from India with \$8 in his pocket, with an immigrant's dream, and now he gets to see his daughters living lives of service, and how his children were wired this way, to so appreciate this Nation as immigrants, to know that this Nation was formed around the highest ideals of humanity, and to see his two daughters pursuing the cause of our country to make this a more perfect Union around the ideals of liberty and justice. That is Vanita Gupta's life.

I have had private conversations with her for years about these issues that now she is being accused on. And she is not some radical partisan. She has a heart and a compassion for human beings that, to me, inspires my actions.

And this is what hurts the most because somehow I have seen it in our society, when a woman stands up and is strong and defiantly dedicated to ideals that are not made real in reality, they are attacked again and again and again. I have seen it in my own party between Presidential candidates. The treatment that the public and the press gives one who is the woman is far different than the same standards they put to the man.

And then—God bless America—there is something about women of color that seems to really get them outrageous attacks. I have seen it through my culture's history. They hunted Harriet Tubman. They despised Sojourner Truth. They belittled Rosa Parks.

There seems to be something about strength, something about talent, something about being willing to tell the truth that generates something, that tries to relegate Black women and women of color to be hidden figures in history.

I see it in every element of our country—even in the medical profession, for God's sake. Even when you control for income and education, Black women giving birth, their pain is not attended to; they are underestimated for the struggles they are in; and they die four times more often than White women.

So with this woman I have known for years, I have seen her in private and public. I have seen her go to work with Republicans, join arm in arm with them in bettering our country. I have seen her serve from her twenties and thirties. I have seen her be, in every step of her career, committed to our country, sacrifice for it.

Here we stand on the Senate floor. And I tell you, on the day after the verdict of George Floyd, where I saw other patriots tell the truth on the stand, police officers break with the waves of history, the streams and currents, to tell the truth, this is a moment that I have to tell the truth.

This is a good American, a great American, honest, committed, who has sacrificed for her country. And in a time of injustice still, where our jails and our prisons are filled with people who are hurt, when we, the land of the free, have one out of every four incarcerated people and, get this, one out of every three incarcerated women on the planet Earth in our jails and prisons—where almost 90 percent of them are survivors of sexual assault—this is the time we need more compassion; this is the time we need more empathy; this is the time we need more civic grace toward one another.

And Vanita embodies that. She stands for that in every fiber of her being. Her career echoes with that spirit. Should we confirm her to this position, I promise you here on the Senate floor before the flag of my country, she will do this Nation proud, committed. She will never mistake popularity for that purpose. She will never be distracted by the partisan games going on in the Capitol. She will be committed to the higher calling.

I ask my colleagues to step back for a moment and see the truth of who she is, who police organizations say she is, who prominent conservatives say she is, to see the person her dad says she is and elevate this incredible person, this incredible woman of color, to a position that desperately—to a nation that desperately needs this kind of leader.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I didn't come to the floor to speak to the nominee who is before us this afternoon, but following the very impassioned comments by my colleagues, in fairness, on both sides of the aisle and recognizing the vote that I just took about an hour ago to advance Vanita Gupta to this position, I will take just a moment to explain where I am coming from and why I will be supporting her final confirmation in just an hour.

I have looked at her record. I have had an extensive sitdown with her. I am impressed with not only her professional credentials but really the level of experience, but more to the comments that we just heard on the floor, the passion that she carries with her in the work that she performs.

I think it is fair to say we will all agree her confirmation has been very challenged. She has had significant back-and-forth in committee. She has been elevated with very strong rhetorical words in favor and, equally, words of condemnation.

I asked her point blank: Why do you want this? Is this worth it? Because this has been, clearly, very hard on her

as a nominee. She paused and reflected a moment and just spoke to how she feels called to serve in a very personal way that I thought was impactful.

We had a long discussion about some of the issues that I care deeply about in my State as they relate to justice, access to justice, public safety, and the real tragedy that we face when it comes to women, primarily our Native women, who experience rates of domestic violence and sexual assault that are shocking, disturbing, and wrong. Despite all that we have as a State, the resources we have, the opportunities we have, we have not been able to turn the corner as we have needed to in confronting what I believe is a true scourge.

It is going to take more than resources. Jurisdictionally, it is very complicated in Alaska. We don't have reservations. We don't have similar law enforcement presence in many parts of the State that you might have in the lower 48.

We have a great deal of work to do as a State. But as we discussed these issues, I felt that I was speaking to a woman who had not only committed a professional life to try to get to the base of these injustices, to try to not just direct a little bit of money, put a program in place, walk away, and call it a day, but to truly try to make a difference.

So there are some statements that she has made in some other areas that, in fairness, I find troubling and concerning, and part of my job will be to ensure that she understands clearly how this translates into issues in my State and with our particular issues. But I am going to give the benefit of the doubt to a woman who I believe has demonstrated through her professional career to be deeply, deeply committed to matters of justice. So I will be casting my vote in support of her in about an hour here.

SEMI ACT

Ms. MURKOWSKI. Mr. President, I came to the floor today to talk about something that has been top of my mind for a period of time, and I wanted to bring it to Members' attention today because of some recent articles of late as it relates to national security and global competitiveness, particularly as they relate to domestic resource development.

In recent months, since the beginning of this administration, I have spoken out in concern at the direction that I have seen the new administration take with regard to energy security and how that relates to Alaska. I have spoken out at length about my opposition to several of these Executive orders that were very early on relating to leasing and permitting moratoria in my State. In fact, there were eight specific orders that were directed to one State and to one State only. That is a pretty hard hit for Alaska.

In other areas, I don't believe that additional Federal lands and waters in Alaska should be placed off-limits. We



already as a State hold more public lands than any other State, and by considerable degree. I don't believe our public land order removal process should be paused.

This was an announcement that just came out of the Department of the Interior last week. They say they are pausing it, but effectively, it could be delayed or abandoned not just for these next 2 years going forward but permanently. What this effectively does is it creates almost *de facto* wilderness, if you will, because you have placed land in a limbo, in a purgatory for decades. Nobody can do anything with it as these PLOs, these public land orders remain in place.

I note—no great secret around here—like most Alaskans, I strongly support our resource development industry and the men and the women who work within it. They are my friends. They are my neighbors. I fish with them. I recognize the importance and the value of what they do. I have worked hard here in the Senate and for a long time to ensure that the industry's continued centrality is allowed to prosper, not only because of them, the people I know, but because of what it means for our country, for our economy, our State's budget, our prosperity, and also for our environment.

After years of lagging behind, the United States has come to a better place on energy in recent years. We have seen domestic production rising. We have seen our emissions falling. We have created jobs. We have generated revenues. We have changed the world geopolitically even as we have lessened our impact on the climate. But these kinds of gains can't be taken for granted. They can't be actively ignored. They certainly should not be discarded.

We have to acknowledge that this energy renewal has not been even across the country. It has taken place largely on State and private lands. We have very limited private land in Alaska. And in-state activity—we have been proudly producing for a while. But we also have, again, much land that is federally held, and we have only seen help arrive with any kind of activity and production on Federal land in the past few years. I would suggest that we cannot afford that forward progress to be reversed, but unfortunately that is the way it feels right now. The threat is that this administration is going to take an approach that is going to take us backwards.

So the question, I think, is a fair one for us to ask, to discuss here. It is an important question. What happens if we just decide we are going to turn our backs on this, our American energy? What happens if we really do move in this direction of just keeping it in the ground? What happens if we really do close our eyes to our domestic energy sources, these assets, if we close our eyes to the contributions that they provide?

I will suggest to you that there are a few warning signs that we have up on

the horizon. Oil prices are back up above \$60 a barrel. This actually helps my State; I will be honest there. We will accept that for budgetary purposes. But we all talk about what happens typically around Memorial Day. We have driving season coming on. We are still in the midst of a pandemic. But if the United States artificially restricts its supplies and demand rebounds rapidly, where does this put us?

I mentioned that there have been some articles of late that just really kind of struck me. It is interesting because I thought they were pretty significant, but it seems they are relatively unnoticed here in Washington.

According to Bloomberg, Russia has now supplanted Saudi Arabia to become the third largest supplier of crude oil in the United States. Canada is our No. 1. But there has been a series of circumstances. As our domestic production is falling, the Saudis have also reduced theirs, and it has been Venezuela. Venezuela is subject to sanctions. Their production has pretty much gone offline to the United States.

Part of what we are seeing, though, is the refusal on the Federal Government's side to approve cross-border pipeline infrastructure. Canada, again, is our largest—we import more from Canada than anywhere else, and they have greater capacity to help us out here so that we don't have to take it from Russia. But, instead, we haven't been able to take more from Canada to fill in that gap because of pipeline capacity. So what happens is, we are sending more of our money to Russia at a time when we are not on very good terms with Russia. Need we say elections? Need we say SolarWinds? Need we say what we are seeing from Putin?

This is what is happening: We are sending more of our dollars to Russia, and they are sending us more of the resources that we could produce here at home or perhaps at least import them from some friendlier nations.

U.S. crude oil production fell from an average high of 12.2 million barrels per day in 2019 to an average of 11.3 million in 2020. According to the Energy Information Administration, this loss in domestic production will return the United States to being a net petroleum importer in 2021 and 2022. By all accounts, a sizable chunk of this will come from Russia.

What is going to happen is, we are going to move from this position where we have been in these past few years where we have had some real energy security here because we have been producing, and we have been producing to the point that we have been able to even supply to our friends and allies. But now, with policies that are taking us in a different direction and still knowing that we need the resource, we are turning to Russia.

This is what really galls me so much: In 2020, the United States imported 538,000 barrels of oil per day from Russia. In Alaska—we recognize Alaska is a great producing State. Despite our

immense potential and desire to bring it to market, in 2020, we were producing an average of 448,000 barrels per day.

It just begs the question: Is this what we really want? Is this what we really want, for Russia to account for more of America's energy supply than Alaska? We both have similar environments, both big, but oil production goes on in areas that are tough to produce in. I will hold Alaska's environmental record over that of Russia any day—in fact, over most countries and even most States any day.

One article put it this way. They said: "America's increasing reliance on Russian oil is at odds with U.S. energy diplomacy."

Let's kind of put it in context. The position that we have taken with Nord Stream 2—basically what we have said is that we are asking those in Europe who need Russia's gas—we are saying we need to be tough on this. We need to break Russia's hold here. For all the years—it has been 7 years since Russia annexed Crimea and demonstrated to the world that they are not afraid to flex their muscles when it comes to energy exports in order to achieve their geopolitical goals.

So we have been saying on Nord Stream 2: Europe, you guys, don't go there. Yet we have to look at ourselves here because we are telling Europe "Limit your reliance on Russia for gas," but over here, we are happy to step up our imports from Russia on oil.

The President has just recently imposed tougher sanctions on Russia, as he absolutely should, but I think we need to be eyes wide open here, folks, in terms of what it means when we need that resource.

I do recognize that much of this discussion on Russia and how Russia has supplemented Venezuelan crude—I recognize that most of the oil that is being imported is heavy and that this is a situation with our gulf coast refineries that are specifically geared for that. I do recognize that they have fewer options right now, but I do think this is a conversation that we need to be talking about. We just can't sit back and say: Well, this is just the way it is.

Congress and the administration need to be taking the steps necessary to ensure that we in this country have a strong, stable supply of domestic energy to meet our current demand, our future demand, and, to the greatest extent possible, the demand from our allies.

Russia is positioning itself to capitalize on all of that. They produce from wherever they want, and they are going to sell to wherever they can.

The least that we can do here at home is to support our own responsible production from States like Alaska, so that we have our supply—our own supply—and can provide a diversified commercial alternative.

Moving from oil and gas briefly here, Alaska is also ready to help in another increasingly crucial area and that is

with mineral development. Our history of tectonic events has created a geological environment that fosters deposits of a wide variety of minerals that are critical to both our current and our future economies.

Back in 2018, the Department of the Interior designated 35 “critical” minerals based on their importance to our economy and security, as well as their susceptibility to supply and disruption. These minerals are essential for everything. They help us with our advanced missile systems, solar panels, batteries for electric vehicles, your cell phones—everything. Our military is certainly aware of this. They recognize the vulnerable position that we are in. Our manufacturers recognize the vulnerability. These are products that we use on a daily basis.

Right now, the United States is import-reliant on 31 of the 35 minerals designated as “critical.” We have relatively no domestic production. We rely completely on imports to meet our demand for 14 of these. And, of course, most of where we are importing these materials are from China. That is not OK. That shouldn’t be acceptable to us. I think we all should agree on the need to rebuild our domestic mineral supply chains. There has been good, positive conversation about what we can do.

I feel this is one of those areas that is a growing vulnerability. It used to be that we would talk about our vulnerability on the Middle East for our oil, and then policies changed and we reduced our reliance on that. That is why I am anxious. I am concerned about what I am seeing translate going forward. But I think we need to be, again, with eyes wide open when it comes to our mineral dependence and our reliance on these important materials for what we need to be a strong nation.

I think this is a pressing and long-term security threat that we face in this country. We have seen it play out in light of the COVID pandemic. We have seen the vulnerability of international supply chains. I thought it was great. It was so important that the administration really focused in on this. The new administration is focusing on this in a good way, and I appreciate that.

When President Biden released the first part of his infrastructure proposal, focusing on international domestic supply chains, he has one section there about electric vehicles. In the White House fact sheet, it says the plan “will enable automakers to spur domestic supply chains from raw materials to parts, retool factories to compete globally, and support American workers to make batteries and EVs.”

This is the type of policy that we should all want to get behind, broadened out to every industry, not just to a select few. But the question here, though, is whether the administration is willing to accept what is going to be necessary in order to achieve this goal to have these secure supply chains, especially when it comes to expanding

our domestic supply of raw materials. It is going to require approval of mining projects, and that has been a challenge for us. That has been a challenge for us.

This is where I go to another article that came up a few weeks back. This is from Reuters. It appears to me that rather than looking within our own borders, the administration is looking beyond. In this article from Reuters, it states that the United States looks to Canada for minerals to build electric vehicles. It provides:

The U.S. Government is working to help American miners and battery makers expand into Canada, part of a strategy to boost regional production of minerals used to make electric vehicles and counter Chinese competitors.

It goes on further to talk about the different ways that the Department of Commerce is discussing with many how we can boost Canadian production of EV materials. It goes on further to say:

But Washington is increasingly viewing Canada as a kind of “51st State” for mineral supply purposes.

I am a big fan of Canada. They are our neighbor, but if we are going to be adding Canada as a 51st State to help us with our minerals and access to minerals, let’s not forget the 49th State, because Alaska has good, strong resources. Where we seem to have problems is in gaining access, whether it is in the permitting process or just the ability to move forward with some of our mineral potential.

Again, I am not suggesting that we shouldn’t be looking to our friends to build these alliances, particularly with our neighbors directly to the north and to the south. This is good. I am not suggesting: Let’s not be talking to Canada.

That is an important part of how we really work to build these secure supply chains. All I am suggesting is that we here in America need to also look to the strength of our resource assets.

There are some—again, the issue of mining in this country sometimes can be a controversial one. I am going to suggest to folks that if we really want to do more to build out not only our national security but if we want to build out our clean, diverse energy infrastructure, moving toward the President’s vision of greater renewable opportunities, which I want to do, let’s acknowledge that we are going to need these minerals. We don’t really have a choice here.

The World Bank recently released a report looking at “The Mineral Intensity of the Clean Energy Transition.” They found that “large relative increases in demand of up to nearly 500 percent are estimated for certain minerals, especially those concentrated in energy storage technologies, such as lithium, graphite, and cobalt.” The report also found that “even with large increases in recycling—including scenarios where 100 percent end of life recycling is achieved—there is still likely to be strong demand for primary minerals.”

We know we are going to need it. People like Elon Musk last year said: “Please mine more nickel.” He promised: “Tesla will give you a giant contract for a long period of time if you mine nickel efficiently and in an environmentally sensitive way.”

I am with you on that.

Look at the analysis from Goldman Sachs, which found that increasing demand for electric car batteries is causing automakers to brace for a surge in prices in lithium, cobalt, and nickel.

In order for us to get there from here, in order to achieve a transition to renewable and cleaner technologies, we have to acknowledge that there is going to be a mineral footprint. It will be impossible to establish a robust domestic supply chain for EVs and batteries if we continue to import the raw materials from other nations, including some that continue to dramatically outcompete us in these areas every year.

I think we need a rational, clear-headed, eyes-wide-open approach to energy and mineral development. We don’t want to go backward on energy, and we can’t be caught flatfooted on minerals. We have the resources. We have the highest labor standards in the world and the highest environmental standards in the world. Our energy workers and our miners will hold themselves to those standards. Instead of importing more from places like Russia and China, we need to free ourselves from them to the extent that we can establish ourselves as this global alternative.

I have kind of taken that—actually, it is not something new. In the beginning of the 116th Congress, I prepared a white paper. We called it “The American and Global”—well, what we called it was a pretty cool title. It is a great little publication that should have gotten more notice, but like a good wine, it comes with time: “With Powers So Disposed,” America and the Global Strategic Energy Competition.”

I outline in this a strategic energy initiative designed to sharpen and direct our tools of energy related to economic statecraft and to enhance the geopolitical position of the country.

From that or as a jump-off from that, I am introducing my Strategic Energy and Minerals Initiative Act, which we call the SEMI Act. This legislation will enable U.S. companies to better compete in global markets, and it promotes the responsible domestic production of our oil, gas, and minerals. I think these are initiatives that are good for us to be looking critically at, again, as we move forward with this administration’s priorities on not only how we can build infrastructure—build it better, build it cleaner, build it with a renewable future—but we have to recognize that when we build things, we need base elements.

Know that Alaska is ready, willing, and able to play a role on all of these fronts. We have tremendous stores of

resources, but equal to those tremendous stores of resources is the responsibility that I believe Alaskans feel to be good stewards as we access those resources to allow for a level of sustainability, whether it is with our fisheries or whether it is with the subsistence, the livelihoods of those who rely on the food and animals on the land. We believe that we can contribute to our national security and our global competitiveness, while at the same time working to protect the environment, but what we need is a chance to be able to do that.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Iowa.

#### INFRASTRUCTURE

Ms. ERNST. Mr. President, when you hear the word “infrastructure,” what comes to mind? For folks across Iowa, it is roads; it is bridges, locks and dams, ports, waterways, and broadband. But according to the Biden administration, infrastructure is now a buzzword that encompasses just about every item on the progressive wish list. As a result, the President’s infrastructure proposal takes a very sharp left turn by including everything from elements of the socialist Green New Deal to higher taxes on American workers.

Some of my Democratic colleagues are even urging the President to include a pathway to citizenship for millions of undocumented immigrants in the infrastructure package.

How about we make the wall on our southern border infrastructure?

Probably to no one’s surprise, once again, the Senate majority leader is plotting to pass the bill in a totally partisan process.

Folks, we really need to pump the brakes. The Democrats are steering us the wrong way on this issue. Infrastructure is an issue that has always enjoyed broad bipartisan support in Congress.

We may disagree on how much to spend or how to pay for the costs, but we all agree that maintaining and improving our roads, bridges, ports, and waterways is one of the most important roles of the Federal Government’s. There is no reason to drive us apart on such an important issue that typically brings us together and impacts all of our States.

But President Biden is on a one-way street to more gridlock. Only about 5 to 6 percent of the \$2.2 trillion of the Biden proposal is dedicated to roads and bridges. The Biden plan spends less fixing potholes and repairing roads than it does on promoting electric vehicles and perks for the coastal elites who drive them, and you had better believe that this could have a devastating impact on Iowa’s ethanol and biodiesel industries, which support our States’ local economies. Even the liberal Washington Post is taking issue with the Democratic administration’s claim that 19 million jobs will be created by the proposal. The real number is less than 3 million. Each job created by this

so-called American Jobs Act will cost our taxpayers \$865,000, and because American workers will bear the brunt of the higher taxes in the Biden plan, that will mean lower wages. These costs are sure to give taxpayers road rage.

There is no reason to take this radical left turn. Last Congress, the Democrats and the Republicans on the Senate’s Environment and Public Works Committee, which I serve on, worked together to unanimously pass out of committee an important infrastructure bill to help fix our roadways. This highway bill provides us with a great starting point to move us forward in the right direction—toward a bipartisan infrastructure plan. This 5-year, \$287 billion bill was the largest highway bill in history, and it was supported by Senators from across the political spectrum who represented States from Vermont and New York to Alabama, Mississippi, and, of course, Iowa.

In hailing from a very rural part of Iowa, I am all for looking at ways to invest in broadband expansion, to support our roadways, and to make sure we have the right infrastructure in place to combat flooding in my home State. Those are true infrastructure needs and are the ones that I believe would get strong bipartisan support in a 50-50 Senate, but by throwing in progressive policy wish list items and non-infrastructure-related provisions, the Biden plan is headed down a dead-end street.

The President needs to do a U-turn and start working with the Republicans on a bipartisan roadmap for America. By putting aside the partisan pet projects—projects like the Honolulu High-Capacity Transit Corridor Project—and picking up where we left off, with the unanimously bipartisan highway bill, we can steer the infrastructure bill into the passing lane under the Senate’s regular order.

So, folks, let’s come together and literally start building some bipartisan bridges.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I want to talk also about infrastructure and associate myself with the interest that the country has in infrastructure.

In fact, one of the things that the government has done the longest has been roads and bridges and canals. I think, initially, the term “internal improvements” was, in the early 19th century, what they would have talked about when they talked about what we began to talk about later as “infrastructure.” During almost the entire history of the country, there was an understanding of what “infrastructure” meant in America.

Infrastructure is pretty popular, and infrastructure is definitely something that you generally can’t do for yourself. You can’t, on your own, provide the waterline that connects your house

to the next house. On your own, you can’t provide the road that gets you from home to work. On your own, you can’t do a lot of things that we did early on and up until right now and call them infrastructure. Normally, they were seen as things like roads and bridges and dams—big projects that sometimes crossed State lines—or big projects that sometimes were just too big for a State or a town to handle, like water systems that needed to be improved.

When we did that—and I will talk later about the way we did that—the bipartisan agreement also largely led to figuring out ways that infrastructure would pay for itself, in that the people who used the infrastructure would pay for the infrastructure, and we looked at that in a number of different ways.

Now, in the package that the administration has proposed, the \$2.3 trillion package, there are lots of things in there that I don’t disagree that the Senate should debate or I don’t even rule out of hand that the country might want to do. Yet I think they are not infrastructure, and the funding way to get to them makes it harder to have the kind of bipartisan agreement that, I think, we could have in an infrastructure bill. The Republicans are for it, and the Democrats are for it in the House, in the Senate. Let’s talk about how to get there.

Let’s also make the point, of the \$213 billion in this plan that is for Green New Deal building makeovers, there may be a place to do that, and it is something that we could clearly debate, but it is not the same thing as infrastructure. I was, at one time, the chairman of the Missouri Housing Development Commission. We did a lot of things to make it possible for people to have houses or for people to have buildings that they could have an opportunity to be a part of, but we never really called it infrastructure, and we did it in a different way.

On surface transportation, generally, for decades, that was paid by the highway trust fund. How did you fund the highway trust fund? You funded the highway trust fund by people pulling up to service stations and putting fuel in their cars, and when they did that, they paid into the highway trust fund. The more miles you drove, the more you paid into the highway trust fund, and Americans thought that was fair. We haven’t raised the highway gas tax since 1993, and that could very well be a debate we should have as part of an infrastructure package. If not the gas tax, what other kind of user fee could there be? Lots of people use the highways, the roads, the bridges, and the Interstate Highway System who don’t pay a gas tax now because they are transitioning to vehicles like electric vehicles that don’t fill up at that gas pump.

That is a debate I think we should have as part of an infrastructure debate. Just last year, it was predicted

that the highway trust fund would run out of money before the year was over, and it did. Because we collect less money every year than we spend every year, we decided to subsidize that out of general revenue, but nobody in that debate ever thought that it should be the permanent solution.

For other kinds of projects, we look for ways to help the end user make a project possible both in urban communities and rural communities. There are programs in which you can replace your water system or your stormwater system with something that works and price it appropriately. What we have done there is say: Well, we are going to figure out how we can either guarantee your bonds or write down your loans or both so that the users in those systems over, maybe, 30 years would pay back in amounts they could afford—what happened when you turned the lead water pipe into an appropriate water pipe. I am in favor of replacing every lead water pipe in America, but I think you can do that in a way that the users of those systems pay for those systems just like all of their neighbors in neighboring communities are paying for their systems. We could help them do that, and we have proven we can help them do that.

We could also create an infrastructure bank. Senator WARNER and I have worked on that for years. I think we are going to reintroduce the REPAIR Act, which would really be a non-partisan financing authority whereby the government guarantees a certain amount of that money, and maybe government assistance in putting together a public-private partnership creates another way that a little bit of Federal money creates a lot more infrastructure activity.

You could look at these and other issues like asset recycling, where the government leases or sells some existing public infrastructure and uses the proceeds of that to fund new projects. In Australia, they used that system to help pay for an expansion of subway systems and other things. In fact, the Federal Government would encourage local governments to privatize one of their local government assets that had customers. Then they would take that money, maybe, and build sidewalks that don't have customers, and the water systems that would have customers would have helped to build the sidewalks as it would be managed by a private company, but all of those private companies would be regulated in a way that people who would be customers would know they were protected.

We have had a lot of bipartisan infrastructure bills over the last decades and more than decades. Infrastructure bills are not new to America. Figuring out how you have an infrastructure bill that meets the definition of "infrastructure" and a system where the infrastructure goes as far as it possibly can to pay for itself by those people who use it has always involved Repub-

licans and Democrats reaching an agreement. I don't know that there has ever been a partisan infrastructure bill. It has always involved reaching agreement on what would be in the bill and reaching agreement on finding ways to pay for it.

New definitions can really confuse ideas that the American people think they understand. People are for infrastructure. They think that it is something the government should do. They can pass a test on what they believe "infrastructure" means if they have ever watched an infrastructure debate before. Let's find a way that we can move forward in a bipartisan way with an infrastructure bill that meets the standards of infrastructure and meets the standards of doing everything we can to be sure the system is fairly paid for by the people who use it and can afford to pay for it.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Wyoming.

Mrs. LUMMIS. Madam President, I rise to echo and augment the remarks of the gentleman from Missouri and to call on President Biden and the Democrats in Congress to work with the Republicans on a bipartisan infrastructure bill. As the only Senator in the unique position of sitting on all three committees with jurisdiction over transportation, I have a particular interest in making sure we are adequately funding our roads and bridges.

I have had many conversations with my colleagues on both sides of the aisle since I have joined the Senate, and everyone agrees that we have real infrastructure and transportation needs that must be addressed. The American Society of Civil Engineers recently gave our roads a D-minus rating, noting our \$786 billion backlog on roads' and bridges' capital needs. They gave our bridges a C-minus rating and a repair tag of \$125 billion.

We also need to take another look at how we fund our highway system. Right now, we have a highway trust fund that we can't actually trust. Since 2008, we have been relying on general fund transfers to pay for our roads and bridges instead of fixing our user fee model to keep the trust fund solvent. User fees give users the benefit of seeing where their money is going, and they allow those people deriving the most benefit from the system to give the most in support. This is a very fair, American way of doing things, and the certainty we get from a functioning user fee model is important for rural States, like my home State of Wyoming.

While much divides Congress these days, infrastructure, as that term is understood by most Americans, is a bipartisan issue. As such, one would assume that President Biden would want to find some common ground in order to build relationships in Congress and address the needs of every citizen. So it is perplexing that President Biden, who campaigned on bringing our Nation to-

gether, is now pushing a blatantly partisan infrastructure bill.

Let me show you why partisanship is unnecessary in the infrastructure space. I recently helped my Democratic colleagues on the Environment and Public Works Committee pass a bipartisan water and wastewater infrastructure bill out of committee with unanimous support. This is clear evidence that Democrats and Republicans can come together on infrastructure issues and find common ground. In 2019, the EPW Committee, under the leadership of my fellow Senator from Wyoming, JOHN BARRASSO, unanimously passed a bipartisan 5-year highway funding bill. This would be a great place to start for any infrastructure bill in Congress.

But this barely scratches the surface of bipartisan infrastructure legislation. Honestly, I am hard-pressed to remember a time when infrastructure was not bipartisan. The American Water Infrastructure Act of 2018? Bipartisan. The Water Infrastructure Improvements for the Nation Act of 2016? Bipartisan. The Highway Transportation Funding Act of 2015? Bipartisan. The Fixing America's Surface Transportation Act of 2015? Bipartisan. The Water Resources Development Act of 2014? Bipartisan. This isn't even a full decade of congressional action, and all of these things happened in partisan environments, when Americans were divided on a host of issues. But despite our divisions, we have always come together to address American infrastructure. In 2021, this should be no different.

If President Biden wants to truly unite the Nation, he can start by working with Republicans on the most basic bipartisan issues, and he might be surprised which Members of Congress are there to join him.

I will use myself as an example. I have opposed many of President Biden's actions to date, but I support his decision to bring our troops home from Afghanistan, and I am doing so publicly. I have also supported several of President Biden's nominees, including Secretary Buttigieg.

I can promise President Biden that if he comes in good faith to work with Republicans and Democrats on a bipartisan infrastructure bill, I will be there to work with him every step of the way. I know my colleagues feel the same. All we are asking is for the "unity" President to come to the table.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CRAMER. Madam President, I am pleased to have joined my Republican colleagues on the floor today. I associate myself with all of their comments, especially the speech just delivered by my friend from Wyoming, and demonstrate my strong support for a significant investment in America's infrastructure.

You know, as my colleagues have said, infrastructure has been one of the most bipartisan policy areas in Congress over the decades, and rightfully

so. I mean, we are obligated to provide for the national infrastructure.

As the lead Republican on the EPW Subcommittee on Transportation and Infrastructure, I am committed to doing my part. I am confident we can accomplish this on a national level and in a strong bipartisan fashion.

As has been said, 2 years ago, under the leadership of Chairman BARRASSO, EPW unanimously passed America's Transportation Infrastructure Act. It was the most substantial highway bill yet in our history. It authorized hundreds of billions of Federal dollars to maintain and repair America's roads and bridges, and it made reasonable regulatory changes—very important regulatory changes—so that projects wouldn't get derailed by endless bureaucracy.

It also maintained the current formula for deciding how States will receive the Federal funds. This funding formula ensures that States with small populations but expansive road systems, like North Dakota and Wyoming and Oklahoma, receive sufficient resources to update their roads and bridges within their borders. It is States like ours that feed and fuel the country. So not only does the traditional funding formula protect the interests of rural America, it protects all of America.

The movement of goods and services in support of our economy and the consumers cannot reserve a few thousand miles here and there of interstate for gravel. Interstate commerce requires a transportation system that is safe and sufficient for every mile. The pavement can't end in Minneapolis and get picked up in Seattle. For food to get to your table requires thousands of miles of safe, reliable roads, bridges, rails, and waterways.

My State of North Dakota is literally the center of the North American continent and is a top producer of dozens of crops and other food items. For example, we are the very top producer—by a long ways, by the way—of durum. Durum is the wheat that is ground into semolina flour, which is the main ingredient in pasta. So if you love cooking spaghetti in your kitchen or ordering penne at your favorite restaurant, you have to get the durum off the field in North Dakota to the elevator, where a train or a truck will pick it up and take it to the mill, where it will be ground into semolina before getting on another truck or train to the pasta plant, then to the grocery warehouse in another State, where it catches a ride to a distribution company or a retailer before it gets put into a pot of boiling water on its way to your plate in your Manhattan apartment or your favorite Los Angeles restaurant.

That is why we included the formula in the last highway bill when I was in the House. It is why we kept it in the highway bill at the committee level last Congress. And there is every good reason why we ought to include it now.

Under the leadership of Chairman CARPER and Ranking Member CAPITO,

EPW has had two hearings reiterating the importance of investing in America and dealing with the solvency of the highway trust fund.

It was disheartening to read a news story earlier this week and see how many of my colleagues are urging the President to not work with Republicans and to go it alone on infrastructure. One even said he was worried that Republicans would “never show up.” Well, here we are. We have shown up.

Like I told Chairman CARPER just last week, I believe we should go big. We should aim high. This is a tremendous opportunity to pass a major bill that will benefit our country as a whole and the States we represent. We cannot let one of the most bipartisan policy areas in Washington get derailed now because a narrow majority in the Senate decided to pursue a partisan, shortsighted goal instead.

I am committed to advancing an infrastructure package that is bold, bipartisan, and meets the demands of the moment, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Madam President, let me read to you a section of the proposal on infrastructure that has been put out by the White House, just one section of many sections that are there. This particular section on national critical infrastructure reads this way:

Funds for schools to reduce or eliminate the use of paper plates and disposable materials.

I don't know what your definition of “infrastructure” is, but I don't meet a lot of Oklahomans who, when I say “infrastructure,” they think school lunch trays.

We need to work on infrastructure, and I would tell you, I don't meet a Republican who is not engaged in this issue of infrastructure. And it is not the first time for any of us to work on infrastructure; we have had multiple bills. I remind people around my State that every time you are driving around my State and you see an orange construction zone and a flashing sign, that is a previous infrastructure bill that was done. In every direction that you go in my State, you are going to see infrastructure that is already happening and working because working on infrastructure is a common part of what we do.

Republicans have stepped to the table and have said: Let's work on infrastructure together. In fact, it was interesting—President Trump over and over again talked about working on infrastructure and tried to be able to get a major infrastructure proposal.

Our definition of “infrastructure,” though, doesn't include school lunch trays. We would like to work on highways. This particular package that the White House has sent us, we have just raised our hands and said: We have a few questions before you want to be able to move this forward.

This particular proposal spends \$174 billion for electric vehicles but only \$115 billion for the highways that they will drive on. We just believe we need to spend more on highways. We don't mind incentivizing electric vehicles, but, quite frankly, there have been a lot of incentives out there already.

Every Tesla that you pull up next to, when you turn over and see them at a stoplight, you should ask for your turn to drive because every one of those beautiful Tesla vehicles, the Federal taxpayers also kicked in \$7,800 in Federal tax subsidies for that beautiful \$60,000 automobile that someone else is driving.

There have been tax incentives that have been out there for electric vehicles; we just believe we need to spend more on actually dealing with our roads and bridges because they have major problems.

So what can we do? For those of us in Oklahoma, we know full well. I-35, Interstate 44, Interstate 40 all cross in my beautiful State. We are the center of the country in trucking. We are the center of the country in railways. We have the farthest, northernmost inland port that is actually in Oklahoma, where a lot of wheat and fertilizer move through our State, coming from the north to get into the ports to be able to get out.

We understand the significance of what it means to be able to work on our ports, our waterways, our highways, our bridges; to deal with clean water, to deal with sewage water; to be able to deal with even broadband. All those things are essential for every farm to be able to operate and for every section of our economy to be able to function.

Let's work on this together. Let's find a way that we can actually hit common ground and agree that working on airports and working on highways and working on bridges is vital to us, and then let's talk about the rest of the other things on this because we have a lot of debt as a country, and adding another \$2.5 trillion and having a debate about a corporate tax change that—quite frankly, in 2017, when we made that corporate tax change, 70 percent of the difference in those companies went to employees' wages. Now to go back and to raise that corporate tax again, we know exactly what that is going to mean for employees of those companies and future raises that they may or may not get.

So let's actually talk about this, and let's work on infrastructure together, but let's actually work on what is truly infrastructure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, first, I ask unanimous consent that Senator BOOZMAN, Senator MARSHALL, and Senator DURBIN all be permitted to speak for up to 5 minutes prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BARRASSO. Madam President, I come to the floor today to associate myself with the remarks from the Senator from Oklahoma.

We are here as Republicans who believe in free markets, and so do the American people. The Democrats, on the other hand, are running a 100-yard dash towards socialism. They have decided to redistribute America's wealth. President Obama used to call this "spreading the wealth around." Democrats are taking the wealth of our Nation and they are gathering it up in Washington, DC, and deciding then how they want to spend it.

In March, President Biden signed a big payoff to the people who run the Democratic Party—the union bosses, the DC bureaucrats, and bankrupt blue States. He said it was a coronavirus relief bill. Yet only 9 percent of the money actually went for healthcare.

Just weeks later, President Biden came back again, now requesting \$2.7 trillion under the namesake of "infrastructure." When you read through it, it looks like once again he is trying to spread the wealth around, gathering it not for what we consider traditional infrastructure—roads, bridges, ports, highways, airports, waterways, all of those things, dams, reservoirs, you name it—it seems that once again it is going for the Democratic elites. It looks to me to be a slush fund for liberal spending, going to union bosses, climate activists, and the Silicon Valley contributors to the party.

Where is the money coming from? The last bill went on the credit card. The next one is coming out of the wallets of the American people. President Biden is proposing the largest tax increase in a generation. Working families and small businesses are going to be on the hook. They will put the American worker at a disadvantage.

Look, there hasn't been a proposed tax increase of this size in this century. It is going to affect everyone in this country, and it is going to be a rude awakening for the many small businesses that are finally reopening after living the past year with the coronavirus pandemic. Now, in addition to the struggle they have been through, they are going to be hit with a big tax increase. Now, in addition to the struggles they have been through, they are going to be hit with a big tax increase.

Now, we know who is going to end up footing the bill for the President's tax hikes. He may say that it is just corporations. The American people are going to be hit with this tax increase. You can call it a tax hike on corporations, but that absolutely just ricochets back onto the people who work for those businesses and who buy the products of those businesses.

President Biden is going to try to spin it another way, but the highest costs of all of this is going to be borne by American families.

Higher taxes, of course, mean fewer jobs. One estimate says that the bill is

going to kill a million jobs. These aren't CEO jobs. These are middle-class jobs. These are the jobs of hard-working families in my state of Wyoming and in States all around the country.

Prices across the country are already going up under President Biden. The cost of energy went up 9 percent just last month. Gasoline prices are up over 50-cents a gallon since President Biden took office and started his Executive orders attacking American energy.

If this bill that is being proposed now under the name of infrastructure becomes law, well, we will know that the price increases are just beginning. Because of President Biden, more wealth is about to be taken from places all across middle America and certainly in my home State of Wyoming. It will be sent to the Democrat elites in Manhattan and Silicon Valley and, of course, here in Washington, DC.

Democrats are focused on redistributing our wealth. They want to take it from working families and give it to their liberal donors. It is a bad law. It is bad economics. And I urge my colleagues to stand for jobs, for higher wages, and for the working men and women of our Nation, who know what infrastructure really means and the kind of infrastructure they need for their communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Madam President, I join my colleagues today to address the ongoing discussions taking place in Congress among the executive branch and in communities across the country about the state of our Nation's infrastructure and how to improve it to propel our economy forward and enhance the quality of life in Arkansas and every State.

As a member of the Senate Environment and Public Works Committee, I understand the importance of infrastructure investment. I have been a constant advocate for water resources development, surface transportation investments, and the expansion of rural broadband.

President Biden recently released a plan that claims to rebuild America, claims to rebuild its crumbling infrastructure. While I agree that infrastructure investment must be a top priority, I have serious concerns about this particular proposal. The President should look to the successful example of the Senate Environment and Public Works Committee as a starting point for this critical bill. There are a number of bipartisan infrastructure-related bills in the Senate which have been thoroughly vetted and are ready to be passed. Instead, the administration is trying to reinvent the wheel.

My advice to President Biden is simple. The path to achieve long-term infrastructure improvement is through bipartisanship. Just weeks ago, the Environment and Public Works Committee unanimously passed the Drinking Water and Waste Water Act.

Last Congress, the Committee unanimously passed America's Transportation Infrastructure Act to provide resources and long-term certainty for States and local governments to build safer and more modern highways, railroads, and bridges.

These bills are just two examples of the good work the Senate has been doing to invest in our Nation's crumbling infrastructure. I am pleased to hear this Chamber may begin consideration of the Drinking Water and Waste Water Infrastructure Act this month.

Unlike the House of Representatives and the Biden administration, which continue to undermine bipartisanship by developing and advancing a progressive policy agenda, the Senate has been working in a bipartisan manner to find solutions for our transportation challenges.

If President Biden is listening, my message to him is this: Work smarter, not harder. There is no reason we need to start at the beginning of this process. The Senate EPW Committee has done the work which can and should be the basis for any infrastructure proposal.

I have always said that if you take the "E" out of EPW, we actually get a lot done in our committee. For a good example of the type of cooperation that can be achieved, look no further than the work of Senator INHOFE and former Senator Boxer. These two colleagues had little in common. However, they agreed on the importance of infrastructure investment, and they were able to usher major legislation through Congress through a collaborative and deliberative process.

The same is true for Chairman CARPER and Ranking Member CAPITO. While these two have ideological differences, they have demonstrated their ability to work together to create a bipartisan product.

We want to work with the Biden administration on infrastructure to update basic public services, such as safe roads and bridges. With innovative financing and private sector investment, we will be creating jobs and keeping commodity prices low while remaining competitive in the global marketplace. However, we will not tolerate a partisan process where only one side gets to offer input with the end result being a liberal wish list of projects and priorities that have nothing to do with infrastructure investment.

Infrastructure is about as ripe as any area that we have to actually get something done of a major nature in a bipartisan, cooperative way.

I am back in Arkansas almost every week, and I can tell you what Arkansans want. They want us to be able to disagree while also being able to create a good commonsense policy. A bipartisan infrastructure bill is a way to demonstrate the President's willingness to work across the aisle. I am ready to create a path forward to update and modernize our Nation's infrastructure needs as well as make wise



investments in our water systems, energy grids, and broadband deployment, where there is bipartisan agreement on the urgent need to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Madam President, simply stated, President Biden's so-called infrastructure plan helps China and hurts hard-working Americans. Let me say it again. This bill helps China and hurts hard-working Americans. Less than 5 percent—that is how much of this \$2 trillion infrastructure proposal actually goes toward building roads and bridges in the United States. Instead, this partisan proposal is loaded with Green New Deal pet projects and an abundance of spending that stretches far beyond recognition of what hard-working Americans define as infrastructure.

This is not the first time we have seen Democratic attempts to redefine the traditional meaning of words. In recent weeks, the White House has also moved to change how people perceive bipartisanship in Congress. No longer do our colleagues across the aisle need to secure Republican votes in order to successfully pass a so-called "bipartisan" bill. One obscure poll with cleverly worded questions that helps to garner bipartisan support from the respondents will do the trick. It is a manipulation of words that would allow President Biden to try to ram through this radical agenda and sell it to the American people as fulfilling his campaign promise of unity.

President Lincoln once said: "You can fool all the people some of the time and some of the people all the time, but you cannot fool all the people all the time."

The American people won't be duped by Washington doublespeak. I hosted five townhalls this past weekend, and Kansans have their eyes open to what is in this bill. Kansans understand that while this bill provides \$115 billion for roads and bridges, more than half of over \$2 trillion is devoted to green energy projects and the elimination of fossil fuels.

Among these green provisions is \$170 billion for electric car chargers and tax incentives for purchasing electric cars. It also calls for electrifying one-fifth of the Nation's school buses and all 650,000 of the U.S. Postal Service's delivery trucks, which will result in driving up costs to Americans.

When unveiling this infrastructure plan, President Biden mentioned China six times as he attempted to sell it as a way to compete with China. However, this rapid jump to electric vehicles does the opposite and will benefit China more than many hard-working Americans. That is because China leads the world in manufacturing 80 percent of the materials needed for batteries and will continue to do so. Of the 136 lithium-ion battery plants in the pipeline between now and 2029, 101 are based in China.

China mines 64 percent of the world's silicon and makes 80 percent of the world's polysilicon with coal-generated electricity—the key component to solar panels. This bill will serve as a boon for China while decimating our domestic oil and gas industry, which helped us achieve our long-held goal of energy independence in 2019.

This bill will harm our general economic output by taking \$2 trillion out of the private sector. We should really be calling this package the "grab your wallet bill" or "raise your taxes bill."

The legislation calls for the largest corporate tax increase in decades and will put the tax burden on American companies toward the top of the developed world list. This will make American companies less competitive in the global market. It is a recipe to kill the economy at a time when our Nation is still recovering from COVID. It will also negatively impact our economy in the long-term.

According to projections from the Penn Wharton Budget Model, as a result of this partisan legislation, overall GDP will be decreased 0.9 percent lower in 2031 and 0.8 percent lower in 2050. Hourly wages would be down by 0.7 percent in 2031 and 0.8 percent in 2050.

Perhaps what is most disappointing is that this bill demonstrates that gone are the days when infrastructure packages were an opportunity to build bipartisan bridges. Thanks to Republicans' control of the Senate and reaching across the aisle, the two most recent bills governing spending on roads and bridges both passed with overwhelming bipartisan support before they were signed into law.

So in case there is still an opportunity for bipartisanship, let me tell you what I am for. I am for a package that, No. 1, reaches across the aisle and rebuilds our aging roads and bridges; next, incentivizes innovation, invests in future generations, ensures high-speed internet for all Americans, and reforms our permitting process so that when we say "shovel-ready," we really mean shovel-ready, as opposed to going through years of permitting and driving up the cost of the project.

Look, pre-COVID, we had the strongest economy in my lifetime, thanks to Republican-led policies put in place over the last 4 years. Lower taxes and deregulation resulted in historically low unemployment rates, as well as energy independence and affordable energy costs. We need to get back to these policies and not continue the onslaught of harmful redtape, proposed tax increases, and unprecedented spending sprees.

The future of our children and grandchildren depends on it.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

#### NOMINATION OF VANITA GUPTA

Mr. DURBIN. Madam President, I would guess if the American people could give us a word of advice in the Senate, they would suggest that we do

our best to work together and to try to establish priorities and meet them, and that we try to bring to the new administration of President Joseph Biden the most competent and qualified people that we can to help our Nation through this pandemic and our economic recovery. It is in that spirit that I close the debate on Vanita Gupta to be the next Associate Attorney General of the United States.

Yesterday's verdict in Minnesota certainly caught the attention of many in America and across the world. The killing of George Floyd was resolved in a court of law. Sadly, he will not be with us, but his legacy lives on, and it depends on us to use that legacy to make America a better nation.

Can we really come together and put law enforcement at the table with community leaders and civil rights leaders and find common ground?

Can we keep our streets and communities and neighborhoods safe and do it without discrimination against any person or group in America?

These are big challenges—tough challenges. But to meet them, we need the right people in positions of leadership. Vanita Gupta is one of those people.

As a former civil rights advocate, she did extraordinary things—in Tulia, TX, and many other places—to show progress in the area of civil rights.

As a former acting Assistant Attorney General in charge of civil rights, she worked with law enforcement organizations to try to resolve the very problems that we have seen in Minnesota and Illinois and virtually in every other State. She is a dedicated professional with an extraordinary resume who wants to continue to serve this Nation.

Will she be able to work with law enforcement groups? Well, they think so because they support her. There is a long litany: National Sheriffs' Association, Major County Sheriffs of America, International Association of Chiefs of Police, Major Cities Chiefs, 53 former police chiefs or sheriffs, the Police Executive Research Forum, the Federal Law Enforcement Officers Association. The list goes on and on.

But the simplest statement that was made comes from a pretty hard-nosed group, the Fraternal Order of Police, and those who are in politics know you have to work to earn their support. Here is what they said about Vanita Gupta: "Gupta always worked with us to find common ground, even when that seemed impossible."

Isn't that exactly what we want at this moment in American history as we cope with the civil rights challenges of our age? This is our chance.

I hope the Senate, with its vote—I hope it is a bipartisan vote—will give Vanita Gupta the chance to serve America again.

I yield the floor.

#### VOTE ON GUPTA NOMINATION

The PRESIDING OFFICER. All postcloture time is expired.

The question is, Will the Senate advise and consent to the Gupta nomination?

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 160 Ex.]

#### YEAS—51

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

#### NAYS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rounds
Boozman	Hawley	Rubio
Braun	Hoeben	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Toomey
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	
Fischer	Portman	

The nomination was confirmed.

The PRESIDING OFFICER (Ms. BALDWIN). The majority leader.

Mr. SCHUMER. Madam President, first I just want to say, before I move on a motion to discharge, it is really so good to have Vanita Gupta now installed as Associate Attorney General. To have someone with such a background in civil rights at this time in American history is so important and so vital to the country.

I am so glad that the Senate has now approved her and she can do her vital job, including dealing with the systemic bias we have seen in policing and in law enforcement throughout the country. So it is very good news for the forces of equality and justice in the country.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, I ask that the motion to reconsider be made and laid upon the table with no intervening action or debate and that the President be immediately notified of the Senate's action.

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

#### MOTION TO DISCHARGE

Mr. SCHUMER. Madam President, pursuant to S. Res. 27, the Committee on Armed Services being tied on the question of reporting, I move to discharge the Committee on Armed Services from further consideration of the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

Mr. SCHUMER. I ask unanimous consent that the time be equally divided during the quorum call.

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

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

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

The senior Senator from Oklahoma.

#### NOMINATION OF COLIN HACKETT KAHL

Mr. INHOFE. Let my start by urging my colleagues in the Senate to vote against the motion to discharge from the Senate Armed Services Committee the nomination of Colin Kahl for Under Secretary of Defense for Policy. This is not a decision I take lightly. I have always felt that any new administration should have his team or her team, and I have generally been very supportive.

When President Biden nominated Dr. Kahl for this position, my expectation was that, if confirmed, he and I would often disagree on policy, but we would actually get along together; we could coexist together. I quickly learned that this would really be impossible with Dr. Kahl. I don't think I have ever said that about any nominee for any position that I can recall.

My Republican colleagues in the Senate Armed Services Committee—all 12 of them—reached the same conclusion. We opposed his nomination unanimously. That is very unusual.

Before I explain why not a single Republican was able to support Dr. Kahl's confirmation in committee, I want to emphasize how rare this is. The Senate Armed Services Committee, as everyone knows, is extremely bipartisan, certainly in the years that I was chairing that committee with Ranking Member JACK REED. We got along famously. We got things done that other people couldn't get done.

The Senate Armed Services Committee has always been bipartisan. We have disagreements, of course, but Republicans and Democrats on the committee have a legacy of consensus. National security and taking care of our

troops are bipartisan concerns. This is how we succeeded in passing the National Defense Authorization Act.

The National Defense Authorization Act is the largest bill every year. It is the one where it sets out the guidelines for the coming year, and it is the one where we always have gotten along. We passed it every year for 60 consecutive years. It shows and demonstrates very clearly how well we get along.

The Department deserves a nominee with bipartisan credibility. You have to keep in mind this position is the No. 3 position in the Pentagon. It represents our shared bipartisan vision of effective national security and healthy civil-military relations.

This position demands a nominee who can carry out the President's policies while engaging those who disagree in good faith. That isn't the case with this nominee. That is why we are faced with this vote today.

I also want to clear up a common misunderstanding. Republicans on the committee did not vote against Dr. Kahl simply because we disagreed with his policy views. Policy is what that position is. It is the policy position of the Pentagon. This should be obvious to anyone who paid attention to the confirmation of President Biden's nominees for Secretary of Defense and Deputy Secretary. We got through both of them quickly. I don't remember a time when any new administration got the two very significant positions of Secretary of Defense and Deputy Secretary of Defense so fast. We got them in record time. There are some things that we disagree with policywise, but we supported their confirmation, as did most of my Republican colleagues, for one reason: They were eminently qualified. I am talking about the Secretary of Defense and the Deputy Secretary. Both of them were eminently qualified, with long track records of bipartisan cooperation and strong professional judgment. I have dealt with both of them for many, many years.

In fact, we expedited the nomination to give the President his national security team just about as quickly as we could. Republicans may disagree with him, but we can work with them very well.

Unfortunately, the same cannot be said of Colin Kahl. The national security problems we face are wicked and complex. We wrestle with them constantly on this committee.

What I cannot support are nominees who reduce complex national security conversations to partisan sound bites. For instance, as many of my colleagues will recall, back in October of 2019, Republicans and Democrats disagreed about our policy in Syria. When President Trump announced a full U.S. troop withdrawal from northeastern Syria, some of our colleagues worried about extended deployments. This is a reasonable concern because here is how Dr. Kahl chose to characterize it: Republicans are "the party of ethnic cleansing," he wrote. He actually said that. He said that publicly.

Good and kind people can disagree with each other. They don't have to resort to name-calling and accusations of war crimes.

That is not an isolated example, as we discovered during our review of Kahl's writings and public statements. He often embraces conspiracy theories. For example, he alleged a "Kushner-Kremlin quid pro quo" referring to the President's son-in-law. And when given the opportunity to correct this type of conspiracy theory during his confirmation hearings, he refused to do it. He stood by those statements.

Dr. Kahl also has a long history of claiming every policy decision with which he disagrees will lead to war. Thankfully, he has never been right.

Dr. Kahl predicted that President Trump's decision to withdraw from the Iran deal would lead to war. It didn't. He said by sanctioning Iran's Foreign Minister, President Trump was boxing "himself into war." There was no war. It didn't happen.

At one point, Dr. Kahl suggested that President Trump might "start a war with Iran for political diversionary purposes." This is a ridiculous claim. Obviously, it didn't happen.

According to Dr. Kahl, the strike on Iranian terrorist leader Soleimani, the appointment of John Bolton as National Security Advisor, and the events of the Korean Peninsula, among others, were going to lead to war. And none of the wars happened.

His public declarations and policy judgment are consistently partisan and consistently wrong. The Under Secretary of Defense for Policy serves as the Defense Secretary's top national security advisor. It requires a leader with sound judgment and even temperament, and Colin Kahl simply doesn't possess either one of these qualities.

Even worse, Dr. Kahl has a long track record of maligning people whom he disagrees with. I mentioned the Syrian example earlier. He also said that the Republican Party has a "death cult fealty" to Trump. That is seriously what he said.

The bare minimum for the Defense Department's top policy position is good judgment and even temperament. Dr. Kahl lacks both of these qualifications. It would set a terrible precedent if we confirm someone like him for the job.

I have a history of working so well with people on both sides, which is why I can and have supported many nominees whose policy views differ from mine. That goes with the job.

We have someone who is elected President of the United States. I disagree with him on many of the issues having to do with our defense policy, but because I trust that while we may disagree, they understand that we are all trying to do the right thing for our Nation and for our kids and our grandkids. Unfortunately, I don't have that trust in Dr. Kahl. Confirming him would create a real political challenge

for the Department over the years to come.

Every time DOD lays down a new policy or makes a critical military decision, we will have to wonder: Was this the decision informed by the Department's skilled professionals or by the partisan conspiracy theorist that happens to run the Department? That is why all 13 Republicans on the Armed Services Committee voted to reject this nominee. This is why I urge my colleagues to vote against the motion to discharge and urge President Biden to consider another nominee—one who can work productively with both sides of the aisle, even when we disagree. Mr. President, I would like to have you consider these things to make your job and my job a lot easier.

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

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

Mr. SULLIVAN. Madam President, I ask unanimous consent to engage in a colloquy with my friend and colleague Senator SCOTT from Florida.

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

UNANIMOUS CONSENT REQUEST—S. 1105

Mr. SULLIVAN. Madam President, I am honored to be on the Senate floor with my colleague Senator SCOTT from the great State of Florida. We are here to talk about an issue that really matters to both Alaska and to Florida and, I would say, that actually matters to the whole country.

Let me begin by saying that, like all States, my State, the great State of Alaska, struggled through the pandemic. There were a lot of challenges. I am proud to say that, with regard to the health challenges of the pandemic, I am very honored and privileged and proud to represent a great group of Americans, my fellow Alaskans, who came together on the health side despite our huge challenges in terms of its being a giant State with a dispersed population.

We worked together, and on so many indicators of health that were directly related to the pandemic, Alaskans did very well. We were the No. 1 per capita in terms of testing throughout almost the entire pandemic. Remarkably, we have been the No. 1 State per capita in terms of vaccine distribution, which is a mini miracle, if you know Alaska, given how big it is. We had vaccines going out of snow machines, dog sleds—you name it. We were getting it out to everybody in a more efficient way than in any other State in the country and, importantly, thank God, with one of the lowest per capita death rates in the country. We are proud of that.

Yet our economy—like many but I would say almost uniquely—is getting

hammered, and people are suffering economically, first by the pandemic, of course, and now, unfortunately, by our own Federal Government. Let me just give a couple of examples.

The energy sector is very important to Alaska and very important to America, and, yes, we still need energy. Oil and gas, we need them. We have some of the greatest workers in the world in my State, but the Biden administration thinks we don't need them. It has been crushing my State with nine Executive orders directed solely at the State of Alaska to shut us down—nine by this administration. There is no State in the country that is getting that kind of attention. We don't want that attention.

Regarding commercial fishing, our State has been what I like to call the superpower of seafood. Over 60 percent of all seafood harvested in America comes from Alaska. This has been hurt by the pandemic.

The issue that we are here to talk about today is tourism, which is so important to Alaska and so important to Florida, and it is what I want to talk about with my good friend Senator SCOTT. It is about bringing relief to our fellow Americans—Floridians, Alaskans—and working to immediately pass the CRUISE Act. That is our bill, which would provide relief to coastal communities in our country—in Alaska and in Florida—and would enable a responsible return of cruise ship activities, which are so important to the small business owners in our States, whose livelihoods depend on having a robust tourism sector.

Let me just very quickly mention one thing. Alaska is open for tourism—one of the most beautiful places in the world. In fact, America, if you want to come and have a great vacation, come on up to Alaska this summer. Not only will you have an amazing experience, but we just announced 2 days ago that you can get a vaccine. Come on up. If your State is too inefficient for you to get a vaccine, have a great vacation in Alaska, and you will get a vaccine in Alaska as well. You can do both. You can see the most beautiful State in the country. You can fish, see glaciers, wildlife, climb mountains, whale watch. If you do that, it is going to help our economy and help the small businesses—fishing guides, hotels. I know Americans want to help one another. That is what we have been doing for the last year. We want you to come up, stay safe, and get a vaccine.

But here is what we need. To enable that to happen in Alaska and in other parts of the country, we need the CDC to better understand its job, its mission, and its role. This particularly relates to the issues of cruise ship passengers and the ability for cruise ship vessels to start to return to America's waters as they are doing throughout the rest of the world. In Asia, Europe, and Latin America, people are cruising safely right now, but the CDC is dragging its feet. It is dithering.

I have been meeting and my staff has been meeting with them, certainly, weekly. I have met twice with the CDC's Executive Director, but all we get is foot-dragging. All we get are excuses. All we get is guidance that is muddled, confusing, and simply unworkable.

Here is the thing: In my State, communities are dying, and no one seems to care. At the CDC, the bureaucrats there don't seem to give a damn about what Americans are suffering through right now, literally. I don't know how many times we can be on calls with them wherein we get no response. When people lose jobs and lose businesses, that has a health impact too.

Here is what our simple bill does, the CRUISE Act.

First, it will require the CDC to issue recommendations for how to mitigate the risks of COVID-19 to passengers and crew on board ships. This will be in addition to what the industry has already put forward, and there are over 70 recommendations.

Second, our bill will establish an interagency working group that will develop recommendations to facilitate the resumption of passenger cruise ship operations in the United States—in Florida and Alaska. The recommendations will facilitate the resumption of passenger cruise ship operations no later than July 4, 2021. Our bill will require the CDC, on no later than that same day, Independence Day, to revoke the order entitled "Framework for Conditional Sailing and Initial Phase COVID-19 Testing Requirements for Protection of Crew."

Our bill, finally, ensures that the HHS and CDC retain all appropriate authorities to make and enforce the regulations necessary to prevent the introduction, transmission, or spread of communicable diseases on individual cruise ships.

This is a commonsense bill. We need the CDC to continue to work with us, certainly, but to recognize that by dragging its feet, tens of thousands of Americans are going to continue to suffer when they don't have to.

We can do this responsibly. My State and the State of Florida want to do this responsibly, but we can't wait any longer. Our tourism season in Alaska is very short. Our businesses need to know that they can open again, and our citizens need help.

I yield the floor to my colleague from Florida, whose citizens are experiencing some of the same devastating impacts that my fellow Alaskans are.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I do want to compliment my colleague. He comes from a beautiful State. While I would like all of the tourists to come to Florida, Alaska is a great State to take a vacation. I have had the opportunity to do that a few times, and it is a beautiful State.

I thank my colleagues Senator SULLIVAN and Senator RUBIO for working

on this bill that is so important to all of our States but, for sure, Florida and Alaska.

Many States rely on the success of our ports, our cruise lines, and our maritime industries. Throughout my time as the Governor of Florida, we proudly welcomed more than 100 million visitors every year and shattered annual tourism records each year. Every visitor to our State supports small businesses, fuels job growth, and boosts tax revenue, helping to create State and local investments in the environment, transportation, public safety, and education.

And it is not just Florida and Alaska. Tourism, including our all-important cruise industry, has huge impacts for States across our Nation and the thousands of jobs that rely on its success.

On the chart you can look at this.

So, first off, the cruise industry shutdown is just killing a lot of jobs—jobs all across this country. Before the COVID-19, we had 450,000 jobs—450,000 American jobs—and \$55 billion in GDP every year in our economy.

Unfortunately, due to the suspension of cruises caused by the CDC inaction, more than 300,000 American jobs have been lost. So this is all across our country.

As we continue to work to recover from the coronavirus and get our economy back on track, I remain committed to doing everything I can to support our tourism industry in Florida, Alaska, and all across the country in a safe manner.

Unfortunately, while many sectors of the economy have been safely operating for months under CDC guidelines, Floridians and those across the Nation who rely on the cruise industry for work, continue to wait, wait, wait, wait for updated guidance from the CDC.

For months, I have heard from small business owners who have shared just all their stories about how important tourism is to them and, specifically, that the cruise industry is to their livelihood and how much the CDC's decision here has hurt them.

Let me give you an example. Omar Otero, founder and owner of VOK Protective Services, says:

As a business owner, I've been dependent on the cruise industry for my livelihood for 20 years, and this pause has been devastating. What many people don't see behind the scenes is that cruising has a significant impact on many small businesses, and employs hundreds of thousands of people in America. Resuming cruising is critical to my business and would allow me to work again and support my family.

Jeannette Pineiro, president of Cruiseport Destinations, says:

The uncertainty we've been living with the last year is probably the most devastating mentally for a business owner. I have former employees that are still unemployed. They want to get back to work, and there has been nothing I could do. The cruise industry needs to be treated on par with other sectors of the travel industry, and this legislation would provide a plan to safely resume cruise operations.

The CDC's refusal to properly address this shutdown is wrong. It is time to get the cruise lines open, and it is going to create jobs all across the country.

That is why I am proud to join my colleagues Senator SULLIVAN and Senator RUBIO in introducing the CRUISE Act, which says we are not waiting on the CDC any longer.

In March, President Biden announced the effort to vaccinate all Americans—his plan to vaccinate all Americans by July 4.

As of this week, all adults will be eligible for COVID-19 vaccines. Our Nation has made enormous progress in fighting COVID-19. Yet the CDC has continued to act like we are still in March 2020. Meanwhile, as my colleague from Alaska said, there is cruising all over the rest of the world.

My colleagues and I are simply asking the CDC to provide a timeline of when the cruise industry can begin to reopen, like so many other sectors, and the CRUISE Act ensures they can do that in a safe manner.

The CDC is treating the cruise sector unfairly, while other industries are open for business. There is no reason why America's cruise industry and the thousands of jobs that rely on its success should continue to suffer.

Cruises can and should resume, and we are going to do everything we can to bring back cruising safely.

I yield to my colleague from Alaska.

The PRESIDING OFFICER. The junior Senator from Alaska.

Mr. SULLIVAN. Madam President, as if in legislative session, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1105 and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed, and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Madam President, reserving the right to object, I understand the position of my colleagues from Alaska and Florida who want to see a return to cruising by July 4. I am there with them. The cruise industry in my home State supports over 5,500 jobs and creates \$900 million in annual local business revenue. Those jobs and that impact on the local economy have been severely disrupted, but we have to ensure the safety of our friends and our families on these cruises before they disembark.

We have seen firsthand how devastating COVID outbreaks on cruise ships can be. Just last year, we saw thousands of passengers stranded on cruise ships—people put in quarantine or refused entry to ports as borders closed.

Over 31 million Americans have contracted COVID, and 560,000 have died

from this disease. Cruise ships require specific focus and protocols in place to prevent future outbreaks.

While I am as eager as anyone else to see a return to travel, we cannot cut corners. Doing so risks lives and will only further delay returning to normal, hurting our economy more in the long run.

We must trust the science, and we must allow the CDC to continue its work to help us return to what we love as safely as possible.

So I will continue to work with the CDC and the administration as they develop the next phase of their cruising guidance, but for now, I object.

The PRESIDING OFFICER. Objection is heard.

The junior Senator from Alaska.

Mr. SULLIVAN. Madam President, to my colleague from Washington, whom I have the utmost respect for, it is true that at the beginning of the pandemic, there were all kinds of challenges with the cruise ship industry. There is no doubt about that. We saw that, but that was over—well over—a year ago. We didn't know anything about the virus then, we didn't have vaccines then, and we didn't see the economic devastation then. It is a very different period right now, a year later.

What we are asking for is the CDC to move. That is what our bill does.

You know, Senator MURKOWSKI and I had a meeting—our second meeting—with the CDC Director just 3 weeks ago, and in that meeting she told us that they were going to issue all the guidance for the cruise ships—issue it all so people can plan. They said that they could anticipate with this guidance that we could meet cruising opportunities to start by mid-July in Alaska. They said that with this guidance the CDC wouldn't have to be approving every move—every move going forward—and they said that they would take into consideration this huge progress we have made on vaccinating Americans.

In my State, in southeast Alaska, there are communities with 60, 70, 80 percent vaccination rates. That is where these cruise ships are going to be going.

The unfortunate thing is that not one thing the Director of the CDC told us turned out to be true. That is not good. Her staff or somebody in the CDC needs to be held responsible for telling us something that was not true at all.

Again, what is happening right now is an economic and health devastation. In my State, the estimates are up to \$3 billion worth of damage just in Alaska alone because of the foot-dragging, mixed messages, and unresponsiveness when it comes to the CDC's guidance.

As my friend from Florida just mentioned, airlines, schools, hospitals, and hotels have all gotten CDC guidance and have been able to open. But for some reason, they are focused on this industry, which negatively impacts thousands of small businesses across America, in Florida and Alaska. And I

certainly hope that the CDC, seeing that we are trying to move this—and it is a bipartisan issue, by the way—will start to do its job—will start to do its job and make the commitment that was made to me and other Senators to get this moving quickly in terms of guidance so we can be having tourism, cruise ships, and otherwise in America by mid-July. That is what I was told by the Director 3 weeks ago. They need to keep that commitment.

I yield to my good friend from Florida.

The PRESIDING OFFICER. The junior Senator from Florida.

Mr. SCOTT of Florida. Madam President, well, I am clearly disappointed that my colleague from Washington would object to this commonsense proposal.

The cruise industry impacts thousands of jobs, not just in Florida and not just in Alaska but in the State of Washington. Everybody here I know wants to make sure that we can start cruising again in a safe manner.

Let's remember what my colleague was talking about. She was talking about what was going on in March and April in 2020. But today, hotels are open, airlines are flying, beaches are open, restaurants are open, tourism sites are open, and amusement parks are open. They are all open, but for whatever reason, the CDC has made the decision to not allow cruising to happen, and they have singled out this industry and cannot tell any of us why they singled this out.

All we are asking is for the CDC to provide a timeline of when the cruise industry can begin to reopen. The cruise industry wants to do it safely. It is a lot of American jobs, including—I think it is—23,000 jobs and a billion dollars in economic impact in the State of Washington.

So I know everybody says they want to get this done, but the only way this is going to happen is if we make sure that we force the CDC to finally make a decision and allow the cruise industry to get open again in a safe manner.

The PRESIDING OFFICER. The Senator from Arkansas.

NOMINATION OF COLIN HACKETT KAHL

Mr. COTTON. Madam President, Colin Kahl is President Biden's nominee to be the Under Secretary of Defense for Policy. This is the top strategic planning position at the Department of Defense—the No. 3 position at our Department of Defense. The role is critically important to the national security of our country and the safety of our allies around the world.

Unfortunately, Mr. Kahl is temperamentally and professionally unfit to hold this—or, for that matter, virtually any other—job at the Pentagon. He is impulsive, intemperate, offensive, and has consistently demonstrated terrible judgment.

For the past several years, Mr. Kahl has endeavored, for some inexplicable reason, to be something of a Twitter celebrity—not exactly aiming his

sights high. In pursuit of this goal, he has personally attacked the character and reputation of virtually every Republican Senator, as well, I would say, with lots of Democratic Senators.

He has tweeted that Members of both parties who supported the withdrawal from the terrible Iran nuclear deal “won't be satisfied until they get the war they pushed for decades.”

He wrote that 45 Senators who supported weapon sales to Saudi Arabia share “ownership of the world's worst humanitarian crisis.” This claim, in which he referred to the war in Yemen, of course, ignores the role of Iran's murderous, terrorist proxies, something, of course, that Colin Kahl repeatedly turns a blind eye to everywhere in the world—Iran's evil malignancy.

On a separate occasion, Mr. Kahl said that every Republican who supported an end to combat operations in Syria “debased themselves at the altar of Trump.” He then added that the party of Lincoln is “the party of ethnic cleansing.” Let's let that sink in for a moment.

Joe Biden has nominated a man to be the No. 3 official at our Department of Defense who has accused one of the two main political parties in our country as being “the party of ethnic cleansing.” It is hard to imagine an uglier or more vicious accusation than that.

Perhaps Mr. Kahl could ask Bill Clinton and Susan Rice, on whose watch the ethnic cleansing in Rwanda happened.

When John Bolton was about to become the National Security Advisor, Mr. Kahl, quite reasonably, stated on social media: “We are going to die.”

To my knowledge, we are not dead, and Mr. Kahl is very much alive, despite John Bolton being appointed as a staffer in the U.S. Government. He also claimed that the Republican Party had a “death cult fealty” to former President Trump. These statements and many more make it difficult to conceive of a circumstance in which this nominee could successfully forge a productive relationship with Members of the Republican Party in the Senate or the House or anywhere else, for that matter.

Mr. Kahl's ranting and raving on social media in 2017 may have even gone from offensive to criminal on several occasions. It appears that several of Mr. Kahl's tweets divulge or confirm classified and sensitive information. I recently joined 17 of my fellow Senators in requesting a full FBI investigation into this very serious and troubling matter. No vote should occur until that important inquiry takes place.

Now, the nominee's transgressions on social media are somewhat reminiscent of Neera Tanden's foolish statements on that social media platform. I think this Chamber set a reasonable standard when it rightfully rejected her nomination, and we ought to maintain that standard with this nominee.

In many ways, though, Mr. Kahl's behavior is worse than Ms. Tanden's because his poisonous partisanship, his narrow-sightedness, and his short temper will directly affect his job. He is up for a post that is less partisan and more cooperative in nature than was Ms. Tanden's. His position will require him to be under extreme stress, where he will need to listen to a full range of options, engage in careful deliberation, and regularly make life-and-death decisions. I have to say, his auditions as a social media celebrity over the last 5 years don't inspire confidence in his ability to do so.

When I asked him about this at his hearing, he said he may have gotten caught up in the passions of the moment or that these were stressful, trying times. Some of these social media statements, I would point out, came in the middle of the night when Mr. Kahl was presumably sitting on his couch at home watching his news feed. If he thinks that is a stressful or trying moment, what is he going to do when he is sitting in the Pentagon and Vladimir Putin is invading southern Ukraine?

Talking about foreign policy decisions, I would point out that Mr. Kahl has been like Joe Biden—wrong about nearly every important foreign policy decision over the last decade. In 2010, Mr. Kahl said that concerns about a rapid withdrawal from Iraq were “exaggerated” and it was “very unlikely to trigger a dramatic uptick in violence.” He missed that one by just a little bit because soon thereafter, 30,000 radical Islamic extremists conquered a quarter of Iraq, and ISIS carried out horrific terrorist attacks on multiple continents.

In 2012, he ridiculed then-Candidate MITT ROMNEY's, now-Senator MITT ROMNEY's assertion that Russia was a major geopolitical threat. Of course, 2 years later, Russia invaded Ukraine and conquered Crimea. It has since been an obsession of the Democratic Party, even though Joe Biden has once again reverted to the Democrats' traditional dovishness on Russia, something presumably Mr. Kahl would support.

In 2017, he predicted that recognizing Jerusalem as the capital of Israel, where the seat of Israel's Government is located, would result in a “third Intifada.” Instead, Israel has signed multiple historic peace deals.

In 2018, when President Trump warned Iran against pursuing nuclear weapons, Mr. Kahl wrote the “war drums are already sounding.” But no war happened.

That same year, when President Trump withdrew from the terrible Iran nuclear deal, Mr. Kahl said: “War will be all that is left.” No war happened.

In 2020, when the United States finally delivered justice by killing Iran's terrorist mastermind Qasam Soleimani, Mr. Kahl said Mr. Trump had “started a war with Iran in Iraq.” Yet again, no war happened.

Mr. Kahl's inability to accurately assess these events almost defies prob-

ability. After all, even a broken clock is right twice a day.

On issues of war and peace, Mr. Kahl is reliably unreliable and consistently wrong. This is not a fault that one of the chief strategic planners, the No. 3 official at the Pentagon, and one of the most powerful policy advisers in the government ought to have. No Pentagon nominee should be this partisan, this divisive, and this controversial.

Republicans have given every Defense Department and intelligence nominee a fair hearing, and most have passed this Chamber with healthy bipartisan majorities and in some cases unanimously. Mr. Kahl is different. Mr. Kahl is different because his toxic statements and reputation would inhibit the workings of the Department of Defense.

Every time, as Secretary Austin and senior Pentagon personnel testify before the Senate, Members of this body will wonder if the policies they are presented with are the product of hard-headed serious planning or the workings of a political hack.

A man of Mr. Kahl's judgment and temperament and his record of disastrous policy judgments is unfit to be the Under Secretary of Defense for Policy, and I will oppose his nomination, as every Senator should.

I yield the floor.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, you know, the Under Secretary of Defense for Policy serves as the national security advisor to the Secretary of Defense. This position requires even temperament, sound judgment, and a willingness to work with both sides of the aisle to protect and advance our national security.

As many of my colleagues have noted, President Biden's nominee for this important position severely lacks these qualities.

Colin Kahl has promoted conspiracy theories on social media. He makes outrageous claims against those who disagree with him, like when he called Republicans “the party of ethnic cleansing.” And he views the threats of our Nation solely through the lens of partisan politics.

Dr. Kahl blatantly downplayed the threat of Russia when our colleague MITT ROMNEY highlighted it during the 2012 Presidential campaign but then promoted numerous lies about President Trump and Russia after the 2016 election. This is not—and I repeat—not the kind of person who should serve in the Pentagon's No. 3 position.

But today I want to address another issue. Dr. Kahl presents himself as an academic, but he often makes claims that are not grounded in data. That is especially true when it comes to the situation along our southern border.

As everybody knows, the illegal migration crisis is not new. As of 2017, according to the Pew Research Center, there were an estimated 10.5 million

unauthorized immigrants in this country. And according to Pew, over 77 percent of those unauthorized immigrants came from within the Western Hemisphere. President Trump came into office in 2017 promising to do something about this challenge: enforce our immigration laws and reinforce southern security along our border. Dr. Kahl disagreed with his policy, and that is certainly his right, but rather than explain why he disagreed, he promoted baseless lies.

In October 2018, a migrant caravan surged toward our southwestern border. President Trump deployed approximately 5,000 U.S. members of our service to support the Department of Homeland Security at the border. This was not, as some in the media claimed, a “show of force.” This was the defense support to civil authority's mission, the type of mission that the DOD also does to support FEMA during hurricanes.

Dr. Kahl has served previously at the Pentagon. He has served as National Security Advisor to the Vice President. He knows what defense support to civil authority is and what these missions entail. But rather than explain any of this to his many thousands of Twitter followers, Dr. Kahl told them that the deployment was a “stunt.” This was a terrible insult to the men and women in uniform who were supporting DHS at the time. But more to the point, it was also a blatant lie.

A few months later, Dr. Kahl called the situation at the border a “fake crisis” and also tweeted that “Trump's claims of a border crisis are bogus.”

To justify his claims, Kahl cited data showing a decrease in arrests at the southern border. But there was one problem with his data: arrests along the border always decline when border enforcement is lax.

Well, as we know, President Trump stepped up enforcement at the border, and it worked. As a result, arrests at the border surged through the first half of 2019. More border security means more arrests, but it also deters future illegal migrants, and that is why illegal border crossings fell dramatically in the second half of 2019.

Far from being a “fake crisis,” as Dr. Kahl would have it, this was a crisis that was not being properly addressed until President Trump took action. Today, we have another crisis at the border. We have seen a record number of illegal crossings and arrests in recent months as illegal migrants anticipate a more welcoming environment under President Biden's administration.

The Biden administration has made detrimental changes to our border policy, including ending the “Remain in Mexico” policy. But it is worth noting what has not changed: U.S. troops are still deployed in support of DHS along the border. They are still there. Anyone who has taken the time to visit our southern border, as I was there just a few weeks ago, understands that if our



troops were not in this region, the crisis at the border would only grow worse.

Colin Kahl saw the deployment as a “stunt” under President Trump. I suspect he sees it a little differently under President Biden. And that is exactly the problem: Colin Kahl’s judgment is often based on partisan politics, not data.

We cannot accept the risk of having someone so partisan in the Defense Department’s No. 3 position. This position requires someone who bases his recommendations on data and not on the top trending hashtag. I urge my colleagues to vote against the motion to discharge.

Let Colin Kahl keep tweeting and let the administration send us another nominee.

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

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

#### TRIBUTE TO CHRIS MAIER

Mr. WYDEN. Mr. President, I rise today, on behalf of Oregonians in every nook and cranny of our wonderful State, to thank my friend Chris Maier for more than three decades of stellar public service.

Chris is retiring this month as a superhero who has been cutting through redtape and defeating bureaucracy for so many Oregonians who turned to her nights and weekends and all hours. She helped with emergency immigration and State Department needs, passports, visas, immigration questions, and so much more.

As a casework manager and constituent services representative in my office for more than a decade, Chris brought an unfailing professionalism, determined follow-through, and “Oregon Way” focus on smart solutions when tackling all of those duties.

Chris came to our Portland office in 2009, after a decade of working for my friend Senator Gordon Smith. Before that, she had worked a total of 11 years in the offices of Senator Mark Hatfield, Congressman Denny Smith, and State Representative Chuck Carpenter. If those names that I just mentioned were an answer on jeopardy, the question would be: Who are four prominent elected Republicans in Oregon history?

The Senate heard that one right. Chris is retiring after a career of working for elected officials from both political parties. On one level, she worked for all of us as elected officials, but on a larger level, she worked for everybody in Oregon, regardless of their politics. And on that larger level, Chris epitomizes so many other public servants in Oregon and our country whose names just never get celebrated in headlines or tweets or news coverage.

The word “bipartisan” gets tossed around a lot, but Chris lived that ethos every single day of her public service career. When she was responding to the uncounted number of calls and email inquiries she got over the years, she never said: So tell me a little bit about your politics. Her response was always: How can I help? And she always applied her common sense and the deep reservoir of good will she earned nationwide to move the levers of government quickly and successfully. And as I alluded to at the outset, those queries and her responses never corresponded to an 8-to-5 schedule because she was always on the phone to a U.S. Embassy somewhere thousands of miles away.

Chris’s duties went into overdrive in the first few weeks this past year during COVID. Oregon parents called Chris frantic to get their kids home from overseas study programs. Oregon families and friends would email Chris desperate for information about family members abroad on travel that they had saved a lifetime for. And we had businesses from all over Oregon text Chris about their U.S. employees who were working in other countries.

On the other end of all of those calls, emails, and texts was Chris Maier, always responding with her experience and empathy to figure out solutions. I can’t even begin to calculate the number of times Oregonians would come up to me in our iconic “Fred Meyer” stories, and they would say: RON, let me tell you about how Chris Maier went to bat for me and my family.

So today we are very grateful for her “Chris Maier” brand of tenacity with a smile, because she was steering so many Oregonians through the unprecedented trials of the past year.

I have been thinking about all the challenges she has been helping Oregonians with over her entire career, and she was helping all those people when she was in our office every single day, bringing relentless good cheer, an overflowing candy bowl, and a love bordering on obsession for University of Oregon football. We Ducks take our football seriously, but certainly nobody more than Chris Maier.

I am going to close with a final thought as I send Chris off to a very well-earned retirement with her husband Brad and their daughter Katherine, back home on the east side of my hometown, Portland. As Chris’s fellow Oregon football fans know, the pregame pageantry at home games in Eugene always included the tradition of one joyful shout in unison: “It never rains in Autzen Stadium.”

If I may paraphrase that thought today in talking about my friend. Her optimistic outlook and legacy of success means that all of us are joyful because “It never rains in Chris Maier’s world.”

So, Chris, on behalf of Oregonians and communities small and large, we are so grateful for all the time you went to bat for the people of our State and for the people of this country. For that we say thank you.

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. MANCHIN. 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 West Virginia.

#### FIGHT FENTANYL ACT

Mr. MANCHIN. Mr. President, I rise today to call on my colleagues on both sides of the aisle to join Senator PORTMAN and myself—and Senator PORTMAN will come in later and express his desire for this also—in taking action to permanently schedule fentanyl and deadly fentanyl analogs.

Fentanyl is 100 times more potent than morphine, 50 times more potent than heroin, and according to the DEA, 2 milligrams—just 2 milligrams—of fentanyl can cause a lethal overdose.

In February 2018, the Drug Enforcement Administration issued a temporary scheduling order to schedule fentanyl-related substances, which has allowed Federal law enforcement authorities to bring criminal actions against individuals who manufacture, distribute, or handle fentanyl-related substances.

A year ago, this body extended the scheduling order through May 6, 2021, via unanimous consent. The House extended it by a vote of 320 to 88. This should not be controversial at all.

In 2019, 36,359 people died because of fentanyl. That is 51 percent of all overdose deaths that year—51 percent. Over half of the people who were killed by overdose were by fentanyl. We know 2020 was a record year in drug overdoses, mainly driven by fentanyl-related substances and the COVID-19 pandemic. We can safely assume that there were at least 44,000 deaths last year—think about that—44,000 deaths related to fentanyl last year. In total, that is over 80,000 people who have died because of fentanyl in just the last 2 years. It is heartbreaking to lose so many Americans to preventable overdoses.

The time to permanently schedule this deadly substance is now. That is why Senator PORTMAN and I reintroduced the bipartisan FIGHT Fentanyl Act to permanently schedule fentanyl and fentanyl analogs. I am saying permanently schedule fentanyl and fentanyl analogs.

The FIGHT Fentanyl Act is a proactive overdose prevention bill. It stops the creation of these drugs and removes incentives for people to bring these deadly chemicals into our country, reducing the harm to our fellow Americans.

We know that fentanyl is deadly. It is killing Americans at record rates. West Virginia, my home State, has the highest overdose rates per capita in the Nation, and every West Virginian is familiar with the horrible impacts of the

drug epidemic on our family, friends, neighbors, and our entire economy.

I recognize there are concerns about mandatory minimums that do more harm than good. But permanently scheduling fentanyl and fentanyl analogs is not about locking people up; it is about keeping our fellow Americans alive.

Don't take my word for it. We asked the GAO to study it—the General Accounting Office to study it. In the last 3 years since the rescheduling was put in place, the GAO found only eight prosecutions occurred related to fentanyl analogs, four of which were associated with drug cartels. If that is not enough, our bill also explicitly prohibits new mandatory minimums associated with fentanyl analogs.

Here are the facts: 80,000 deaths compared to 8 prosecutions—80,000 deaths compared to 8 prosecutions.

Here is another fact: We simply don't have the support in Congress today to pass the FIGHT Fentanyl Act right now. It is hard to believe. We must pass another short-term extension this week to ensure the essential temporary protection does not lapse. I hope my colleagues will at least support that effort.

I also urge my colleagues, Democrats and Republicans, to join Senator PORTMAN and me in this effort to permanently reschedule this deadly, deadly drug. We cannot afford to keep kicking the can down the road as we have for far too long.

Thank you, Madam President.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Madam President, my friend and colleague Senator MANCHIN from West Virginia and I are on the floor today to talk about this issue of fentanyl.

This is a deadly synthetic opioid that is killing more people in our States than any other single drug. Unbelievably, Congress has only 15 days to act, and if we don't, some of these illegal fentanyl products are going to be legal again. This is exactly the wrong thing for us to do right now as, sadly, we are seeing a big increase in overdoses and overdose deaths because of the effects of the coronavirus pandemic.

We want to have bipartisan legislation that we have introduced, passed, that simply says: Let's not allow these illicitly manufactured and deadly synthetic opioids to suddenly become legal again.

If we don't act within 15 days, that will happen. Our bill would ensure that these deadly drugs continued to be scheduled—that is the technical term—scheduled by the Drug Enforcement Agency, meaning they would continue to be illegal.

Here is why we have to act. Fentanyl, a synthetic opioid, is more than 15 times more powerful than heroin, and it is incredibly addictive. For years, this has been coming to our shores from China, almost all of it through the mail until recently because we, frankly, passed legislation to cut down on mail deliveries, and instead, now much is coming through Mexico, across our southwest border.

It is a big reason overdose deaths in the United States surged to record highs during this COVID-19 pandemic, with more than 87,000 Americans—think about that—87,000 Americans died during the 12-month period between September 2019 and September 2020. That is a record. It is a terrible record.

When we have the actual numbers from 2020, it is going to be even worse. We just got these numbers from September 2019 until September 2020. When we have the numbers from January 2020 through December 2020, it will be even worse. That is what everybody says, and it makes sense. When you look at this data, the worst months are the months during the pandemic in 2020.

Again, we are very sadly, after several years of progress, looking at once again an increase in these overdose deaths. According to the Centers for Disease Control and Prevention, CDC, synthetic opioids like fentanyl are the biggest drivers of this tragic surge. We can project that more than half of these deaths are from this class of drug based on what we know from the 2019 data. That is the latest information we have. In 2019, there were 70,630 deaths, and more than half of those—36,359—involved fentanyl. Experts believe that fentanyl, sometimes mixed with other drugs like cocaine or crystal meth or sometimes heroin, continues to be the No. 1 killer.

It is such an enormous crisis because these drugs are so incredibly dangerous. It takes only 2 milligrams of fentanyl to kill an adult, which is why the DEA, Drug Enforcement Administration, permanently classified fentanyl as a schedule II drug.

In order to avoid prosecution, drug traffickers started making slight modifications to fentanyl. You have some evil scientist in China or in Mexico who makes a slight modification to fentanyl, sometimes adjusting a single molecule and creating what are called fentanyl analogs. In other words, it is not precisely pure fentanyl, and so unfortunately, although it has the same narcotic properties as fentanyl, these tiny variations allow these traffickers and these scientists to evade prosecution. Oftentimes, by the way, these analogs, like carfentanyl, are even more deadly, believe it or not, than fentanyl itself.

In response, in 2018, the DEA temporarily scheduled fentanyl analogs, but under law, that designation expires after May 6—again, only 15 days from now. If that deadline lapses, evil sci-

entists and criminals who run labs in China and Mexico will be able to avoid law enforcement as they flood the United States with unlimited slight variations of this deadly drug.

That is why Senator MANCHIN and I are calling on Congress to do the sensible thing: Pass the FIGHT Fentanyl Act to make these dangerous substances permanently illegal. That is what law enforcement wants, that is what our communities demand, and that is what we deserve to give them. It is long overdue that we make this designation permanent.

China, by the way, implemented classwide controls over fentanyl analogs in 2019. China's law defines fentanyl-related substances more broadly than the U.S. Government defines fentanyl-related substances. How ironic. Here is China, a country sending us this poison and actually making these drugs illegal in China, and they are not illegal here. How could that be?

I know some colleagues oppose permanent scheduling of these fentanyl drugs because they are concerned about mandatory minimum sentences and also that it could hinder research into future medications to treat addiction. Let me address both of those.

First, I share this concern about the harsh punishments that don't fit the nature of the crime. That is why our legislation ensures that mandatory minimum sentences are not automatically imposed. In any criminal case, we want the judge to look at the severity of the crime and consider all relevant factors in sentencing. So that issue is addressed.

There has been a great deal of conversation about the impact of prosecutions and incarcerations on specific populations, including minority communities, but what is often lost in this debate is the growing impact of fatal overdoses in these same communities.

Since 2016, while White fatalities decreased through 2019—the data we have—overdoses from opioids among Black Americans, particularly Black men, have actually accelerated. From 2011 to 2016, Black Americans had the highest increase in synthetic opioid-involved overdose death rates compared to all populations. So it is getting worse, not better, in these same minority communities.

While from 2017 to 2018, overall opioid-involved overdose fatalities decreased—remember we were making progress for the last several years. Overall, it decreased by just over 4 percent. Rates among Black and Hispanic Americans actually increased.

Another issue my colleagues have raised, again, is concern that permanently scheduled fentanyl and its analogs somehow hinders research in treating addiction. First of all, I agree that we need this research and need it badly. One example of this is coming up with naloxone, a miracle drug based on heroin that actually reverses the effects of overdose. It is a miracle. I have seen it work, and it saves lives.

Researchers have told me there are barriers to being approved to legally research schedule I substances. There is also a stigma to conducting this kind of research even though we know that it could lead to development of new treatments. I am open to working with colleagues to address these barriers, and I believe we can do that through legislation creating flexibility in the registration system for scientists. But we cannot let these deadly fentanyl drugs become legal in the meantime, and certainly we can't allow this to happen in the next 15 days.

Just before we came to the floor this afternoon, the House of Representatives passed a temporary measure. It is a 5-month extension of the ability to schedule these deadly drugs. Why would we do it for just 5 months? Let's do it permanently.

Now I am told: Well, we have a take-it-or-leave-it from the House. I hope that is not the case. If so, of course I will be for extending it rather than having it expire in 15 days. But let's act. Let's act responsibly. Let's act now.

The U.S. Senate should be taking the lead here in saying let's permanently classify these drugs, as everybody agrees they should be classified in the sense that they are dangerous narcotics that are killing literally tens of thousands of our fellow citizens every year.

Let's do the right thing for those communities. Let's do the right thing for law enforcement. Let's be sure they have the predictability and certainty in law enforcement to know that they can prosecute these criminals—these traffickers. We need to act now to address the threat of these deadly fentanyl drugs coming into our communities, and I urge the Senate to pass the FIGHT Fentanyl Act this week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### NOMINATION OF COLIN HACKETT KAHL

Ms. ERNST. Madam President, I rise to speak in opposition to the nomination of Mr. Colin Kahl to be Under Secretary of Defense for Policy.

The position of Under Secretary of Defense for Policy is essentially the third most senior leadership position in the Department of Defense. It requires a leader of tremendous experience and knowledge, someone with the ability to separate politics from policy. With the many national security challenges our Nation and the Pentagon face, this position requires a measured, rational, and deliberate leader. It needs a leader who puts the safety and security of the American people ahead of scoring one more point on the political board. The head of policy at the Pentagon needs to be someone we as a country can trust with some of our most delicate secrets. The reality is, Mr. Kahl does not meet the standard for this position.

Secretary of Defense Austin and his Deputy, Dr. Kathleen Hicks, have affirmed before the Senate what the na-

tional defense strategy articulated: The most pressing strategic challenge facing our country is Communist China. We know the threat from China is long-lasting and very serious. The complex actions and efforts of the CCP are disrupting the global order and reducing our national security. These actions demand expertise in the development and leadership of our national defense.

When it comes to President Biden's pick for the head of defense policy, Mr. Kahl—well, Mr. Kahl lacks any meaningful experience and has only a sparse record of thought on China or anything in the broader Indo-Pacific region, for that matter. The United States cannot afford this lack of knowledge and experience in a top Pentagon official.

Now, folks, we can also look to his judgment as a matter of concern. Mr. Kahl has a record of leniency toward Iran—the world's leading state sponsor of terrorism—and belligerence to Israel.

On Iran, I would note that this administration is already not taking seriously the threat Tehran poses. Iran flagrantly continues to enrich its uranium and inch closer and closer to obtaining a nuclear weapon. We, the American people, cannot afford for this administration to play footsie with Iran and kowtow to its demands of sanctions relief.

Based on Kahl's record, he would be one more advocate at the table pushing to get the United States back into the failed Iran nuclear agreement. Frankly, when it comes to Iran and Israel, Mr. Kahl couldn't be more wrong in his understanding of who our friends are and who the real threats to America are.

If I am honest, I am deeply dismayed that we are even to this point in consideration. The Under Secretary of Defense for Policy must be a steadfast, measured, and discreet public official. Mr. Kahl has proven to be the complete opposite. He is brash and unserious in his public rhetoric. In fact, he has called Republicans “the party of ethnic cleansing,” and he played the role of Chicken Little in claiming “we are all going to die” if one former White House adviser were replaced for another. His hysterical—yes, hysterical—public comments may have even compromised classified information.

That is why I have joined with many of my colleagues in calling for an FBI investigation of his handling of classified information. In having led troops overseas during Operation Iraqi Freedom—serving in our military for over 23 years—I believe our servicemembers deserve someone who will take a serious, nonpartisan outlook to policy, apply measured thought to his actions, and real, qualifying experience to a most critical job.

Mr. Kahl is far from meeting that standard. I strongly, strongly oppose his nomination and urge my colleagues on both sides of the aisle to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. HAGERTY. Madam President, I rise today to discuss my serious concerns about the judgment and the temperament of the nominee Colin Kahl, the controversial nominee to be the Under Secretary of Defense for Policy, the third highest position in our Department of Defense.

On April 13, 2021, I, along with 17 other Senators, wrote to FBI Director Christopher Wray requesting an investigation into whether Kahl had improperly disclosed classified information. We also asked the majority leader not to advance Kahl's nomination to the floor until the FBI completes its investigation. Yet here we stand.

The 18 Senators who signed these letters include Senators who sit on the Senate Judiciary Committee, the Senate Intelligence Committee, and the Senate Armed Services Committee.

As Senators, the Constitution charges us with providing advice and consent, and so I stand here today because the Senate deserves to have these questions answered so that we may properly discharge our duties.

I fear my Democratic colleagues want to force this nominee through before we know all the facts—facts which may be incredibly damning to his nomination.

Here is what we do know. As a U.S. Government employee with a Top Secret security clearance, Colin Kahl signed a classified information non-disclosure agreement. In fact, he likely signed many of them during his tenure in government. This document binds government employees in perpetuity to protect classified information under U.S. laws, regulations, and Executive orders.

These classified information non-disclosure agreements don't come with footnotes. They don't come with fine print that says you are only obligated to protect classified information when it is a President you like or when it is a President that belongs to the political party you agree with.

Mr. Kahl signed this document to protect classified information in perpetuity, period. Rather than uphold the oath that he took to his Nation and to his government, Kahl decided to recklessly disclose sensitive information to secure political points on Twitter.

Some of the information that Kahl appears to have leaked—internal deliberations of the National Security Council—is of a category that even Senators and Senate staff with the highest security clearances are almost always denied access.

In December of 2017, Kahl publicly bragged that he confirmed the disclosure to the media of classified planning for military operations in North Korea with “multiple sources inside the Administration.”

You can see right here his tweet:

There is a contingent at the White House that believes a limited strike is viable and

the US can control escalation by threatening regime change if Kim Jong Un retaliates.

This is incredible.

Continuing on that same thread, he says:

I've heard this separately from multiple sources inside the Administration.

In other words, if the intelligence services of North Korea, China, Russia, Iran, and other adversaries were working to corroborate the accuracy of this leaked information, Kahl saved them the trouble by working with "multiple sources inside the Administration" to confirm this leaked classified information, publicly, no less.

Let me put this in a personal perspective. When Kahl tweeted these leaks in December of 2017, I was serving as U.S. Ambassador to Japan. This was at a time when North Korea had launched two intercontinental ballistic missiles over Japan, and they had also detonated a thermonuclear warhead, putting the lives of my family, my fellow American diplomats, and more than 50,000 Active-Duty U.S. military and their families—all of us living within range of North Korea—in harm's way.

At a time when tensions couldn't have been higher, Colin Kahl was willing to expose vital information to North Korea and risk American lives—all of this just to score political points. Reckless, I say.

In February and March of 2017, Kahl leaked details about a classified National Security Council meeting on counterterrorism operations in Yemen that he "confirmed with 4 separate staffers in the room."

Here is his message, talking about Yemen, quoting the Deputy National Security Advisor, K.T. McFarland, saying "saddle up."

The existence of this meeting should have been classified and certainly anything that was said during this meeting. Here it is on Twitter.

Then he follows up by saying he has "confirmed with 4 separate staffers in the room."

In short, Kahl used social media and other forums to leak classified information to brag about his ability to get U.S. Government employees to confirm with him the veracity of leaked classified information.

Whoever holds the third highest position at DOD must be someone who completely understands and appreciates the important nature of sensitive information and is dedicated to safeguarding it.

Yet rather than respect the responsibility that came with his access to sensitive material, Kahl recklessly shared this privileged information on Twitter for the world to see, merely to scratch political, partisan itch.

If we let this nominee slide through under these conditions, what message does it send to other ambitious national security types? Doesn't it say that leaking classified information for political reasons will be rewarded? Doesn't it encourage further disclosure

of classified information? Doesn't it play right into our adversaries' hands by showing that our internal political divisions can be exploited to obtain the most sensitive information that our government keeps?

My Senate colleagues and I explained in our letter to FBI Director Wray:

The Under Secretary of Defense for Policy plays a key role in matters crucial to America's national security and should be held by a person of sound judgment and temperament—someone who understands and respects the need to safeguard classified information and to keep national security affairs distinct and separate from partisan political activities."

Kahl's growing record of apparent mis-handling of classified information and his evasive response regarding this issue fall far short of the standards required for holding one of our nation's top national security positions.

By apparently soliciting or otherwise receiving classified information from U.S. government officials serving in national security roles and repeatedly posting such information on social media . . . Kahl demonstrated disregard for security protocols that are designed to protect our national security interests.

Kahl has shown that he is unfit to serve and his nomination should not move forward until the FBI has completed the investigation requested by me and 17 of my Senate colleagues.

I hope that all of my colleagues want to see answers to these important questions, as well, before we begin to advance his nomination.

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

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

#### VOTE ON MOTION

Mr. REED. Madam President, I would yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion to discharge.

Mr. REED. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

[Rollcall Vote No. 161 Ex.]

#### YEAS—50

Baldwin	Duckworth	Klobuchar
Bennet	Durbin	Leahy
Blumenthal	Feinstein	Lujan
Booker	Gillibrand	Manchin
Brown	Hassan	Markey
Cantwell	Heinrich	Menendez
Cardin	Hickenlooper	Merkley
Carper	Hirono	Murphy
Casey	Kaine	Murray
Coons	Kelly	Ossoff
Cortez Masto	King	Padilla

Peters  
Reed  
Rosen  
Sanders  
Schatz  
Schumer

Shaheen  
Sinema  
Smith  
Stabenow  
Tester  
Van Hollen

Warner  
Warnock  
Warren  
Whitehouse  
Wyden

#### NAYS—50

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeben	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

(Mr. HICKENLOOPER assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate, being equally divided, the Vice President votes in the affirmative, and the motion is agreed to.

Pursuant to S. Res. 27 and the motion to discharge having been agreed to, the nomination will be placed on the Executive Calendar.

Thank you.

The PRESIDING OFFICER (Mr. KELLY). The Senator from Ohio.

#### INFRASTRUCTURE

Mr. PORTMAN. Mr. President, I welcome the Vice President, the President of the Senate, to our Chamber this evening.

I am here this evening to discuss the infrastructure plan that has been proposed by President Biden and the plan along with it for massive tax increases.

The Biden infrastructure plan totals a massive \$2.3 trillion, but only about 20 percent of it actually goes towards funding anything that Members of either party have ever considered infrastructure. I support more infrastructure investment, as do, I believe, most if not all of my colleagues on both sides of the aisle.

The question is, What is infrastructure, and how do you pay for it? Roads and bridges, as an example in this proposal, are only about 5 percent of the plan. In fact, it provides more money for long-term care than it does for roads and bridges, more money for electric cars than it does for roads and bridges, and more money for schools and daycare than it does for roads and bridges. Many of these noninfrastructure ideas are worthy ones, and they should be debated and they should be considered but not as part of a self-described infrastructure bill, in part because the funding sources should be very different.

The price tag, \$2.3 trillion—soon to be \$2.7 trillion, we are told—and also the scope of the bill are bad enough, but what I want to talk about tonight is the equally concerning way the Biden administration plans to pay for this massive new legislation. They want to pay for the bulk of it by completely reversing the progress we made

over the past few years in making America competitive again and making our workers competitive again.

In the 2 years before COVID-19, we saw record growth in jobs and wages, in large part thanks to the pro-growth policies we put in place through the 2017 tax cuts and reforms. The non-partisan Congressional Budget Office has found that 70 percent of the savings from the 2017 corporate tax cuts went into workers' wages. Seventy percent, they say, went into workers' pockets. It is one reason that, leading up to the pandemic in February, a year and a couple of months ago, we had the 19th straight month—19th straight month—of wage growth of 3 percent or more annually. That was great news in my home State of Ohio. We hadn't had wage growth like that in over a decade, maybe two decades. Most of that benefit, by the way, went to middle and lower income workers—exactly what you want.

During that time period a couple of years before the pandemic hit, we tied the 50-year low in unemployment at 3.5 percent and had the lowest unemployment ever for Blacks and Hispanics. In fact, before the pandemic, we had reached the lowest poverty rate—10.5 percent—since we started recording this data back in 1959. It was the lowest poverty rate on record.

Importantly, tax reform also stopped these corporate inversions. You will remember this. Companies were actually becoming foreign companies so they could get from under our Tax Code. This made no sense. It was happening during the Obama administration and during the first year of the Trump administration. We also ended the so-called lockout effect, caused by a Tax Code that made it too expensive to bring foreign earnings back home. So people kept their earnings overseas. In fact, during those couple of years, the \$1.6 trillion in overseas earnings has now come back home to invest and create jobs here—\$1.6 trillion. We want that money here.

As a result of those changes, the largest U.S. companies increased domestic research and development spending by 25 percent to \$707 billion, and capital expenditures went up by 20 percent to \$1.4 trillion. The Biden plan would throw all of that positive progress out. It would change our competitiveness to put us back where we were before or worse.

The administration's corporate tax increase raises the combined Federal and State corporate rates from an average of 25.8 percent to 32.8 percent. It would put us, again, as having the highest rate in the developed world. These tax hikes, by the way, when you include the international tax hikes, are actually five times as large as the corresponding cuts in 2017, based on the analysis that has been done. By the way, this would also, of course, give us not just the highest tax rate among the developed countries but also a far higher tax rate than countries like China with whom we are trying to compete.

It also changes the international tax code to make it much more costly for U.S. companies to operate outside of the United States, punishing American workers who have jobs here supporting international sales. I use the example of Procter & Gamble in my hometown of Cincinnati. They are headquartered in Ohio, but they do business all over the world. They have told me that it will be far more expensive for them to do that, even uncompetitive for them to be working globally, because we will be the only developed country in the world that will charge them a tax to do that, and that will hurt the jobs in Cincinnati, OH, that support international sales.

It just doesn't make any sense. Why would we want to go back to that and have that lockout effect where profits are kept overseas and where companies actually become foreign companies?

In the Biden plan, it also eliminates the so-called foreign-derived intangible income provision. This was a carrot that we put in the law very deliberately, a carrot for companies to bring their intellectual property back here. By the way, that is what Google did. So did Cisco. So did Qualcomm. So did Synopsys. So did Facebook. They actually brought valuable intellectual property back home, creating high-paying high-tech jobs here in the United States of America. Why would we want to change that?

The bottom line is that this tax plan that has been proposed would make us uncompetitive again in the global economy, and the Biden administration knows it.

That is why, when Treasury Secretary Yellen announced the proposal to increase these taxes, she actually asked other countries around the world to raise their own corporate taxes. She pleaded with them: We are going to raise ours. You need to now raise your taxes.

Of course, when she said we need to do that to create a more level playing field, other countries in the world said: This is great. We are going to get more American investment and more business for our companies. In fact, right after she made that announcement, the Minister for Finance in Ireland was asked the question. He said he had no interest in joining America in raising taxes—nor do others. China is not going to raise its taxes. In fact, these countries are continuing to do what they have been doing, which is to knock down barriers to jobs and investment in their economies, and that makes sense from their points of view. It makes sense from our point of view to continue to be competitive also.

The tax increases would leave America standing alone atop the corporate tax rate chart. Studies by the non-partisan Congressional Budget Office and others have shown that, again, it is American workers who will bear the brunt of these corporate tax hikes in the form of lost jobs and lower wages.

Because of the tax hikes, the University of Pennsylvania's Penn Wharton

model, in analyzing this Biden plan, actually projects that we will see a nearly 1-percent decrease in the GDP and a 0.7-percent decrease in wages by 2031 over current projections. Now, this is extraordinary to me because that is despite the economic benefit—the obvious benefit—we are going to get from this infrastructure spending. So, despite all of that benefit, we are still going to see a reduction in our economy, or economic growth, and a reduction in wages. This harms American workers, particularly those toward the bottom of the economic ladder.

The bottom line is that the \$2.1 trillion tax hike used to pay for this infrastructure bill will harm middle-class families and our businesses, and I believe the American people get that. They recognize that this is not the way forward for our economy or for our infrastructure.

Instead, let's follow the proven bipartisan model on infrastructure. Let's keep the plan to real infrastructure. Let's agree to what it is. Let's do it generously. Let's include broadband. Let's include water projects. Let's make it real infrastructure, though. Then let's come up with sensible pay-fors, including user fees. That is what the American people want, and that is what they deserve.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Kansas.

U.S. SUPREME COURT

MR. MORAN. Mr. President, legislation called the Judiciary Act of 2021 was introduced last week that would immediately expand the Supreme Court to 13 Justices.

If this is serious in its intent, it is foolish. There is no need to expand the Court in order to meet the demands of its workload. After the peaking in 2006, when President George W. Bush was in office, the number of cases on the docket has now plummeted.

In 2019, the late Justice Ruth Bader Ginsburg, a liberal icon appointed by President Clinton, told NPR that there is no need to expand the Court, saying: "Nine seems to be a good number."

With that established, this is a transparent ploy for power that would undermine trust in the fair application of law and delegitimize the highest Court in the land.

If this is really a serious policy piece of legislation, we certainly wouldn't change the number of Supreme Court Justices immediately. If it weren't just politics, we certainly wouldn't change the Justices before another election. In fact, Senator Joe Biden, on this Senate floor, called FDR's attempt to pack the Court "a power grab," and as a Presidential candidate this last year, he refused to endorse expanding the number of Justices.

Earlier this month, Justice Stephen Breyer, appointed by President Clinton, said the Court's authority depends on "a trust that the Court is guided by legal principles, not politics." He continued by saying, "Structural alteration motivated by the perception of

political influence can only feed that latter perception, further eroding that trust.”

If the public sees any judge and Supreme Court Justices as politicians in robes, the public’s confidence in the courts and in the rule of law itself can only be diminished, diminishing the Court’s power, including its power to act as a check on other branches of government.

Last August, Gallup found that 58 percent of Americans approve of the job the Supreme Court is doing. In fact, the Supreme Court’s approval ratings have actually increased in the last several years. Polling from February of this year finds that 35 percent of Americans approve of the job that we in Congress are doing, and that is up from 15 percent not many days ago.

I raise this data to demonstrate that the Supreme Court is an institution which a majority of Americans continues to place its trust in. That is a significant circumstance in today’s polarized world, but a majority of Americans still believes it can trust the Supreme Court. If we in Congress inject ourselves into the size of the Court’s composition, Justice Breyer is exactly right, in that the trust the American people have that the rulings will be delivered on a fair reading of the law will be further undermined.

On the Republican side of the aisle, we have seen our share of defeats in recent years, and not once when the Republican Party controlled Congress and had the White House were there efforts to expand the Supreme Court. Can you imagine how the left or the media would react if President Trump had attempted to expand the Court to 13 Justices and add 4 Republican-nominated Justices during his tenure?

We have not attempted to expand the Court because the Supreme Court should not serve as another legislative body. That is our job—a job we need to do much better than we do today so that more than one-third of the American people can place their confidence in us as we pass laws.

We have had the same number of Supreme Court Justices for more than 150 years. Perhaps the Judiciary Act of 2021 is less an effort to expand the Supreme Court than it is an effort to intimidate sitting Justices to deliver rulings favorable to the ideology of my colleagues who are proposing the legislation. From guns to abortion, to religious liberties, to other hot-button issues, my colleagues are threatening the Justices either to deliver favorable rulings or to not take up divisive cases at all. If this is what my colleagues seek to accomplish, I am confident that the independence and integrity of our Justices will prevail. Indeed, this must prevail to preserve the American people’s confidence in the institution of the courts, in the judicial system, in the Supreme Court.

I am disappointed because, rather than working with each other across the aisle—across this aisle right here—

to pass legislation, the Democrats are more interested in pursuing a larger Supreme Court and more interested in eliminating the filibuster to pass their agenda—to stack the Court to prevent their legislation from being struck down as unconstitutional.

Process matters around here. We have to get to the point at which we utilize the process to get a fair and just result, wherein all people’s voices are heard, wherein all Members of the Senate have the opportunity to express their views and have an opportunity for that to be voted on, but we don’t skew the process to get a desired outcome. We all need to do our jobs to convince our colleagues that we are right in our positions, that our legislation is meritorious. We don’t and we shouldn’t change the process to get our way.

The checks and balances of our Constitution work. They have worked for a long time. They are important to this country. When we talk about how divisive things are on the Senate floor and in this country today, the solution to that is not to change the rules in the middle of the game. It is to abide by the rules that protect our freedoms and liberties.

I implore my colleagues to have the same faith in these constitutional guardrails as I do, to have the same faith in the independence and fairness of the Supreme Court that a majority of Americans has, and to believe that we can work together, that you and I can work together on behalf of the Americans we serve, the Americans we represent, without resorting to acts that will damage us all today and for generations to come.

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

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

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

#### ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the cloture motions with respect to amendment 1445 and S. 937 be withdrawn; that when the Senate resumes consideration of S. 937 on Thursday, April 22, the following amendments be reported by number and they be the only amendments in order: Cruz-Kennedy No. 1456, Lee No. 1425, Blackburn No. 1458; further, that at 11:30 a.m., the Senate vote in relation to the amendments in the order

listed; that amendment No. 1445, as amended, if amended, be agreed to; the bill be considered and read a third time; and the Senate vote on passage of the bill, as amended, with 60 affirmative votes required for adoption of the amendments and passage of the bill, with 4 minutes of debate equally divided prior to each vote, all with no intervening action or debate; and, finally, that the motions to reconsider be considered made and laid upon the table with no intervening or debate.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### TRIBUTE TO JOE GROSSMAN

Mr. MCCONNELL. Mr. President, my friend Joe Grossman has approached his work for the last 35 years with a head for numbers and a heart for people. As an accountant turned CEO of the largest healthcare organization in Southeastern Kentucky, Joe’s experienced leadership has helped improve the quality of life for hundreds of thousands. This summer, Joe will close his chapter leading Appalachian Regional Healthcare, ARH, and a career of excellence and accomplishment. As he begins a well-deserved retirement, I would like to share my congratulations and gratitude for his many contributions to the Bluegrass.

For nearly two decades, Joe has been entrusted with key financial and operational positions at ARH. At each step, he has helped the system expand and thrive. When the position opened, Joe was the obvious choice to take over as president and CEO. He pushed ARH to continue growing in service to its patients, employees, and communities.

Today, the system operates 13 hospitals in Kentucky and West Virginia as well as 80-plus clinic locations. With a team of more than 6,000 dedicated professionals, ARH serves nearly 400,000 individuals across the region. The system’s extensive reach makes a transformative impact on rural Kentucky communities every day and helps make the area a destination for top-tier medical talent. Joe’s leadership even contributed to a national magazine naming ARH one of the Top 10 Employers in Kentucky.

Overseeing an organization of ARH’s size and importance would be a remarkable feat in any year, but Joe exceeded expectations once again during the pandemic. Last month, I visited the ARH facility in Hazard to speak with Joe and his team about the roll-out of the multiple safe and effective COVID-19 vaccines. At that time, three



of the five counties in Kentucky with the top vaccination rates were in ARH's service area. I was proud to congratulate Joe and his team of healthcare heroes who were getting shots in arms to beat this virus.

Joe's contributions to Kentucky extend beyond the hospital doors. He has gone to great lengths to personally partner with the communities he serves. His work with organizations like One East KY, the Hazard-Perry County Economic Development Alliance, and One Harlan County has helped encourage new growth and opportunity. Joe developed a vision for a healthy and successful Kentucky, and he worked tirelessly over the years to bring it closer to reality.

So, we are all going to miss working with Joe. But now he gets to spend more time on his most important roles, husband to Leigh, father, and grandfather. Along with Joe's colleagues and friends, I extend my best wishes for a fulfilling retirement. On behalf of the Senate, I would like to congratulate Joe on all of his success and thank him for his leadership in Kentucky.

#### NOMINATION OF COLIN HACKETT KAHL

Mrs. BLACKBURN. Mr. President, here we are again, teeing up another discharge motion for another unqualified Biden administration nominee.

If there is one good thing I can say about Colin Kahl, the nominee for Under Secretary of Defense for Policy, it is that you never have to wonder where he stands on the issues. He is very consistent.

Unfortunately, he has been consistently wrong on some of the last decade's most important foreign policy questions.

In 2019, when disaster struck all along on our southern border, he labeled the situation "Trump's fake border crisis" and "a phony terrorism threat." That is a take that aged well, to be sure.

His judgment calls on the actions and motivations of our most dangerous adversaries have also been particularly terrible.

When President Trump warned the Iranian regime not to resume their nuclear activities, Kahl declared that "war drums" were already sounding. We know that wasn't true.

When President Trump made the decision to eliminate terrorist leader Soleimani, Kahl was positive that the strike had started a war. It hadn't. When I questioned Kahl during his confirmation hearings, he equated Iranian proxies killing Americans with our subsequent, proportionate strike against Soleimani, saying, "There were provocations on both sides." Indeed.

Kahl was absolutely sure that given the chance, John Bolton, of all people, would twist available intelligence and singlehandedly start wars with Iran and North Korea. Another miss.

He also predicted that Trump would jump into Syria and start a war with

Assad and the Russians, which also didn't happen.

Those hot takes earned him a lot of ink in Foreign Policy magazine but not a lot of respect. I don't know if he wrote those things because he wanted to put President Trump in the hot seat or because he honestly believed them, but I don't think the answer to that question matters.

If he believed them, then it is proof of his terrible judgment.

If he wrote them to inflame the progressive base, it is proof he is willing to trivialize the prospect of armed conflict for clicks.

How in the world can President Biden expect us to vote for that?

In addition to his poor judgment, Mr. Kahl has also attached himself to truly terrible policy decisions.

He opposed bipartisan legislation that would have imposed sanctions on the Islamic Revolutionary Guard Corps.

He staffed the effort to condemn Israel at the United Nations Security Council.

He is "open" to moving away from the nuclear triad.

Perhaps worst of all, when he served in the Obama administration as Deputy Assistant Secretary of Defense for the Middle East, he dropped the ball on a status of forces agreement that would have allowed U.S. forces to remain in Iraq.

That failure led to the rise of ISIS.

I have examined Mr. Kahl's record and found nothing but a history of bad policy judgment, a volatile disposition, and a terrible temper that manifests in inflammatory rhetoric.

That might be a great resume for a pundit, but it is not the body of work I want to see from someone who will be responsible for developing national security and defense strategy.

I oppose this discharge motion, I oppose this nomination, and I urge my colleagues to spend a few minutes with Mr. Kahl's resume before placing him in such a powerful position at DOD.

#### 250TH ANNIVERSARY OF VASSALBORO, MAINE

Ms. COLLINS. Mr. President. I rise today to commemorate the 250th anniversary of the Town of Vassalboro, ME. Vassalboro was built with a spirit of determination and resiliency that still guides the community today, and this is a time to celebrate the generations of hard-working and caring people who have made it such a wonderful place to live, work, and raise families.

The year of Vassalboro's incorporation, 1771, was but one milestone in a long journey of progress. For thousands of years, the land along the great Kennebec River was the home of the Abenaki Tribe, who hunted, fished, and tilled the fertile soil. The reverence the Abenaki had for the natural beauty and resources of the region is upheld by the people of Vassalboro today.

Vassalboro's roots run deep into American history. It originally was

part of the lands granted to the Pilgrims of the Plymouth Colony in the 1600s. Later, the town became home to a large settlement of Quakers and a center of the movement to abolish slavery. The Society of Friends continues to have a positive presence in the town today. The statue of the Union soldier in Monument Park stands in silent tribute to the many patriots who have stepped forward to serve the cause of freedom.

With the mighty Kennebec River providing power, Vassalboro was home to many lumber, grain, and textile mills. Built in 1850, the Olde Mill on Main Street was one of the largest mills in New England and world famous for the quality of the cashmere it produced. The wealth produced by hard work and determination was invested in schools and churches to create a true community.

Today, visitors and residents alike enjoy Vassalboro's quiet parks, beautiful historic buildings, and exciting outdoor recreation opportunities. The energy and planning that are going into the town's 250th anniversary celebration demonstrate the pride townspeople have in their town.

Mr. President, Vassalboro's 250th anniversary is not merely about the passing of time, it is about human accomplishment. We celebrate the people who, for longer than America has been a nation, have pulled together, cared for one another, and built a great community. Thanks to those who came before, Vassalboro, ME, has a wonderful history. Thanks to those there today, it has a bright future.

#### MESSAGE FROM THE HOUSE

At 10:56 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 30. Concurrent resolution providing for a joint session of Congress to receive a message from the President.

The message further announced that the House has agreed to the following resolution:

H. Res. 333. Resolution relative to the death of the Honorable Walter F. Mondale, a former Vice President of the United States of America.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-766. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Leonardo S.p.a. Helicopters; Amendment 39-0649" (RIN2120-AA64) (Docket No. FAA-2020-0649) received in the Office

EC-790. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of

EC-813. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Cambridge, Nebraska" ((RIN2120-AA66) (Docket No. FAA-2020-0727)) received in the Office of the President of the Senate on April 19, 2021; to the

Committee on Commerce, Science, and Transportation.

EC-814. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Kankakee, Illinois" ((RIN2120-AA66) (Docket No. FAA-2020-879)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-815. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Bradford, Pennsylvania" ((RIN2120-AA66) (Docket No. FAA-2020-1015)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-816. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Bucholz Army Airfield Kwajalein Atoll, Republic of the Marshall Islands" ((RIN2120-AA66) (Docket No. FAA-2020-892)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-817. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace and Amendment of Class E Airspace; Lone Rock, Wisconsin" ((RIN2120-AA66) (Docket No. FAA-2020-1059)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-818. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace and Revocation of Class E Airspace; Multiple Minnesota Towns" ((RIN2120-AA66) (Docket No. FAA-2020-1058)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-819. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Restricted Areas R-3008A, R-3008B, R-3008C, and R-3008D; Grand Bay Weapons Range, Georgia" ((RIN2120-AA66) (Docket No. FAA-2013-1063)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-820. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3942" ((RIN2120-AA66) (Docket No. 31353)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-821. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 3941" ((RIN2120-AA66) (Docket No. 31352)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-822. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-12, V-74, and V-516 in the Vicinity of Anthony, Kansas" ((RIN2120-AA66) (Docket No. FAA-2020-0003)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

EC-823. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Establishment of Area Navigation (RNAV) Route; South Central Florida Metroplex Project" ((RIN2120-AA66) (Docket No. FAA-2020-0525)) received in the Office of the President of the Senate on April 19, 2021; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

Victoria Nuland, of Virginia, to be an Under Secretary of State (Political Affairs).

Uzra Zeya, of Virginia, to be an Under Secretary of State (Civilian Security, Democracy, and Human Rights).

By Mrs. MURRAY for the Committee on Health, Education, Labor, and Pensions.

\*Julie A. Su, of California, to be Deputy Secretary of Labor.

\*James Richard Kvaal, of Massachusetts, to be Under Secretary of Education.

\*Cynthia Minette Marten, of California, to be Deputy Secretary of Education.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COTTON (for himself, Mrs. BLACKBURN, Ms. ERNST, Mr. HAWLEY, and Mr. TILLIS):

S. 1261. A bill to require the national instant criminal background check system to notify U.S. Immigration and Customs Enforcement and the relevant State and local law enforcement agencies whenever information contained in the system indicates that an alien who is illegally or unlawfully in the United States attempted to receive a firearm; to the Committee on the Judiciary.

By Mr. RISCH (for himself, Mr. KING, Mr. SCOTT of South Carolina, Ms.

BALDWIN, Ms. COLLINS, Mr. CORNYN, and Mr. CRAPO):

S. 1262. A bill to exempt certain 16- and 17-year-old individuals employed in logging operations from child labor laws; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHATZ (for himself, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. BOOKER, Mr. BROWN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. DURBIN, and Ms. WARREN):

S. 1263. A bill to establish State-Federal partnerships to provide students the opportunity to attain higher education at in-State public institutions of higher education without debt, to provide Federal Pell Grant eligibility to DREAMer students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO:

S. 1264. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing permits and leases, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. LEAHY, Mr. LEE, Mr. MARKEY, Mr. DAINES, Ms. BALDWIN, Ms. WARREN, Mr. BROWN, Mr. SCHATZ, Mr. BOOKER, Mr. SANDERS, Mr. MERKLEY, Mr. TESTER, Mr. HEINRICH, Ms. HIRONO, Mrs. MURRAY, Mr. SCHUMER, Mr. BLUMENTHAL, and Ms. CANTWELL):

S. 1265. A bill to amend section 2702 of title 18, United States Code, to prevent law enforcement and intelligence agencies from obtaining subscriber or customer records in exchange for anything of value, to address communications and records in the possession of intermediary internet service providers, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG (for himself and Mr. WHITEHOUSE):

S. 1266. A bill to amend the Internal Revenue Code of 1986 to expand the renewable electricity production credit to include electricity produced from hydrogen; to the Committee on Finance.

By Mr. SCHATZ (for himself and Ms. MURKOWSKI):

S. 1267. A bill to extend certain deadlines for the 2020 decennial census; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 1268. A bill to require the Secretary of Transportation to finalize rules to protect consumers from the risks of motor vehicle rollaways and carbon monoxide poisoning from keyless ignition motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CORTEZ MASTO:

S. 1269. A bill to require the Secretary of the Interior and the Secretary of Agriculture to complete an interagency report on the effects of special recreation permits on environmental justice communities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Ms. SMITH, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. BOOKER, Mr. MENENDEZ, Mr. REED, Mr. SANDERS, Mr. LEAHY, Mrs. MURRAY, Ms. BALDWIN, Ms. HIRONO, Mrs. GILLIBRAND, Ms. KLOBUCHAR, and Mr. WYDEN):

S. 1270. A bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PADILLA (for himself, Mr. WARNOCK, Ms. SMITH, Mr. SANDERS,

Mrs. FEINSTEIN, Mr. MARKEY, Mr. WYDEN, Mr. MERKLEY, and Ms. STABENOW):

S. 1271. A bill to reauthorize the Clean School Bus Program, and for other purposes; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself and Mr. WARNER):

S. 1272. A bill to amend the Internal Revenue Code of 1986 to promote retirement savings on behalf of small business employees by making improvements to SIMPLE retirement accounts and easing the transition from a SIMPLE plan to a 401(k) plan, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself, Ms. HASSAN, Mr. LANKFORD, and Mr. BENNET):

S. 1273. A bill to amend the Internal Revenue Code of 1986 to provide a credit to small employers for covering military spouses under retirement plans; to the Committee on Finance.

By Mr. THUNE (for himself and Mr. BROWN):

S. 1274. A bill to limit the authority of States or other taxing jurisdictions to tax certain income of employees for employment duties performed in other States or taxing jurisdictions, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself and Ms. MURKOWSKI):

S. 1275. A bill to amend the Family Violence Prevention and Services Act to make improvements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WHITEHOUSE (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. DURBIN, Ms. HASSAN, Mrs. SHAHEEN, Mr. MARKEY, Mr. BROWN, Ms. WARREN, and Ms. HIRONO):

S. 1276. A bill to designate certain National Forest System land and certain public land under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BLUMENTHAL (for himself and Mr. SANDERS):

S. 1277. A bill to direct the Secretary of Veterans Affairs to update the Lethal Means Safety and Suicide Prevention training course of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRUZ (for himself and Mr. RUBIO):

S. 1278. A bill to require the Committee on Foreign Investment in the United States to review any purchase or lease of real estate near a military installation or military airspace in the United States by a foreign person connected to or subsidized by the Russian Federation, the People's Republic of China, the Islamic Republic of Iran, or the Democratic People's Republic of Korea, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. STABENOW (for herself, Mr. BROWN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. CARDIN, Mr. CASEY, Ms. DUCKWORTH, Mr. DURBIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MERKLEY, Mr. PETERS, Mr. REED, Mrs. SHAHEEN, Ms. SMITH, Mr. VAN HOLLEN, and Mr. WHITEHOUSE):

S. 1279. A bill to amend title XVIII of the Social Security Act to provide for an option for any citizen or permanent resident of the United States age 50 to 64 to buy into Medicare; to the Committee on Finance.

By Mrs. MURRAY (for herself, Ms. DUCKWORTH, Mr. DURBIN, Ms. WAR-

REN, Mr. MARKEY, Mr. SANDERS, Mr. BLUMENTHAL, Mr. BENNET, Mr. COONS, Mr. WYDEN, Mr. BROWN, Mrs. SHAHEEN, Mr. WARNOCK, Ms. HASSAN, and Ms. KLOBUCHAR):

S. 1280. A bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to certain members of the Armed Forces, veterans, and their spouses or partners, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. KLOBUCHAR (for herself and Mr. WICKER):

S. 1281. A bill to update the blood donation public awareness campaign of the Department of Health and Human Services to include public awareness on plasma donation; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself and Mr. RUBIO):

S. 1282. A bill to require the Under Secretary of Commerce for Oceans and Atmosphere to identify a consistent, Federal set of best available forward-looking meteorological information and to require the Director of the National Institute of Standards and Technology to convene an effort to make such set available, with advice and technical assistance, to standards-developing organizations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SANDERS (for himself and Mrs. GILLIBRAND):

S. 1283. A bill to impose a tax on certain trading transactions to invest in our families and communities, improve our infrastructure and our environment, strengthen our financial security, expand opportunity and reduce market volatility; to the Committee on Finance.

By Mr. BENNET (for himself and Mr. HICKENLOOPER):

S. 1284. A bill to establish the Amache National Historic Site in the State of Colorado as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself and Mrs. FEINSTEIN):

S. 1285. A bill to amend the Controlled Substances Act to authorize the debarment of certain registrants, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Mrs. FEINSTEIN):

S. 1286. A bill to amend the Controlled Substances Act to provide for the modification, transfer, and termination of a registration to manufacture, distribute, or dispense controlled substances or list I chemicals, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself and Mr. PORTMAN):

S. 1287. A bill to amend title XVIII of the Social Security Act to require manufacturers of certain single-dose vial drugs payable under part B of the Medicare program to provide refunds with respect to amounts of such drugs discarded, and for other purposes; to the Committee on Finance.

By Mr. SANDERS (for himself, Ms. WARREN, Mr. PADILLA, Mr. MURPHY, Mr. MERKLEY, Mr. MARKEY, Mr. LEAHY, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 1288. A bill to amend the Higher Education Act of 1965 to ensure College for All; to the Committee on Finance.

By Ms. CANTWELL:

S. 1289. A bill to amend the Marine Mammal Protection Act of 1972 to reauthorize and modify the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself, Ms. COLLINS, Mr. KING, Mr. SANDERS, Mr. MARKEY, and Mrs. GILLIBRAND):

S. 1290. A bill to assist communities affected by stranded nuclear waste, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PETERS (for himself, Mr. LANKFORD, Mr. MORAN, and Mr. TESTER):

S. 1291. A bill to provide for a standard record of service on active duty for members of the reserve components of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. MANCHIN (for himself and Mr. SCOTT of South Carolina):

S. 1292. A bill to develop a non-opioid pain management directive indicating to health care professionals and emergency medical services personnel that an individual with respect to whom a form has been executed must not be administered an opioid or offered a prescription for an opioid, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY (for himself, Mr. COTTON, and Mrs. BLACKBURN):

S. 1293. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act to modify the offenses relating to fentanyl, and for other purposes; to the Committee on the Judiciary.

By Mr. VAN HOLLEN (for himself and Mr. SASSE):

S. 1294. A bill to authorize the imposition of sanctions with respect to foreign persons that have engaged in significant theft of trade secrets of United States persons, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROMNEY (for himself, Mr. MANCHIN, Mr. YOUNG, Ms. SINEMA, Mrs. CAPITO, Mr. KING, Mr. PORTMAN, Mr. WARNER, Mr. CORNYN, Mr. ROUNDS, Mr. CRAMER, and Ms. LUMMIS):

S. 1295. A bill to save and strengthen critical social contract programs of the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN (for himself, Ms. ERNST, Mr. WHITEHOUSE, and Mr. BLUMENTHAL):

S. 1296. A bill to require a pilot program on activities under the Transition Assistance Program for a reduction in suicide among veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. ROSEN (for herself, Mrs. HYDE-SMITH, and Mr. KELLY):

S. 1297. A bill to amend the Workforce Innovation and Opportunity Act to create a new national program to support mid-career workers, including workers from underrepresented populations, in reentering the STEM workforce, by providing funding to small- and medium-sized STEM businesses so the businesses can offer paid internships or other returnships that lead to positions above entry level; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself, Mr. TILLIS, Mr. MCCONNELL, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CRAPO, Ms. KLOBUCHAR, Mr. MARKEY, Mr. RUBIO, and Mr. CORNYN):

S. Res. 167. A resolution supporting the goals and ideals of "Countering International Parental Child Abduction Month"

and expressing the sense of the Senate that Congress should raise awareness of the harm caused by international parental child abduction; to the Committee on Foreign Relations.

By Mr. BLUNT (for himself and Mr. HAWLEY):

S. Res. 168. A resolution congratulating the Northwest Missouri State University Bearcats men's basketball team on winning the 2021 NCAA Men's Division II National Championship; considered and agreed to.

By Mr. BRAUN (for himself and Mr. YOUNG):

S. Res. 169. A resolution honoring the life and legacy of William Robert "Bobby" "Slick" Leonard; considered and agreed to.

By Ms. KLOBUCHAR (for herself, Ms.

SMITH, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURSLEY, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr. SHELBY, Ms. SINEMA, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 170. A resolution relating to the death of Walter Frederick Mondale, former Vice President of the United States; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 56

At the request of Ms. KLOBUCHAR, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 56, a bill to amend the Public Health Service Act to authorize grants for training and support services for families and caregivers of people living with Alzheimer's disease or a related dementia.

S. 127

At the request of Mr. REED, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 127, a bill to support library infrastructure.

S. 321

At the request of Mr. MORAN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cospon-

sor of S. 321, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight".

S. 420

At the request of Mrs. MURRAY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 420, a bill to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes.

S. 479

At the request of Mr. WICKER, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 479, a bill to amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.

S. 611

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 611, a bill to deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes.

S. 613

At the request of Mr. TILLIS, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 613, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy and to amend title 38, United States Code, to authorize the Secretary to provide service dogs to veterans with mental illnesses who do not have mobility impairments.

S. 692

At the request of Mr. TESTER, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from California (Mrs. FEINSTEIN) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 692, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 786

At the request of Mr. YOUNG, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 786, a bill to require the Secretary of Transportation to review laws relating to the illegal passing of school buses and to execute a public safety messaging campaign relating to illegal passing of school buses, and for other purposes.

S. 814

At the request of Mr. RISCH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 814, a bill to promote security partnership with Ukraine, and for other purposes.

S. 829

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a co-

sponsor of S. 829, a bill to amend title 10, United States Code, to improve the TRICARE program for certain members of the Retired Reserve of the reserve components.

S. 834

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 853

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 853, a bill to amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children, and for other purposes.

S. 896

At the request of Mr. KENNEDY, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 896, a bill to amend the Employee Retirement Income Security Act of 1974 to establish additional criteria for determining when employers may join together in a group or association of employers that will be treated as an employer under section 3(5) of such Act for purposes of sponsoring a group health plan, and for other purposes.

S. 910

At the request of Mr. MERKLEY, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 910, a bill to create protections for financial institutions that provide financial services to cannabis-related legitimate businesses and service providers for such businesses, and for other purposes.

S. 927

At the request of Mr. TILLIS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 927, a bill to improve the provision of health care and other benefits from the Department of Veterans Affairs for veterans who were exposed to toxic substances, and for other purposes.

S. 1021

At the request of Ms. DUCKWORTH, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1021, a bill to ensure affordable abortion coverage and care for every person, and for other purposes.

S. 1206

At the request of Mr. THUNE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1206, a bill to limit the authority of the Secretary of Labor to modify the pandemic unemployment assistance program, and for other purposes.

S. 1218

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1218, a bill to provide economic empowerment opportunities in



the United States through the modernization of public housing, and for other purposes.

S. 1251

At the request of Mr. BRAUN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1251, a bill to authorize the Secretary of Agriculture to develop a program to reduce barriers to entry for farmers, ranchers, and private forest landowners in certain voluntary markets, and for other purposes.

S.J. RES. 1

At the request of Mr. CARDIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S.J. Res. 1, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 97

At the request of Mr. RISCH, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. Res. 97, a resolution calling on the Government of Ethiopia, the Tigray People's Liberation Front, and other belligerents to cease all hostilities, protect human rights, allow unfettered humanitarian access, and cooperate with independent investigations of credible atrocity allegations pertaining to the conflict in the Tigray Region of Ethiopia.

AMENDMENT NO. 1431

At the request of Ms. ERNST, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 1431 intended to be proposed to S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. PADILLA (for himself, Mr. WARNOCK, Ms. SMITH, Mr. SANDERS, Mrs. FEINSTEIN, Mr. MARKEY, Mr. WYDEN, Mr. MERKLEY, and Ms. STABENOW):

S. 1271. A bill to reauthorize the Clean School Bus Program, and for other purposes; to the Committee on Environment and Public Works.

Ms. FEINSTEIN. Mr. President, I rise to speak in support of the "Clean Commute for Kids Act," which I introduced today.

I know firsthand how outdated diesel school buses expose our children to harmful and unnecessary pollution. I grew up in the San Fernando Valley and for many years, I rode a bus to school. I can still smell the diesel exhaust that my classmates and I would breathe in on our way to and from school.

Before the COVID-19 pandemic, nearly 25 million American children were exposed to this same diesel exhaust when they ride over 500,000 predominantly diesel buses to school nationwide. This pollution not only harms our children's health, but it also im-

pacts student achievement. Studies show that transitioning to cleaner bus fleets can spur both health and academic improvements.

As we work to build back better and combat climate change, we must help school districts accelerate the deployment of zero-emission buses to reduce the exposure of our children to pollutants and cut greenhouse gas emissions.

That is why I am proud to introduce this bill together with Senator WARNOCK to authorize \$25 billion for a new grant program to help school districts replace existing buses with clean, zero-emission buses.

This funding represents an essential aspect of building more equitable, sustainable transportation infrastructure, and it represents an investment in our children, our environment, and our future.

This legislation recognizes the disproportionate impact this pollution has on underserved populations by setting aside 40 percent of the grant funding for replacing school buses serving environmental justice communities.

Some of California's school districts have already begun the transition to zero-emission buses. The California Air Resources Board has leveraged federal funding to assist school districts and local air boards with the costs of school bus replacements. This bill will accelerate this transition and provide funding to reach more schools in California and across the nation.

I want to thank Senator WARNOCK for co-leading this bill with me, and I hope our colleagues will join us in support of this bill that would transform our nation's school bus fleet, protect air quality, and improve the health and wellbeing of our children.

Thank you, Mr. President. I yield the floor.

By Mr. THUNE (for himself and Mr. BROWN):

S. 1274. A bill to limit the authority of States or other taxing jurisdictions to tax certain income of employees for employment duties performed in other States or taxing jurisdictions, and for other purposes; to the Committee on Finance.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1274

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Remote and Mobile Worker Relief Act of 2021".

#### SEC. 2. LIMITATIONS ON WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who is a resident of a taxing jurisdiction and performs employment duties in more than one taxing jurisdiction shall be subject to income tax in any taxing jurisdiction other than—

(1) the taxing jurisdiction of the employee's residence; and

(2) any taxing jurisdiction within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) INCOME TAX WITHHOLDING AND REPORTING.—Wages or other remuneration earned in any calendar year shall not be subject to income tax withholding and reporting requirements with respect to any taxing jurisdiction unless the employee is subject to income tax in such taxing jurisdiction under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the taxing jurisdiction during the calendar year.

(c) OPERATING RULES.—For purposes of determining penalties related to an employer's income tax withholding and reporting requirements with respect to any taxing jurisdiction—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the performance of employment duties in the taxing jurisdictions in which the employee will perform such duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location at which an employee performs employment duties, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) DEFINITIONS AND SPECIAL RULES.—For purposes of this Act:

(1) DAY.—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a taxing jurisdiction for a day if the employee performs more of the employee's employment duties within such taxing jurisdiction than in any other taxing jurisdiction during a day.

(B) If an employee performs employment duties in a resident taxing jurisdiction and in only one nonresident taxing jurisdiction during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident taxing jurisdiction than in the resident taxing jurisdiction for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) EMPLOYEE.—

(A) IN GENERAL.—

(i) GENERAL DEFINITION.—Except as provided in clause (ii), the term "employee" has the meaning given such term in section 3121(d) of the Internal Revenue Code of 1986, unless such term is defined by the taxing jurisdiction in which the person's employment duties are performed, in which case the taxing jurisdiction's definition shall prevail.

(ii) **EXCEPTION.**—The term “employee” shall not include a professional athlete, professional entertainer, qualified production employee, or certain public figures.

(B) **PROFESSIONAL ATHLETE.**—The term “professional athlete” means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(C) **PROFESSIONAL ENTERTAINER.**—The term “professional entertainer” means a person of prominence who performs services in the professional performing arts for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(D) **QUALIFIED PRODUCTION EMPLOYEE.**—The term “qualified production employee” means a person who performs production services of any nature directly in connection with a taxing jurisdiction qualified, certified or approved film, television or other commercial video production for wages or other remuneration, provided that the wages or other remuneration paid to such person are qualified production costs or expenditures under such taxing jurisdiction’s qualified, certified or approved film, television or other commercial video production incentive program, and that such wages or other remuneration must be subject to withholding under such qualified, certified or approved film, television or other commercial video production incentive program as a condition to treating such wages or other remuneration as a qualified production cost or expenditure.

(E) **CERTAIN PUBLIC FIGURES.**—The term “certain public figures” means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(3) **EMPLOYER.**—The term “employer” has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986, unless such term is defined by the taxing jurisdiction in which the employee’s employment duties are performed, in which case the taxing jurisdiction’s definition shall prevail.

(4) **TAXING JURISDICTION.**—The term “taxing jurisdiction” means any of the several States, the District of Columbia, any municipality, city, county, township, parish, transportation district, or assessment jurisdiction, or any other political subdivision within the territorial limits of the United States with the authority to impose a tax, charge, or fee.

(5) **TIME AND ATTENDANCE SYSTEM.**—The term “time and attendance system” means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the taxing jurisdiction in which the employee’s employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee’s wages for income tax purposes among all taxing jurisdictions in which the employee performs employment duties for such employer.

(6) **WAGES OR OTHER REMUNERATION.**—The term “wages or other remuneration” may be defined by the taxing jurisdiction in which the employment duties are performed.

(e) **PLACE OF RESIDENCE.**—For purposes of this section, the residence of an employee shall be determined under the laws of the taxing jurisdiction in which such employee maintains a dwelling which serves as the employee’s permanent place of abode during the calendar year.

(f) **ADJUSTMENT DURING CORONAVIRUS PANDEMIC.**—With respect to calendar years 2020 and 2021, in the case of any employee who performs employment duties in any taxing jurisdiction other than the taxing jurisdiction of the employee’s residence during such year as a result of the COVID-19 public health emergency, subsection (a)(2) shall be applied by substituting “90 days” for “30 days”.

### SEC. 3. STATE AND LOCAL TAX CERTAINTY.

(a) **STATUS OF EMPLOYEES DURING COVERED PERIOD.**—Notwithstanding section 2(a)(2) or any provision of law of a taxing jurisdiction, with respect to any employee who is working remotely within such taxing jurisdiction during the covered period—

(1) except as provided under paragraph (2), any wages earned by such employee during such period shall be deemed to have been earned at the primary work location of such employee; and

(2) if an employer, at its sole discretion, maintains a system that tracks where such employee performs duties on a daily basis, wages earned by such employee may, at the election of such employer, be treated as earned at the location in which such duties were remotely performed.

(b) **STATUS OF BUSINESSES DURING COVERED PERIOD.**—Notwithstanding any provision of law of a taxing jurisdiction—

(1) in the case of an out-of-jurisdiction business which has any employees working remotely within such jurisdiction during the covered period, the duties performed by such employees within such jurisdiction during such period shall not be sufficient to create any nexus or establish any minimum contacts or level of presence that would otherwise—

(A) subject such business to any registration, taxation, or other related requirements for businesses operating within such jurisdiction; or

(B) cause such business to be deemed a resident of such jurisdiction for tax purposes; and

(2) except as provided under subsection (a)(2), with respect to any tax imposed by such taxing jurisdiction which is determined, in whole or in part, based on net or gross receipts or income, for purposes of apportioning or sourcing such receipts or income, any duties performed by an employee of an out-of-jurisdiction business while working remotely during the covered period—

(A) shall be disregarded with respect to any filing requirements for such tax; and

(B) shall be apportioned and sourced to the tax jurisdiction which includes the primary work location of such employee.

(c) **DEFINITIONS.**—For purposes of this section—

(1) **COVERED PERIOD.**—The term “covered period” means, with respect to any employee working remotely, the period—

(A) beginning on the date on which such employee began working remotely; and

(B) ending on the earlier of—  
(i) the date on which the employer allows, at the same time—

(I) such employee to return to their primary work location; and

(II) not less than 90 percent of their permanent workforce to return to such work location; or

(ii) December 31, 2021.

(2) **EMPLOYEE.**—The term “employee” has the meaning given such term in section 3121(d) of the Internal Revenue Code of 1986, unless such term is defined by the taxing jurisdiction in which the person’s employment duties are deemed to have been performed under subsection (a), in which case the taxing jurisdiction’s definition shall prevail.

(3) **EMPLOYER.**—The term “employer” has the meaning given such term in section

3401(d) of the Internal Revenue Code of 1986, unless such term is defined by the taxing jurisdiction in which the person’s employment duties are deemed to have been performed under subsection (a), in which case the taxing jurisdiction’s definition shall prevail.

(4) **OUT-OF-JURISDICTION BUSINESS.**—The term “out-of-jurisdiction business” means, with respect to any taxing jurisdiction, any business entity which, excepting any employees of such business who are working remotely within such jurisdiction during the covered period, would, under the existing law of such taxing jurisdiction, not otherwise—

(A) be subject to any registration, taxation, or other related requirement for businesses operating within such jurisdiction; or

(B) be deemed a resident of such jurisdiction for tax purposes.

(5) **PRIMARY WORK LOCATION.**—The term “primary work location” means, with respect to an employee, the address of the employer where the employee is regularly assigned to work when such employee is not working remotely during the covered period.

(6) **TAXING JURISDICTION.**—The term “taxing jurisdiction” has the same meaning given such term under section 2(d)(4).

(7) **WAGES.**—The term “wages” means all wages and other remuneration paid to an employee that are subject to tax or withholding requirements under the law of the taxing jurisdiction in which the employment duties are deemed to be performed under subsection (a) during the covered period.

(8) **WORKING REMOTELY.**—The term “working remotely” means the performance of duties by an employee at a location other than the primary work location of such employee at the direction of his or her employer due to conditions resulting from the public health emergency relating to the virus SARS-CoV-2 or coronavirus disease 2019 (referred to in this paragraph as “COVID-19”), including—

(A) to comply with any government order relating to COVID-19;

(B) to prevent the spread of COVID-19; and

(C) due to the employee or a member of the employee’s family contracting COVID-19.

(d) **PRESERVATION OF AUTHORITY OF TAXING JURISDICTIONS.**—This section shall not be construed as modifying, impairing, superseding, or authorizing the modification, impairment, or supersession of the law of any taxing jurisdiction pertaining to taxation except as expressly provided in subsections (a) through (c).

### SEC. 4. EFFECTIVE DATE; APPLICABILITY.

(a) **EFFECTIVE DATE.**—This Act shall apply to calendar years beginning after December 31, 2019.

(b) **APPLICABILITY.**—This Act shall not apply to any tax obligation that accrues before January 1, 2020.

By Ms. COLLINS (for herself and Mr. WARNER):

S. 1272. A bill to amend the Internal Revenue Code of 1986 to promote retirement savings on behalf of small business employees by making improvements to SIMPLE retirement accounts and easing the transition from a SIMPLE plan to a 401(k) plan, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise to introduce two bipartisan bills that would help improve Americans’ retirement security. Together, these bills would make it easier for more small employers to offer retirement plans and encourage employees to save more for their retirement.

There are many reasons why American households struggle to save for retirement, including the shift away from employer-based “defined benefit” plans and rising health care and long-term care costs. Longer life spans increase the risk of outliving retirement savings. The economic and health impacts of the COVID-19 crisis may also pose a threat to retirement security.

Increasing access to employer-sponsored retirement plans is one way to help improve the financial security of many Americans. According to the Georgetown University Center for Retirement Initiatives, nationwide only about 54 percent of private sector workers had access to a retirement plan through their employer in 2020. In Maine, the percentage is a bit higher; approximately 59 percent of private sector employees had access to a retirement plan at work. But that still leaves more than 200,000 employees without access to a plan.

In December 2019, provisions from my bipartisan Retirement Security Act were signed into law as part of the Setting Every Community Up for Retirement Enhancement or “SECURE” Act. These provisions will help to expand access to employer-provided retirement plans by reducing their cost and complexity, especially for small businesses. This law represents an important step forward, but more is needed.

Congress established SIMPLE (Savings Incentive Match Plan for Employees) retirement plans in 1996 to encourage small businesses to provide their employees with retirement plans. These plans are less costly and easier to navigate than traditional 401(k) plans and provide an alternative approach for employers to help their employees save for retirement.

The SIMPLE Plan Modernization Act, which I am introducing today with my colleague, Senator MARK WARNER, would provide greater flexibility and access to employees and employers seeking to save for retirement by using SIMPLE plans.

This legislation would expand access to SIMPLE plans by increasing the contribution limit for most small businesses. In addition, the bill includes incentives to encourage small businesses to move from a SIMPLE plan to a 401(k) plan when they are able to make this change.

Like many Americans, spouses of active duty service members often face challenges when it comes to saving for retirement. Military spouses also face one hurdle that many others do not: frequent moves and changes in employment.

According to the Department of Defense, about one-third of military service members experience a permanent change of station move every year. When a service member moves, their spouse usually relocates with them. The military spouse may face periods of unemployment, where they are not able to participate in an employer-sponsored retirement plan. When they

do find a new job, they often work part-time, despite seeking full-time work, or are only able to spend a few years with their employer before moving again. These factors often preclude them from being eligible to receive employer contributions to their retirement plan or from being fully vested in their plan.

The second bill I am introducing today focuses on helping to address this need by providing a tax credit to small employers who provide military spouses with accelerated eligibility for retirement plan participation, employer contributions, and vesting.

In particular, the Military Spouses Retirement Security Act, which I am introducing with my colleague Senator MAGGIE HASSAN, would make small employers—those with up to 100 employees—eligible for a tax credit of up to \$500 per year per military spouse. The credit would be available for three years per military spouse. The amount of the credit would be equal to \$200 per military spouse, plus 100 percent of all employer contributions for that spouse, up to \$300.

To receive the tax credit, small employers must make a military spouse immediately eligible for retirement plan participation within two months of hire. Upon plan eligibility, a military spouse must be eligible for any matching or non-elective contribution available to a similarly situated employee with at least two years of service, and must be 100 percent immediately vested in all employer contributions.

In light of the positive effects these bills would have on strengthening retirement security for millions of Americans, I urge my colleagues to support the SIMPLE Plan Modernization Act and the Military Spouses Retirement Security Act.

Thank you, Mr. President.

By Mr. DURBIN (for himself and Mr. PORTMAN):

S. 1287. A bill to amend title XVIII of the Social Security Act to require manufacturers of certain single-dose vial drugs payable under part B of the Medicare program to provide refunds with respect to amounts of such drugs discarded, and for other purposes; to the Committee on Finance.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

#### S. 1287

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Recovering Excessive Funds for Unused and Needless Drugs Act of 2021” or the “REFUND Act of 2021”.

#### SEC. 2. REQUIRING MANUFACTURERS OF CERTAIN SINGLE-DOSE CONTAINER OR SINGLE-USE PACKAGE DRUGS PAYABLE UNDER PART B OF THE MEDICARE PROGRAM TO PROVIDE REFUNDS WITH RESPECT TO DISCARDED AMOUNTS OF SUCH DRUGS.

Section 1847A of the Social Security Act (42 U.S.C. 1395-3a), as amended by section 405 of division CC of the Consolidated Appropriations Act, 2021, is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) inserting after subsection (g) the following:

“(h) REFUND FOR CERTAIN DISCARDED SINGLE-DOSE CONTAINER OR SINGLE-USE PACKAGE DRUGS.—

“(1) SECRETARIAL PROVISION OF INFORMATION.—

“(A) IN GENERAL.—For each calendar quarter beginning on or after January 1, 2022, the Secretary shall, with respect to a refundable single-dose container or single-use package drug (as defined in paragraph (8)), report to each manufacturer (as defined in subsection (c)(6)(A)) of such refundable single-dose container or single-use package drug the following for the calendar quarter:

“(i) Subject to subparagraph (C), information on the total number of units of the billing and payment code of such drug, if any, that were discarded during such quarter, as determined using a mechanism such as the JW modifier used as of the date of enactment of this subsection (or any such successor modifier that includes such data as determined appropriate by the Secretary).

“(ii) The refund amount that the manufacturer is liable for pursuant to paragraph (3).

“(B) DETERMINATION OF DISCARDED AMOUNTS.—For purposes of subparagraph (A)(i), with respect to a refundable single-dose container or single-use package drug furnished during a quarter, the amount of such drug that was discarded shall be determined based on the amount of such drug that was unused and discarded for each drug on the date of service.

“(C) EXCLUSION OF UNITS OF PACKAGED DRUGS.—The total number of units of the billing and payment code of a refundable single-dose container or single-use package drug of a manufacturer furnished during a calendar quarter for purposes of subparagraph (A)(i) shall not include such units that are packaged into the payment amount for an item or service and are not separately payable.

“(2) MANUFACTURER REQUIREMENT.—For each calendar quarter beginning on or after January 1, 2022, the manufacturer of a refundable single-dose container or single-use package drug shall, for such drug, provide to the Secretary a refund that is equal to the amount specified in paragraph (3) for such drug for such quarter.

“(3) REFUND AMOUNT.—

“(A) IN GENERAL.—The amount of the refund specified in this paragraph is, with respect to a refundable single-dose container or single-use package drug of a manufacturer assigned to a billing and payment code for a calendar quarter beginning on or after January 1, 2022, an amount equal to 90 percent (or, in the case of a refundable single-dose container or single-use package drug described in subclause (I) or (II) of subparagraph (B)(ii), the percent determined for such drug under subparagraph (B)(i)) of the product of—

“(i) the total number of units of the billing and payment code for such drug that were discarded during such quarter (as determined under paragraph (1)); and

“(ii) (I) in the case of a refundable single-dose container or single-use package drug that is a single source drug or biological, the

amount determined for such drug under subsection (b)(4); or

“(II) in the case of a refundable single-dose container or single-use package drug that is a biosimilar biological product, the average sales price determined under subsection (b)(8)(A).

“(B) TREATMENT OF DRUGS THAT REQUIRE FILTRATION OR OTHER UNIQUE CIRCUMSTANCES.—

“(i) IN GENERAL.—The Secretary, through notice and comment rulemaking—

“(I) in the case of a refundable single-dose container or single-use package drug described in subclause (I) of clause (ii), shall adjust the percentage otherwise applicable for purposes of determining the refund amount with respect to such drug under subparagraph (A) as determined appropriate by the Secretary; and

“(II) in the case of a refundable single-dose container or single-use package drug described in subclause (II) of clause (ii), may adjust the percentage otherwise applicable for purposes of determining the refund amount with respect to such drug under subparagraph (A) as determined appropriate by the Secretary.

“(ii) DRUG DESCRIBED.—For purposes of clause (i), a refundable single-dose container or single-use package drug described in this clause is either of the following:

“(I) A refundable single-dose container or single-use package drug for which preparation instructions required and approved by the Commissioner of the Food and Drug Administration include filtration during the drug preparation process, prior to dilution and administration, and require that any unused portion of such drug after the filtration process be discarded after the completion of such filtration process.

“(II) Any other refundable single-dose container or single-use package drug that has unique circumstances involving similar loss of product.

“(4) FREQUENCY.—Amounts required to be refunded pursuant to paragraph (2) shall be paid in regular intervals (as determined appropriate by the Secretary).

“(5) REFUND DEPOSITS.—Amounts paid as refunds pursuant to paragraph (2) shall be deposited into the Federal Supplementary Medical Insurance Trust Fund established under section 1841.

“(6) ENFORCEMENT.—

“(A) AUDITS.—

“(i) MANUFACTURER AUDITS.—Each manufacturer of a refundable single-dose container or single-use package drug that is required to provide a refund under this subsection shall be subject to periodic audit with respect to such drug and such refunds by the Secretary.

“(ii) PROVIDER AUDITS.—The Secretary shall conduct periodic audits of claims submitted under this part with respect to refundable single-dose container or single-use package drugs in accordance with the authority under section 1833(e) to ensure compliance with the requirements applicable under this subsection.

“(B) CIVIL MONEY PENALTY.—

“(i) IN GENERAL.—The Secretary shall impose a civil money penalty on a manufacturer of a refundable single-dose container or single-use package drug who has failed to comply with the requirement under paragraph (2) for such drug for a calendar quarter in an amount equal to the sum of—

“(I) the amount that the manufacturer would have paid under such paragraph with respect to such drug for such quarter; and

“(II) 25 percent of such amount.

“(ii) APPLICATION.—The provisions of section 1128A (other than subsections (a) and (b)) shall apply to a civil money penalty under this subparagraph in the same manner

as such provisions apply to a penalty or proceeding under section 1128A(a).

“(7) IMPLEMENTATION.—The Secretary shall implement this subsection through notice and comment rulemaking.

“(8) DEFINITION OF REFUNDABLE SINGLE-DOSE CONTAINER OR SINGLE-USE PACKAGE DRUG.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), in this subsection, the term ‘refundable single-dose container or single-use package drug’ means a single source drug or biological (as defined in section 1847A(c)(6)(D)) or a biosimilar biological product (as defined in section 1847A(c)(6)(H)) for which payment is established under this part and that is furnished from a single-dose container or single-use package.

“(B) EXCLUSIONS.—The term ‘refundable single-dose container or single-use package drug’ does not include a drug or biological that is either a radiopharmaceutical or an imaging agent.

“(9) REPORT TO CONGRESS.—

“(A) IN GENERAL.—Not later than 3 years after the date of enactment of this subsection, the Office of the Inspector General of the Department of Health and Human Services, in consultation with the Centers for Medicare & Medicaid Services and the Food and Drug Administration, shall submit to the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, a report on any impact this subsection is demonstrated to have on—

“(i) the licensure, market entry, market retention, or marketing of biosimilar biological products; and

“(ii) vial size changes, label adjustments, or technological developments.

“(B) UPDATES.—At the direction of the Committees referred to in subparagraph (A), the Office of the Inspector General of the Department of Health and Human Services, in consultation with the Centers for Medicare & Medicaid Services and the Food and Drug Administration, shall periodically update the report under such subparagraph.”.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 167—SUPPORTING THE GOALS AND IDEALS OF “COUNTERING INTERNATIONAL PARENTAL CHILD ABDUCTION MONTH” AND EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD RAISE AWARENESS OF THE HARM CAUSED BY INTERNATIONAL PARENTAL CHILD ABDUCTION

Mrs. FEINSTEIN (for herself, Mr. TILLIS, Mr. MCCONNELL, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CRAPO, Ms. KLOBUCHAR, Mr. MARKEY, Mr. RUBIO, and Mr. CORNYN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 167

Whereas thousands of children in the United States have been abducted from the United States by parents, separating those children from their parents who remain in the United States;

Whereas it is illegal under section 1204 of title 18, United States Code, to remove, or attempt to remove, a child from the United States or to retain a child (who has been in the United States) outside of the United

States with the intent to obstruct the lawful exercise of parental rights;

Whereas 10,836 children were reported abducted from the United States between 2009 and 2019;

Whereas, during 2019, 1 or more cases of international parental child abduction involving children who are citizens of the United States were identified in 102 countries around the world;

Whereas the United States is a party to the Convention on the Civil Aspects of International Child Abduction, done at The Hague, October 25, 1980 (TIAS 11670) (referred to in this preamble as the “Hague Convention on Abduction”), which—

(1) supports the prompt return of wrongly removed or retained children; and

(2) calls for all participating parties to respect parental custody rights;

Whereas the majority of children who were abducted from the United States have yet to be reunited with their custodial parents;

Whereas, between 2015 and 2019, Argentina, the Bahamas, Brazil, China, Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Guatemala, Honduras, India, Japan, Jordan, Lebanon, Morocco, Nicaragua, Peru, Romania, Tunisia, and the United Arab Emirates were identified under the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.) as engaging in a pattern of noncompliance (as defined in section 3 of such Act (22 U.S.C. 9101));

Whereas the Supreme Court of the United States has recognized that family abduction—

(1) is a form of child abuse with potentially “devastating consequences for a child”, which may include negative impacts on the physical and mental well-being of the child; and

(2) may cause a child to “experience a loss of community and stability, leading to loneliness, anger, and fear of abandonment”;

Whereas, according to the 2010 Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction by the Department of State, an abducted child is at risk of significant short- and long-term problems, including “anxiety, eating problems, nightmares, mood swings, sleep disturbances, [and] aggressive behavior”;

Whereas international parental child abduction has devastating emotional consequences for the child and for the parent from whom the child is separated;

Whereas the United States has a history of promoting child welfare through institutions including—

(1) in the Department of Health and Human Services, the Children’s Bureau of the Administration for Children and Families; and

(2) in the Department of State, the Office of Children’s Issues of the Bureau of Consular Affairs;

Whereas the Coalition to End International Parental Child Abduction, through dedicated advocacy and regular testimony, has highlighted the importance of this issue to Congress and called on successive administrations to take concerted action to stop international parental child abduction and repatriate kidnapped United States children;

Whereas Congress has signaled a commitment to ending international parental child abduction by enacting—

(1) the International Child Abduction Remedies Act (22 U.S.C. 9001 et seq.);

(2) the International Parental Kidnapping Crime Act of 1993 (Public Law 103-173), which enacted section 1204 of title 18, United States Code; and

(3) the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.);

Whereas the Senate adopted Senate Resolution 543, 112th Congress, agreed to on December 4, 2012, condemning the international abduction of children;

Whereas the Senate adopted Senate Resolution 431, 115th Congress, agreed to on April 19, 2018, to raise awareness of, and opposition to, international parental child abduction;

Whereas the Senate adopted Senate Resolution 23, 116th Congress, agreed to on April 11, 2019, to raise awareness of the harm caused by international parental child abduction;

Whereas Congress calls upon the Department of State to fully utilize the tools available under the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.) to negotiate, and make publicly available, bilateral agreements or memorandums of understanding—

(1) with countries not party to the Hague Convention on Abduction to resolve abduction and access cases; and

(2) regarding open abduction and access cases predating the Hague Convention on Abduction with countries that have thereafter become a party to the Hague Convention on Abduction;

Whereas all 50 States and the District of Columbia have enacted laws criminalizing parental kidnapping;

Whereas, in 2019, the Prevention Branch of the Office of Children's Issues of the Department of State—

(1) fielded more than 5,400 inquiries from the general public relating to preventing a child from being removed from the United States; and

(2) enrolled more than 4,500 children in the Children's Passport Issuance Alert Program, which—

(A) is one of the most important tools of the Department of State for preventing international parental child abduction; and

(B) allows the Office of Children's Issues to contact the enrolling parent or legal guardian to verify whether the parental consent requirement has been met when a passport application has been submitted for an enrolled child;

Whereas the Department of State cannot track the ultimate destination of a child through the use of the passport issued by the Department of State if the child is transported to a third country after departing from the United States;

Whereas a child who is a citizen of the United States may have another nationality and may travel using a passport issued by another country, which—

(1) increases the difficulty of determining the whereabouts of the child; and

(2) makes efforts to prevent abduction more critical;

Whereas, during 2019, 220 children were returned to the United States, and an additional 118 cases were resolved in other ways; and

Whereas, in 2019, the Department of Homeland Security, in coordination with the Prevention Branch of the Office of Children's Issues of the Department of State, enrolled 363 children in the Prevent Abduction Program, which is aimed at preventing international parental child abduction through coordination with the U.S. Customs and Border Patrol officers at the airport, seaport, or land border ports of entry (POE) on intercepting the child before departure: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and observes "Countering International Parental Child Abduction Month" during the period beginning on April 1, 2021, and ending on April 30, 2021, to raise awareness of, and opposition to, international parental child abduction; and

(2) urges the United States to continue playing a leadership role in raising awareness about the devastating impacts of international parental child abduction by educating the public about the negative emotional, psychological, and physical consequences to children and parents victimized by international parental child abduction.

#### SENATE RESOLUTION 168—CONGRATULATING THE NORTHWEST MISSOURI STATE UNIVERSITY BEARCATS MEN'S BASKETBALL TEAM ON WINNING THE 2021 NCAA MEN'S DIVISION II NATIONAL CHAMPIONSHIP

Mr. BLUNT (for himself and Mr. HAWLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 168

Whereas, on March 27, 2021, the Northwest Missouri State University Bearcats men's basketball team (in this preamble referred to as the "Bearcats") clinched their third National Collegiate Athletics Association (NCAA) Division II National Championship in 5 years in a landslide 80-54 victory over the West Texas A&M University Buffaloes;

Whereas the Bearcats should be proud of their University's storied history dating back to the inception of the school in 1905;

Whereas the Bearcats should be commended for their success and perseverance throughout the 2020-2021 season despite uncertainty during the coronavirus outbreak;

Whereas the Bearcats' victory marked the men's basketball team's second consecutive national championship, cementing the Bearcats' place atop NCAA Division II men's basketball;

Whereas the West Texas A&M University Buffaloes should also be commended on their efforts and success throughout an unprecedented season during the COVID-19 pandemic;

Whereas the city of Evansville, Indiana, and the NCAA should be commended for their efforts in providing a safe environment for the student athletes and staff during the championship tournament;

Whereas the Bearcats went 3-0 during the championship tournament with an average margin of victory of 26 points;

Whereas the Bearcats clinched a first round victory against West Liberty by a score of 98-77;

Whereas the Bearcats clinched a second round victory against Flagler by a score of 77-46;

Whereas the Bearcats claimed their title as back-to-back national champions by defeating West Texas A&M by a score of 80-54;

Whereas Ryan Hawkins should be commended for his role in the Bearcats' national championship victory by scoring a game-high 31 points while securing 18 rebounds;

Whereas 3 additional starting members of the Bearcats, Wes Dreamer, Trevor Hudgins, and Luke Waters, each scored in the double digits in the championship game and should be commended for their scoring efforts;

Whereas Wes Dreamer and Ryan Hawkins should each be commended for achieving a double-double in the championship game by scoring and rebounding in the double digits;

Whereas Ryan Hawkins and Trevor Hudgins should be celebrated for their selection to the Elite Eight All-Tournament Team;

Whereas Ryan Hawkins should further be recognized for being named as the Elite Eight's Most Outstanding Player;

Whereas the entire Bearcats roster should be commended for their 50 percent field goal percentage and 47 percent 3-point shooting;

Whereas the entire Bearcats roster contributed to the national championship victory, including Spencer Schomers, Diego Bernard, Jaran Richman, Isaiah Jackson, Wes Dreamer, Byron Alexander, Trevor Hudgins, Mitch Mascari, Daric Laing, Ryan Hawkins, Christian Stanislav, Luke Waters, and Daniel Abreu;

Whereas the entire Bearcats coaching staff contributed to the national championship victory, including Ben McCollum, Zach Schneider, Xavier Kurth, Dray Starzl, Nick Peters, Justin Dickerson, Sam Hawley, and Landon Graver; and

Whereas the Bearcats back-to-back national championships provide a sense of excitement and pride to the City of Maryville and Bearcat nation across Missouri: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the Northwest Missouri State University Bearcats men's basketball team and the entire University, Mayor of Maryville Benjamin Lipiec, University President Dr. John Jasinski, Governor Mike Parson, and fans of the Bearcats on their national championship; and

(2) respectfully directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the President of Northwest Missouri State University;

(B) head coach Ben McCollum; and

(C) Mayor Benjamin Lipiec.

#### SENATE RESOLUTION 169—HONORING THE LIFE AND LEGACY OF WILLIAM ROBERT "BOBBY" "SLICK" LEONARD

Mr. BRAUN (for himself and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 169

Whereas William Robert "Bobby" "Slick" Leonard was born on July 17, 1932, in Terre Haute, Indiana;

Whereas Mr. Leonard was a stand-out basketball player while attending Gerstmeyer Technical High School in Terre Haute, Indiana;

Whereas Mr. Leonard went on to play basketball for the Indiana University Hoosiers men's basketball team (referred to in this preamble as the "Hoosiers") in Bloomington, where he—

(1) helped lead the Hoosiers to 2 Big Ten titles in 1953 and 1954; and

(2) hit the game winning free throw in the championship game to clinch the 1953 National Collegiate Athletic Association Division I men's basketball championship title for the Hoosiers;

Whereas Mr. Leonard was named a third-team All-American in 1953 and a second-team All-American in 1952;

Whereas, in 1952, Mr. Leonard was named the Most Valuable Player of the Hoosiers;

Whereas Mr. Leonard was captain of the Hoosiers during the 1953-1954 season;

Whereas Mr. Leonard served in the United States Army from 1954 to 1956;

Whereas Mr. Leonard was selected by the Baltimore Bullets with the first pick of the second round, the tenth overall pick, of the 1954 National Basketball Association (referred to in this preamble as the "NBA") draft;

Whereas, after being drafted in 1954, Mr. Leonard went on to play 7 years of professional basketball in the NBA, 5 years for the Minneapolis and Los Angeles Lakers and 2

years for the Chicago Packers, who were renamed the Zephyrs in 1962;

Whereas Mr. Leonard led the NBA in games played (72) during the 1956-57 season, and finished sixth in the NBA in assists per game (5.4) during the 1961-62 season;

Whereas Mr. Leonard was named an NBA All-Star in 1963;

Whereas Mr. Leonard coached the Chicago Zephyrs and Baltimore Bullets from 1962 to 1964;

Whereas Mr. Leonard became the head coach of the Indiana Pacers, who were then part of the American Basketball Association (referred to in this preamble as the "ABA"), in 1968, holding the position for nearly 12 years, the last 4 years of which the franchise was in the NBA;

Whereas Mr. Leonard led the Pacers to ABA championships in the 1969-70, 1971-72, and 1972-73 seasons, in addition to 2 other championship appearances, all prior to the ABA-NBA merger in June 1976;

Whereas Mr. Leonard had a total of 529 wins as head coach of the Pacers;

Whereas, as a head coach in the ABA, Mr. Leonard—

(1) won 69 playoff games, a league record; and

(2) was the winningest coach in the history of the league;

Whereas, when the State known as the basketball capital of the world was close to losing the Indiana Pacers due to financial problems, Mr. Leonard and his wife Nancy held a telethon and, through small contributions from fans, were able to raise the funds to save the team and keep the Pacers in Indiana;

Whereas Mr. Leonard was selected as the greatest coach in the history of the ABA;

Whereas Mr. Leonard returned to the Pacers in 1985 as a color commentator, first for television and then on radio with Mark Boyle;

Whereas the trademark phrase of Mr. Leonard was "Boom, Baby!", which—

(1) Mr. Leonard said when a member of the Pacers made a 3-point shot; and

(2) inspired the hearts of basketball fans in the Hoosier State and across the United States;

Whereas, in 1982, Mr. Leonard became the first individual to be inducted into the Indiana University Sports Hall of Fame;

Whereas Mr. Leonard was also inducted into the Indiana Basketball Hall of Fame and the Indiana Sports Writers and Broadcasters Hall of Fame;

Whereas, in 2014, Mr. Leonard was inducted into the Naismith Memorial Basketball Hall of Fame as a coach;

Whereas, on April 13, 2021, Mr. Leonard passed away at the age of 88;

Whereas Pacers fans will remember Mr. Leonard as—

(1) the "spirit of the Pacers franchise", as aptly put by Herb Simon, the owner of the Pacers; and

(2) the "embodiment of basketball" and an "Indiana icon", as aptly put by Eric Holcomb, the Governor of Indiana; and

Whereas Mr. Leonard is survived by his wife, their 5 children, 12 grandchildren, and 6 great-grandchildren: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the life and legacy of William Robert "Bobby" "Slick" Leonard, including the dedication of Mr. Leonard—

(A) to the game of basketball, including the promotion of the game across the United States; and

(B) in particular, to the game of basketball, the players, and the fans in the Hoosier State;

(2) recognizes—

(A) the historical, economical, and cultural significance and impact Mr. Leonard

had on the City of Indianapolis (referred to in this resolution as the "City") and the State of Indiana (referred to in this resolution as the "State");

(B) that without the dedication and contributions to sports and entertainment throughout the City and the State that Mr. Leonard and his wife were able to give, the City nor State would not have such a wonderful reputation or ability to attract the largest sporting events in the world, including—

(i) the National Collegiate Athletic Association Tournament and Final Four;

(ii) the National Basketball Association All-Star Game; and

(iii) the Super Bowl; and

(3) shows gratitude and thankfulness—

(A) to the lifetime of sporting memories Mr. Leonard helped provide to the City and the State; and

(B) to the impact Mr. Leonard had on the development and growth of the City.

#### SENATE RESOLUTION 170—RELATING TO THE DEATH OF WALTER FREDERICK MONDALE, FORMER VICE PRESIDENT OF THE UNITED STATES

Ms. KLOBUCHAR (for herself, Ms. SMITH, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HAWLEY, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Mr. SHELBY, Ms. SINEMA, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

#### S. RES. 170

Whereas Walter "Fritz" Mondale, the late former Vice President of the United States, was born in Ceylon, Minnesota, to Claribel Mondale and the Reverend Theodore S. Mondale;

Whereas Walter Mondale, after attending Macalester College, graduated from the University of Minnesota with a bachelor's degree in political science, and, after serving in

the United States Army during the Korean War, obtained his law degree from the University of Minnesota Law School;

Whereas Walter Mondale married Joan Adams, with whom he raised 2 sons and a daughter;

Whereas Walter Mondale was appointed to be Minnesota Attorney General by Governor Orville Freeman in 1960 and was elected to a full term 2 years later;

Whereas, while serving as Minnesota Attorney General, Walter Mondale led a group of 22 State attorneys general to submit a brief to the Supreme Court of the United States in support of the right to counsel in the landmark case Gideon v. Wainwright, 372 U.S. 335 (1963), which the Supreme Court of the United States decided unanimously;

Whereas Minnesota Governor Karl Rolvaag appointed Walter Mondale to the United States Senate, filling the seat left vacant by Minnesota Senator Hubert Humphrey when he resigned after being elected Vice President of the United States;

Whereas, as a United States Senator, Walter Mondale prioritized addressing civil rights, including introducing the Fair Housing Act of 1968 (Public Law 90-284; 82 Stat. 73), landmark legislation protecting individuals from discrimination on the basis of race, religion, national origin, or sex when they are buying or renting a home, getting a mortgage, or seeking housing assistance, and championing title IX of the Education Amendments of 1972 (Public Law 92-318; 86 Stat. 235) to provide more educational opportunities for women;

Whereas, in the Senate, Walter Mondale was a tireless advocate for children, ranging from his key authorship of the Child Abuse Prevention and Treatment Act of 1974 (Public Law 93-427) and his support for family services to his work to make a college education more affordable;

Whereas Walter Mondale was selected by Jimmy Carter to be his running mate and the candidate for vice president and, after winning the 1976 presidential election, was inaugurated as the 42nd Vice President of the United States;

Whereas Walter Mondale defined the role of the modern vice presidency as one that serves as the president's ultimate advisor and governing partner;

Whereas Walter Mondale was nominated to be the Democratic Presidential candidate in 1984 and chose Geraldine Ferraro to be his running mate, the first woman to run for vice president on a major-party ticket in the country's history;

Whereas Walter Mondale served his country again as Ambassador to Japan and Special Envoy to Indonesia;

Whereas, throughout his career, Walter Mondale was a tireless public servant who believed in finding solutions and who, as he once described, "worked on the idea that government can be an instrument for social progress";

Whereas central to Walter Mondale's public service mission was a dedication to mentoring the next generation of leaders, many of whom who serve our country today;

Whereas Walter Mondale passed away on April 19, 2021; and

Whereas the Nation is indebted to Walter Mondale, a truly distinguished American: Now, therefore, be it

*Resolved*, That the Senate—

(1) extends heartfelt condolences to the family and friends of Walter Mondale;

(2) acknowledges Walter Mondale's lifetime of service to the United States as a lawyer, Minnesota Attorney General, United States Senator, Vice President of the United States, United States Ambassador to Japan, Special



Envoy to Indonesia, and the first presidential candidate from a major party to select a woman, Geraldine Ferraro, as his running mate;

(3) commends Walter Mondale for fighting the good fight, finishing the race, and keeping the faith; and

(4) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of Walter Mondale.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1449. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table.

SA 1450. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

SA 1451. Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 937, supra; which was ordered to lie on the table.

SA 1452. Mr. LANKFORD (for himself, Mr. INHOFE, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

SA 1453. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1454. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1455. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1456. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

SA 1457. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

SA 1458. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1449. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the

bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, strike line 18 and insert the following:

United States Code;

(3) include information relating to the race, ethnicity, immigration status, and political affiliation of the alleged perpetrator of a hate crime or incident in the online reporting described in paragraph (1); and

SA 1450. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 12, after "incidents," insert the following: "including establishing criminal penalties for any online reporting of a hate crime that is fraudulent, illegitimate, or retaliatory in nature,".

SA 1451. Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ MOTIVE REQUIREMENT FOR HATE CRIMES.

Section 249(c) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following:

"(1) the term 'because of' means that the actual or perceived protected characteristic of the victim was a substantial motivating factor in the offense;".

SA 1452. Mr. LANKFORD (for himself, Mr. INHOFE, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, between lines 5 and 6, insert the following:

(c) ABORTIONS BASED ON RACE, ETHNICITY, COLOR, NATIONAL ORIGIN, SEX, OR DISABILITY, INCLUDING A CHROMOSOMAL DISORDER.—

(1) REPORTING.—

(A) IN GENERAL.—For the purposes of facilitating expedited review under subsection (a), the Attorney General shall include any abortion committed against an unborn child based on the race, ethnicity, color, national origin, sex, or disability, including a chromosomal disorder, of the unborn child.

(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to create an offense or an additional category of hate crime.

(2) HOLD HARMLESS.—A woman upon whom an abortion is performed based on the race,

ethnicity, color, national origin, sex, or disability, including a chromosomal disorder, of the unborn child may not be prosecuted or held civilly liable on that basis under any provision of Federal law.

SA 1453. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

#### SEC. \_\_\_\_ EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 1454. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

#### SEC. \_\_\_\_ EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

SA 1455. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike "4" and insert "5".

SA 1456. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### SEC. 6. PROHIBITION OF FEDERAL FUNDS FOR INSTITUTIONS OF HIGHER EDUCATION THAT DISCRIMINATE AGAINST ASIAN AMERICANS.

Notwithstanding any other provision of law, no institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) may receive any Federal funding if the institution has a policy in place or engages in a practice that discriminates against Asian Americans in recruitment, applicant review, or admissions.

SA 1457. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 4, strike line 11 and all that follows through page 21, line 19 and insert the following:

(1) establish online reporting of hate crimes, and to have online reporting that is

equally effective for people with disabilities as for people without disabilities available in multiple languages as determined by the Attorney General; and

(2) collect data disaggregated by the protected characteristics described in section 249 of title 18, United States Code.

(b) **GUIDANCE RELATING TO COVID-19 PANDEMIC.**—The Attorney General and the Secretary of Health and Human Services, in coordination with the COVID-19 Health Equity Task Force and community-based organizations, shall issue guidance on how to report hate crimes during the COVID-19 pandemic.

#### SEC. 5. JABARA-HEYER NO HATE ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021” or the “Jabara-Heyer NO HATE Act”.

(b) **FINDINGS.**—Congress finds the following:

(1) The incidence of violence known as hate crimes, or crimes motivated by bias, poses a serious national problem.

(2) According to data obtained by the Federal Bureau of Investigation, the incidence of such violence increased in 2019, the most recent year for which data is available.

(3) In 1990, Congress enacted the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) to provide the Federal Government, law enforcement agencies, and the public with data regarding the incidence of hate crime. The Hate Crime Statistics Act and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111-84; 123 Stat. 2835) have enabled Federal authorities to understand and, where appropriate, investigate and prosecute hate crimes.

(4) A more complete understanding of the national problem posed by hate crime is in the public interest and supports the Federal interest in eradicating bias-motivated violence referenced in section 249(b)(1)(C) of title 18, United States Code.

(5) However, a complete understanding of the national problem posed by hate crimes is hindered by incomplete data from Federal, State, and local jurisdictions through the Uniform Crime Reports program authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation.

(6) Multiple factors contribute to the provision of inaccurate and incomplete data regarding the incidence of hate crime through the Uniform Crime Reports program. A significant contributing factor is the quality and quantity of training that State and local law enforcement agencies receive on the identification and reporting of suspected bias-motivated crimes.

(7) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal financial assistance to States and local jurisdictions.

(8) Federal financial assistance with regard to certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(c) **DEFINITIONS.**—In this section:

(1) **HATE CRIME.**—The term “hate crime” means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631).

(2) **PRIORITY AGENCY.**—The term “priority agency” means—

(A) a law enforcement agency of a unit of local government that serves a population of not less than 100,000, as computed by the Federal Bureau of Investigation; or

(B) a law enforcement agency of a unit of local government that—

(i) serves a population of not less than 50,000 and less than 100,000, as computed by the Federal Bureau of Investigation; and

(ii) has reported no hate crimes through the Uniform Crime Reports program in each of the 3 most recent calendar years for which such data is available.

(3) **STATE.**—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(4) **UNIFORM CRIME REPORTS.**—The term “Uniform Crime Reports” means the reports authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation that compile nationwide criminal statistics for use—

(A) in law enforcement administration, operation, and management; and

(B) to assess the nature and type of crime in the United States.

(5) **UNIT OF LOCAL GOVERNMENT.**—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(d) **REPORTING OF HATE CRIMES.**—

(1) **IMPLEMENTATION GRANTS.**—

(A) **IN GENERAL.**—The Attorney General may make grants to States and units of local government to assist the State or unit of local government in implementing the National Incident-Based Reporting System, including to train employees in identifying and classifying hate crimes in the National Incident-Based Reporting System.

(B) **PRIORITY.**—In making grants under subparagraph (A), the Attorney General shall give priority to States and units of local government that develop and implement the programs and activities described in subsection (e)(2)(A).

(2) **REPORTING.**—

(A) **COMPLIANCE.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), in each fiscal year beginning after the date that is 3 years after the date on which a State or unit of local government first receives a grant under paragraph (1), the State or unit of local government shall provide to the Attorney General, through the Uniform Crime Reporting system, information pertaining to hate crimes committed in that jurisdiction during the preceding fiscal year.

(ii) **EXTENSIONS; WAIVER.**—The Attorney General—

(I) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to comply with clause (i); and

(II) shall waive the requirements of clause (i) if compliance with that subparagraph by a State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(B) **FAILURE TO COMPLY.**—If a State or unit of local government that receives a grant under paragraph (1) fails to substantially comply with subparagraph (A) of this paragraph, the State or unit of local government shall repay the grant in full, plus reasonable interest and penalty charges allowable by law or established by the Attorney General.

(e) **INFORMATION COLLECTION BY STATES AND UNITS OF LOCAL GOVERNMENT.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **COVERED AGENCY.**—The term “covered agency” means—

(i) a State law enforcement agency; and

(ii) a priority agency.

(B) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(i) a State; or

(ii) a unit of local government that has a priority agency.

(2) **GRANTS.**—

(A) **IN GENERAL.**—The Attorney General may make grants to eligible entities to assist covered agencies within the jurisdiction of the eligible entity in conducting law enforcement activities or crime reduction programs to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program, including—

(i) adopting a policy on identifying, investigating, and reporting hate crimes;

(ii) developing a standardized system of collecting, analyzing, and reporting the incidence of hate crime; and

(iii) establishing a unit specialized in identifying, investigating, and reporting hate crimes.

(B) **SUBGRANTS.**—A State that receives a grant under subparagraph (A) may award a subgrant to a unit of local government within the State for the purposes under that subparagraph, except that a unit of local government may provide funding from such a subgrant to any law enforcement agency of the unit of local government.

(3) **INFORMATION REQUIRED OF STATES AND UNITS OF LOCAL GOVERNMENT.**—

(A) **IN GENERAL.**—For each fiscal year in which a State or unit of local government receives a grant or subgrant under paragraph (2), the State or unit of local government shall—

(i) collect information from each law enforcement agency that receives funding from the grant or subgrant summarizing the law enforcement activities or crime reduction programs conducted by the agency to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program; and

(ii) submit to the Attorney General a report containing the information collected under clause (i).

(B) **SEMIANNUAL LAW ENFORCEMENT AGENCY REPORT.**—

(i) **IN GENERAL.**—In collecting the information required under subparagraph (A)(i), a State or unit of local government shall require each law enforcement agency that receives funding from a grant or subgrant awarded to the State or unit of local government under paragraph (2) to submit a semiannual report to the State or unit of local government that includes a summary of the law enforcement activities or crime reduction programs conducted by the agency during the reporting period to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program.

(ii) **CONTENTS.**—In a report submitted under clause (i), a law enforcement agency shall, at a minimum, disclose—

(I) whether the agency has adopted a policy on identifying, investigating, and reporting hate crimes;

(II) whether the agency has developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(III) whether the agency has established a unit specialized in identifying, investigating, and reporting hate crimes;

(IV) whether the agency engages in community relations functions related to hate crime, such as—

(aa) establishing a liaison with formal community-based organizations or leaders; and

(bb) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(V) the number of hate crime trainings for agency personnel, including the duration of the trainings, conducted by the agency during the reporting period.

(4) COMPLIANCE AND REDIRECTION OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), beginning not later than 1 year after the date of this Act, a State or unit of local government receiving a grant or subgrant under paragraph (2) shall comply with paragraph (3).

(B) EXTENSIONS; WAIVER.—The Attorney General—

(i) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to collect the information required under paragraph (3); and

(ii) shall waive the requirements of paragraph (3) for a State or unit of local government if compliance with that subsection by the State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(f) REQUIREMENTS OF THE ATTORNEY GENERAL.—

(1) INFORMATION COLLECTION AND ANALYSIS; REPORT.—In order to improve the accuracy of data regarding the incidence of hate crime provided through the Uniform Crime Reports program, and promote a more complete understanding of the national problem posed by hate crime, the Attorney General shall—

(A) collect and analyze the information provided by States and units of local government under subsection (e) for the purpose of developing policies related to the provision of accurate data obtained under the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) by the Federal Bureau of Investigation; and

(B) for each calendar year beginning after the date of enactment of this Act, publish and submit to Congress a report based on the information collected and analyzed under subparagraph (A).

(2) CONTENTS OF REPORT.—A report submitted under paragraph (1) shall include—

(A) a qualitative analysis of the relationship between—

(i) the number of hate crimes reported by State law enforcement agencies or other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) through the Uniform Crime Reports program; and

(ii) the nature and extent of law enforcement activities or crime reduction programs conducted by those agencies to prevent, address, or otherwise respond to hate crime; and

(B) a quantitative analysis of the number of State law enforcement agencies and other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) that have—

(i) adopted a policy on identifying, investigating, and reporting hate crimes;

(ii) developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(iii) established a unit specialized in identifying, investigating, and reporting hate crimes;

(iv) engaged in community relations functions related to hate crime, such as—

(I) establishing a liaison with formal community-based organizations or leaders; and

(II) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(v) conducted hate crime trainings for agency personnel during the reporting period, including—

(I) the total number of trainings conducted by each agency; and

(II) the duration of the trainings described in subclause (I).

(g) ALTERNATIVE SENTENCING.—Section 249 of title 18, United States Code, is amended by adding at the end the following:

“(e) SUPERVISED RELEASE.—If a court includes, as a part of a sentence of imprisonment imposed for a violation of subsection (a), a requirement that the defendant be placed on a term of supervised release after imprisonment under section 3583, the court may order, as an explicit condition of supervised release, that the defendant undertake community service directly related to the community harmed by the defendant's offense.”.

**SA 1458.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 4, strike line 11 and all that follows through page 21, line 19 and insert the following:

(1) establish online reporting of hate crimes, and to have online reporting that is equally effective for people with disabilities as for people without disabilities available in multiple languages as determined by the Attorney General; and

(2) collect data disaggregated by the protected characteristics described in section 249 of title 18, United States Code.

(b) GUIDANCE RELATING TO COVID-19 PANDEMIC.—The Attorney General and the Secretary of Health and Human Services, in coordination with the COVID-19 Health Equity Task Force and community-based organizations, shall issue guidance on how to report hate crimes during the COVID-19 pandemic.

**SEC. 5. JABARA-HEYER NO HATE ACT.**

(a) SHORT TITLE.—This section may be cited as the “Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021” or the “Jabara-Heyer NO HATE Act”.

(b) FINDINGS.—Congress finds the following:

(1) The incidence of violence known as hate crimes, or crimes motivated by bias, poses a serious national problem.

(2) According to data obtained by the Federal Bureau of Investigation, the incidence of such violence increased in 2019, the most recent year for which data is available.

(3) In 1990, Congress enacted the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) to provide the Federal Government, law enforcement agencies, and the public with data regarding the incidence of hate crime. The Hate Crime Statistics Act and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111-84; 123 Stat. 2835) have enabled Federal authorities to understand and, where appropriate, investigate and prosecute hate crimes.

(4) A more complete understanding of the national problem posed by hate crime is in the public interest and supports the Federal interest in eradicating bias-motivated violence referenced in section 249(b)(1)(C) of title 18, United States Code.

(5) However, a complete understanding of the national problem posed by hate crimes is hindered by incomplete data from Federal, State, and local jurisdictions through the Uniform Crime Reports program authorized

under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation.

(6) Multiple factors contribute to the provision of inaccurate and incomplete data regarding the incidence of hate crime through the Uniform Crime Reports program. A significant contributing factor is the quality and quantity of training that State and local law enforcement agencies receive on the identification and reporting of suspected bias-motivated crimes.

(7) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal financial assistance to States and local jurisdictions.

(8) Federal financial assistance with regard to certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(c) DEFINITIONS.—In this section:

(1) HATE CRIME.—The term “hate crime” means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631).

(2) PRIORITY AGENCY.—The term “priority agency” means—

(A) a law enforcement agency of a unit of local government that serves a population of not less than 100,000, as computed by the Federal Bureau of Investigation; or

(B) a law enforcement agency of a unit of local government that—

(i) serves a population of not less than 50,000 and less than 100,000, as computed by the Federal Bureau of Investigation; and

(ii) has reported no hate crimes through the Uniform Crime Reports program in each of the 3 most recent calendar years for which such data is available.

(3) STATE.—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(4) UNIFORM CRIME REPORTS.—The term “Uniform Crime Reports” means the reports authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation that compile nationwide criminal statistics for use—

(A) in law enforcement administration, operation, and management; and

(B) to assess the nature and type of crime in the United States.

(5) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(d) REPORTING OF HATE CRIMES.—

(1) IMPLEMENTATION GRANTS.—

(A) IN GENERAL.—The Attorney General may make grants to States and units of local government to assist the State or unit of local government in implementing the National Incident-Based Reporting System, including to train employees in identifying and classifying hate crimes in the National Incident-Based Reporting System.

(B) PRIORITY.—In making grants under subparagraph (A), the Attorney General shall give priority to States and units of local government that develop and implement the programs and activities described in subsection (e)(2)(A).

(2) REPORTING.—

(A) COMPLIANCE.—

(i) IN GENERAL.—Except as provided in clause (ii), in each fiscal year beginning after the date that is 3 years after the date on which a State or unit of local government first receives a grant under paragraph (1), the State or unit of local government shall provide to the Attorney General, through the

Uniform Crime Reporting system, information pertaining to hate crimes committed in that jurisdiction during the preceding fiscal year.

(i) **EXTENSIONS; WAIVER.**—The Attorney General—

(I) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to comply with clause (i); and

(II) shall waive the requirements of clause (i) if compliance with that subparagraph by a State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(B) **FAILURE TO COMPLY.**—If a State or unit of local government that receives a grant under paragraph (1) fails to substantially comply with subparagraph (A) of this paragraph, the State or unit of local government shall repay the grant in full, plus reasonable interest and penalty charges allowable by law or established by the Attorney General.

(e) **INFORMATION COLLECTION BY STATES AND UNITS OF LOCAL GOVERNMENT.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **COVERED AGENCY.**—The term “covered agency” means—

- (i) a State law enforcement agency; and
- (ii) a priority agency.

(B) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

- (i) a State; or
- (ii) a unit of local government that has a priority agency.

(2) **GRANTS.**—

(A) **IN GENERAL.**—The Attorney General may make grants to eligible entities to assist covered agencies within the jurisdiction of the eligible entity in conducting law enforcement activities or crime reduction programs to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program, including—

(i) adopting a policy on identifying, investigating, and reporting hate crimes;

(ii) developing a standardized system of collecting, analyzing, and reporting the incidence of hate crime; and

(iii) establishing a unit specialized in identifying, investigating, and reporting hate crimes.

(B) **SUBGRANTS.**—A State that receives a grant under subparagraph (A) may award a subgrant to a unit of local government within the State for the purposes under that subparagraph, except that a unit of local government may provide funding from such a subgrant to any law enforcement agency of the unit of local government.

(3) **INFORMATION REQUIRED OF STATES AND UNITS OF LOCAL GOVERNMENT.**—

(A) **IN GENERAL.**—For each fiscal year in which a State or unit of local government receives a grant or subgrant under paragraph (2), the State or unit of local government shall—

(i) collect information from each law enforcement agency that receives funding from the grant or subgrant summarizing the law enforcement activities or crime reduction programs conducted by the agency to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program; and

(ii) submit to the Attorney General a report containing the information collected under clause (i).

(B) **SEMIANNUAL LAW ENFORCEMENT AGENCY REPORT.**—

(i) **IN GENERAL.**—In collecting the information required under subparagraph (A)(i), a State or unit of local government shall re-

quire each law enforcement agency that receives funding from a grant or subgrant awarded to the State or unit of local government under paragraph (2) to submit a semi-annual report to the State or unit of local government that includes a summary of the law enforcement activities or crime reduction programs conducted by the agency during the reporting period to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program.

(ii) **CONTENTS.**—In a report submitted under clause (i), a law enforcement agency shall, at a minimum, disclose—

(I) whether the agency has adopted a policy on identifying, investigating, and reporting hate crimes;

(II) whether the agency has developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(III) whether the agency has established a unit specialized in identifying, investigating, and reporting hate crimes;

(IV) whether the agency engages in community relations functions related to hate crime, such as—

(aa) establishing a liaison with formal community-based organizations or leaders; and

(bb) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(V) the number of hate crime trainings for agency personnel, including the duration of the trainings, conducted by the agency during the reporting period.

(4) **COMPLIANCE AND REDIRECTION OF FUNDS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), beginning not later than 1 year after the date of this Act, a State or unit of local government receiving a grant or subgrant under paragraph (2) shall comply with paragraph (3).

(B) **EXTENSIONS; WAIVER.**—The Attorney General—

(i) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to collect the information required under paragraph (3); and

(ii) shall waive the requirements of paragraph (3) for a State or unit of local government if compliance with that subsection by the State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(f) **REQUIREMENTS OF THE ATTORNEY GENERAL.**—

(1) **INFORMATION COLLECTION AND ANALYSIS; REPORT.**—In order to improve the accuracy of data regarding the incidence of hate crime provided through the Uniform Crime Reports program, and promote a more complete understanding of the national problem posed by hate crime, the Attorney General shall—

(A) collect and analyze the information provided by States and units of local government under subsection (e) for the purpose of developing policies related to the provision of accurate data obtained under the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) by the Federal Bureau of Investigation; and

(B) for each calendar year beginning after the date of enactment of this Act, publish and submit to Congress a report based on the information collected and analyzed under subparagraph (A).

(2) **CONTENTS OF REPORT.**—A report submitted under paragraph (1) shall include—

(A) a qualitative analysis of the relationship between—

(i) the number of hate crimes reported by State law enforcement agencies or other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) through the Uniform Crime Reports program; and

(ii) the nature and extent of law enforcement activities or crime reduction programs conducted by those agencies to prevent, address, or otherwise respond to hate crime; and

(B) a quantitative analysis of the number of State law enforcement agencies and other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) that have—

(i) adopted a policy on identifying, investigating, and reporting hate crimes;

(ii) developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(iii) established a unit specialized in identifying, investigating, and reporting hate crimes;

(iv) engaged in community relations functions related to hate crime, such as—

(I) establishing a liaison with formal community-based organizations or leaders; and

(II) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(v) conducted hate crime trainings for agency personnel during the reporting period, including—

(I) the total number of trainings conducted by each agency; and

(II) the duration of the trainings described in subclause (I).

(g) **ALTERNATIVE SENTENCING.**—Section 249 of title 18, United States Code, is amended by adding at the end the following:

“(e) **SUPERVISED RELEASE.**—If a court includes, as a part of a sentence of imprisonment imposed for a violation of subsection (a), a requirement that the defendant be placed on a term of supervised release after imprisonment under section 3583, the court may order, as an explicit condition of supervised release, that the defendant undertake community service directly related to the community harmed by the defendant’s offense.”.

## NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHARLES E. GRASSLEY, intend to object to proceeding to the nomination of Samantha Power, of Massachusetts, to be Administrator of the United States Agency for International Development, dated April 21, 2021.

Mr. GRASSLEY. Mr. President, I intend to object to any unanimous consent request relating to the nomination of Samantha Power to be director of the United States Agency for International Development (USAID) (PN 114).

Throughout the 116th Congress, I conducted an investigation that found that a non-profit organization transferred funds to an entity known as the Islamic Relief Agency (ISRA). This entity had been sanctioned by the Treasury Department for helping funnel funds to terrorists and terrorist organizations including Osama Bin Laden. During this investigation we came across redacted State Department emails that imply that, while she was

Ambassador to the United Nations, Samantha Power worked through back channels to trigger a Treasury review of ISRA's sanctioned status in an effort to have them delisted.

In an effort to have these emails unredacted and better understand Ms. Power's involvement in what could be an alarming abuse of power, I sent a letter to Ms. Power and USAID requesting information on February 18, 2021. Ms. Power responded to my letter on March 23, 2021, the date of her committee hearing, but failed to answer the questions or provide the unredacted versions of these emails. On March 31, 2021, I sent a second letter to Ms. Power urging her to fully respond to my initial letter. I have yet to receive a response.

Unfortunately, due to Ms. Power's lack of transparency, I must object to any consideration of this nomination. I cannot in good conscience vote for Ms. Power until I have received a full response to the questions posed in my letter, reviewed the unredacted versions of these emails, and confirmed that she did not attempt to utilize her office to delist ISRA through back channels.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. WYDEN. Mr. President, I have 11 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 2:30 p.m., to conduct a hearing.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 10 a.m., to conduct a hearing on a nomination.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 2:30 p.m., to conduct a hearing.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 2 p.m., to conduct a hearing.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 12 p.m., to conduct a hearing on nominations.

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 2:30 p.m., to conduct a hearing on a nomination.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 2 p.m., to conduct a closed briefing.

##### SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 2:30 p.m., to conduct a hearing.

##### SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

The Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, April 21, 2021, at 2:30 p.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, before I begin my comments, I ask unanimous consent that Cristina Nelson, my Coast Guard fellow, be granted floor privileges for the remainder of her fellowship.

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

#### CONGRATULATING THE NORTHWEST MISSOURI STATE UNIVERSITY BEARCATS MEN'S BASKETBALL TEAM ON WINNING THE 2021 NCAA MEN'S DIVISION II NATIONAL CHAMPIONSHIP

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 168, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 168) congratulating the Northwest Missouri State University Bearcats men's basketball team on winning the 2021 NCAA Men's Division II National Championship.

There being no objection, the Senate proceeded to consider the resolution.

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

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

The resolution (S. Res. 168) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### HONORING THE LIFE AND LEGACY OF WILLIAM ROBERT "BOBBY" "SLICK" LEONARD

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 169, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 169) honoring the life and legacy of William Robert "Bobby" "Slick" Leonard.

There being no objection, the Senate proceeded to consider the resolution.

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

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

The resolution (S. Res. 169) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### RELATING TO THE DEATH OF WALTER FREDERICK MONDALE, FORMER VICE PRESIDENT OF THE UNITED STATES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 170, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 170) relating to the death of Walter Frederick Mondale, former Vice President of the United States.

There being no objection, the Senate proceeded to consider the resolution.

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

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

The resolution (S. Res. 170) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

**PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 30, which was received from the House and is at the desk.

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

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 30) providing for a joint session of Congress to receive a message from the President.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 30) was agreed to.

**HONORING AND RECOGNIZING THE PATRIOTISM AND SERVICE TO THE UNITED STATES PROVIDED BY VETERANS SERVICE ORGANIZATIONS DURING THE COVID-19 PANDEMIC**

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration and the Senate now proceed to S. Res. 143.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 143) to honor and recognize the patriotism and service to the United States provided by Veterans Service Organizations during the COVID-19 pandemic.

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

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 143) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in the RECORD of March 25, 2021, under "Submitted Resolutions.")

**ORDERS FOR THURSDAY, APRIL 22, 2021**

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, April 22; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of S. 937, as provided under the previous order.

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

Mr. SCHUMER. For the information of Senators, there will be four rollcall

votes in relation to the COVID-19 Hate Crimes legislation beginning at 11:30 a.m.

**ADJOURNMENT UNTIL 10 A.M. TOMORROW**

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the provisions of S. Res. 170 and do so as a further mark of respect for the late Walter Mondale, former Senator from Minnesota and Vice President of the United States of America.

There being no objection, the Senate, at 8:09 p.m., adjourned until Thursday, April 22, 2021, at 10 a.m.

**DISCHARGED NOMINATION**

The Senate Committee on Armed Services was discharged from further consideration of the following nomination pursuant to S. Res. 27 and the nomination was placed on the Executive Calendar:

COLIN HACKETT KAHL, OF CALIFORNIA, TO BE UNDER SECRETARY OF DEFENSE FOR POLICY

**CONFIRMATIONS**

Executive nominations confirmed by the Senate April 21, 2021:

**IN THE NAVY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be admiral*

ADM. JOHN C. AQUILINO

**DEPARTMENT OF JUSTICE**

VANITA GUPTA, OF VIRGINIA, TO BE ASSOCIATE ATTORNEY GENERAL.



## EXTENSIONS OF REMARKS

### HONORING THE CENTENNIAL ANNIVERSARY OF THE MORNINGSIDES ASSOCIATION

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Ms. DeLAURO. Madam Speaker, it gives me great pleasure to rise today to join the families of the Morningside community and the City of Milford in marking the 100th Anniversary of the establishment of the Morningside Association—a very special milestone for this unique organization. Chartered by the Connecticut state legislature in 1921, the Morningside Association created a tight-knit, welcoming community where families have flourished for generations.

Nestled along the shores of Long Island Sound, the Morningside property has had a rich history. The parcel was included in the original land purchase from the Pausgusset Tribe and for the first several hundred years was known as “Merwin’s Farm” at Pond Point and was both a working farm and home to sixteen generations of the Merwin family. In the mid-1860’s, the land was purchased by New England industrialist Henry G. Thompson. Mr. Thompson built a manor house of twenty-two rooms, surrounded by wide expanses of lawn, rare, beautiful trees and elaborate flower gardens. The “Morningside” moniker was quickly given to his new home by Mr. Thompson because it faced the rising sun. In 1912 the property was offered for sale. Specialists in developing small residential communities, the owners of the Yale Land Company, Milton T. Yale and two sons, Fred and Will, recognized an ideal opportunity for a shorefront development. After dividing the land into building lots, they laid out and constructed Morningside Drive on the shore front and Ridgewood Drive bordering the woodland, with nine roads running due west to connect these drives and provide settings for homes.

By 1921 the majority of the lots had been sold and the Yale Land Company had gradually withdrawn its policy of active maintenance. It was then that the Morningside property owners decided to form an association and seek a charter from the state which would enable them to preserve the unique character of the Morningside neighborhood. They successfully lobbied the state legislature for the charter, designating the community as an improvement district. Over the course of the last century the Morningside Association has guided the community through a multitude of challenges including the transition from a summer to year-round residential community, the installation of a private storm drain and sewer line system, and the expansion of the community’s borders. The Association has also worked closely with the City of Milford, particularly with the installation and maintenance of the Morningside revetment—a granite wall made necessary due to the damage and erosion caused by hurricanes that hit the area in the early half of the 20th century.

Beyond the physical maintenance of the property, the Association is also responsible for the special sense of community that is Morningside. From the annual July 4th celebration to the shared enjoyment of the water and nature, the Association makes every effort to ensure that the families who call Morningside home are proud to do so. I am honored to have this opportunity to extend my thanks and appreciation to the members of the Morningside Association, past and present, who have and continue to work so diligently to create and enrich such a vibrant community. My heartfelt congratulations to them as they mark their centennial anniversary. As we say in Italian—C’ent Anni—to another hundred years.

### IN HONOR OF THE SERVICE OF COMMAND SERGEANT MAJOR WILLIAM RUSSELL III

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mrs. DINGELL. Madam Speaker, I rise today to recognize Command Sergeant Major William Russell III, the outgoing Brigade Command Sergeant Major of the 177th Military Police Brigade. His service to our community and to our Nation are worthy of commendation.

Born in Madison Heights, Michigan, he enlisted in the United States Army on May 16, 1989. During his time on active duty, he served Wheeled Vehicle Operator for ten years. After serving his duty, Command Sergeant Major Russell’s service to our country was not yet done. He enlisted in the Michigan Army National Guard immediately after serving on active duty, serving with the 210th Military Police Company as a Section Sergeant.

His previous assignments with the Michigan Army National Guard include, Platoon Sergeant 1461st CBT HET Company, First Sergeant 1072nd Maintenance Company, Command Sergeant Major 1225th Combat Sustainment Support Battalion, Command Sergeant Major 272nd Regional Support Group, Command Sergeant Major/Commandant 177th Regional Training Institute, Command Sergeant Major 177th Military Police Brigade, State Command Sergeant Major and Senior Enlisted Advisor of the Michigan National Guard. He has earned many awards for his exemplary service, including the Bronze Star and the Meritorious Service Medal.

In the numerous roles that he has served and a military career that has spanned decades, Command Sergeant Major Russell has proven his tremendous commitment and dedication to service. A tried and true leader, he heard the call and has served this entire Nation well.

Madam Speaker, I ask my colleagues to join me in honoring Command Sergeant Major William Russell III for his lifetime of invaluable service to this Nation. I join with Command

Sergeant Major Russell’s family—including his children DeSeandra, Alfonzo, and William—friends, and colleagues in extending my gratitude to him for his exemplary and honorable service to this country.

### RECOGNIZING THE LIFE OF JOHN LEE DICKINSON

**HON. TRENT KELLY**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. KELLY of Mississippi. Madam Speaker, I rise today to celebrate the life John Lee Dickinson of Mantachie, Mississippi who passed away on January 7, 2021 at North Mississippi Medical Center. I join countless friends, family, and loved ones in mourning his loss.

Born February 4, 1947 in Marietta, Mississippi to Fisher and Jewel Lindsey Dickinson, John Lee grew to be a star athlete. He graduated from Mantachie High School and married his sweetheart Joyce Ann Franks in 1966. For 40 years he worked at the Tombigbee Electric Power Association and retired as the Fulton Branch Manager in 2009. He served in the United States Army National Guard, where he was awarded sharpshooter medals and other honors. He passed on his love of athletics, hunting, fishing and farming to his four children.

John Lee was an athlete and a scholar. He deeply enjoyed literature and poetry and was a gifted painter. He played four instruments and taught himself Spanish. John Lee was a dedicated grandfather, spending hours at the pool with his family and beloved dogs, Luke and Mandy.

Left to cherish his memory are his wife of 54 years, Joyce Ann Franks Dickinson; children Chris, Angie, Brian, and Jason; best friend, Barry; and many grandchildren.

John Lee Dickinson was a great man dedicated to family, faith, and country. He will be greatly missed by all who knew him.

### CONGRATULATING THE ST. ELIZABETH HIGH SCHOOL SOFTBALL AND BASEBALL PROGRAMS FOR THEIR 2021 HALL OF FAME INDUCTION

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. LUETKEMEYER. Madam Speaker, I rise today to congratulate the St. Elizabeth High School Softball & Baseball Programs on being inducted into the Missouri Sports Hall of Fame.

St. Elizabeth High School fielded its first softball and baseball programs in 1951. Since 1991, they have combined to reach 15 Final

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Fours, including winning seven state championships, and each has had 38 All-State selections. St. Elizabeth's softball program has won four state titles (1992, 1994, 2002, 2011), finished as a runner-up in 1993 and 1997, and was fourth in 1991. St. Elizabeth's baseball program has captured three state championships (1995, 1997, 2019) and was runner-up in 2018. The Hornets also placed third in 1996 while their 1984, 2010 and 2011 teams each placed fourth in the state.

As a native of St. Elizabeth this honor is especially personal for me. I graduated from St. Elizabeth but more importantly, my wife Jackie and I have watched generations of kids grow into young adults and go on to become exceptional members of our community and communities around Missouri. Both of our daughters played on the softball team and our son played on the baseball team where they and their teammates learned invaluable life lessons about hard work, commitment, and teamwork.

Thanks to the coaches, teachers, and administrators we have been lucky enough to have over the years, our little town has experienced success well beyond the ball field. This honor is certainly a testament to all of the kids who worked so hard to achieve athletic success but also to the parents and a community that supports one another and always prioritized our future generations.

Madam Speaker, please join me in congratulating the St. Elizabeth High School Softball and Baseball Programs on multiple extraordinary seasons and their much-deserved Hall of Fame induction.

RYAN WILLIAM MAGEE

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Ryan William Magee. Ryan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 228, and earning the most prestigious award of Eagle Scout.

Ryan has been very active with his troop, participating in many scout activities. Over the many years Ryan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Ryan has held the positions of Patrol Leader, Quartermaster and Senior Patrol Leader for his troop. He is a member of both Mic-o-say Tribes, where he is a Hardaway Warrior at Camp Geiger and a Brave at Bartle. Ryan has also contributed to his community through his Eagle Scout project. Ryan's Eagle project was renovating the Community of Christ Church flag plaza at Camp Farwesta campgrounds in Stewartsville, MO. He removed the single flagpole and replaced it with three new flagpoles, installed a border and added pea gravel. The added flagpoles allow flags to be flown that represent the different organizations that use the campgrounds.

Madam Speaker, I proudly ask you to join me in commending Ryan William Magee for his accomplishments with the Boy Scouts of

America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## PAYCHECK FAIRNESS ACT

SPEECH OF

**HON. BETTY MCCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 15, 2021*

Ms. MCCOLLUM. Madam Speaker, I rise in support of the Paycheck Fairness Act (H.R. 7).

I am a proud cosponsor of this legislation which seeks to end the wage gap once and for all. Women in America, especially women of color, make far less than their male counterparts. While we have made progress closing this gap in recent years, this past year has the potential to set this movement back by decades.

The COVID-19 pandemic has disproportionately affected women. Unstable childcare and disruptions to school schedules have forced millions of mothers to leave the workforce. Additionally, women disproportionately work lower wage hourly jobs that have been slashed across the country due to store closings and other pandemic-related restrictions. This has resulted in women suffering the majority of pandemic-related job losses. Women also hold a greater share of frontline essential jobs that have faced greater risks of exposure such as nurses, teachers, home health care providers, flight attendants, transportation workers, grocery store clerks, childcare providers, and countless other positions. Simply put, we are getting through this pandemic and are on the brink of beating COVID-19 because of the tireless work of American women—and they deserve tangible support.

On Equal Pay Day earlier this year, I led a joint statement with Congresswoman GRACE MENG, Congresswoman LUCILLE ROYBAL-ALLARD, Congresswoman BRENDA LAWRENCE, and 32 other Democratic women in Congress highlighting the disproportionate effect COVID-19 has had on women and calling for structured relief. Therefore, I would like to include in the RECORD that statement.

Again, I rise in strong support of the Paycheck Fairness Act (H.R. 7) and I urge my colleagues to pass this important legislation.

MARCH 24, 2021.

Today is Equal Pay Day, the day in 2021 where women's earnings finally caught up to what men earned in 2020. While strides had been made to close this earnings gap, this past year has the potential of erasing years of progress because of the disproportionate impact the COVID-19 pandemic has had on women.

The pandemic has dealt an unprecedented blow to every aspect of American society, taking more than half a million lives and costing our economy trillions of dollars. Our nation is facing multiple crises: the COVID-19 virus, economic uncertainty, and a caregiving shortage. As such, while the pandemic has caused virtually every American to struggle in some fashion, the brunt of this disaster has been felt by women—especially women of color.

Due to unstable child care and disruptions to school schedules, millions of mothers have been forced to leave the workforce to care for a child. Roughly 10 million working mothers have a child age 6 or younger, and many of these women have been forced to leave their jobs to care for their children.

According to the U.S. Bureau of Labor Statistics, 865,000 women left the labor force in September 2020 alone—more than four times the number of men who left the labor force that month.

Women are being forced out of the workforce for other reasons as well. Women disproportionately work lower wage hourly jobs that have been slashed across the country due to store closings and other pandemic-related restrictions. This has resulted in women suffering the majority of pandemic-related job losses, totaling more than 5.4 million net jobs, or 55 percent of the overall net job loss since the start of the crisis. This is especially true for Black, Latina, Asian American and Pacific Islander, and Native American women who are significantly more likely to work hourly jobs that have either been eliminated or have had their hours greatly reduced over the last year.

Even women who have maintained their job during this crisis have disproportionately been affected. Women hold a greater share of frontline essential jobs that have faced greater risks of exposure, such as nurses, teachers, home health care providers, flight attendants, transportation workers, grocery store clerks, child care providers, and countless other positions. Simply put, we are getting through this pandemic and are on the brink of beating COVID-19 because of the tireless work of American women—and they deserve tangible support.

While we are encouraged by the passage of the American Rescue Plan and strongly support the provisions that help protect working women, we also encourage our colleagues to consider this package as a down payment. We need transformational structural change to fight against the economic, financial, gender, and racial injustices. We need massive investments in our child care infrastructure, including universal child care and early learning, \$15 minimum wage, and paid leave programs; without these, women will be set back a generation by this pandemic.

For decades, women have unionized and joined forces to fight for fair hiring practices, workplace protections, and our ongoing fight for equal pay. We simply cannot turn this clock back and we must continue to protect our right to organize and in doing so, fight to narrow the income gap. It will take all of us to dedicate the needed energy and resources to ensure that our daughters and granddaughters do not need to acknowledge Equal Pay Day in future years to come.

Sincerely,

Betty McCollum, Lucille Roybal-Allard, Grace Meng, Brenda Lawrence, Barbara Lee, Eleanor Holmes Norton, Chrissy Houlahan, Angie Craig, Sara Jacobs, Eleanor Holmes Norton, Marcy Kaptur, Nikema Williams, Gwen Moore, Carolyn Bourdeaux, Bonnie Watson Coleman, Grace F. Napolitano, Dina Titus, Robin L. Kelly, Katie Porter, Jackie Speier, Nanette Diaz Barragan, Rosa L. DeLaura, Marie Newman, Debbie Dingell, Judy Chu, Rosa L. DeLauro, Doris Matsui, Cori Bush, Nydia M. Velázquez, Pramila Jayapal, Jahana Hayes, Ilhan Omar, Linda T. Sánchez, Eddie Bernice Johnson, Jan Schakowsky, Lauren Underwood, Members of Congress.

## NAVALNY RESOLUTION INTRODUCTION

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Ms. KAPTUR. Madam Speaker, I rise to introduce a bipartisan resolution condemning

the Kremlin's brutal treatment of Russian opposition leader Alexei Navalny.

I am thankful to Congressman BRIAN FITZPATRICK for co-leading this resolution with me. I am also thankful to Chairman MEEKS, Europe Subcommittee Chairman KEATING, Ranking Member MCCAUL, Congressman QUIGLEY, Congressman PFLUGER, and Congressman MEIER for their leadership, support, and original cosponsorship on this measure.

Mr. Navalny has been a leader in uncovering gross corruption at the highest levels of the Kremlin that sustain that country's brutal regime. Through new forms of social media, his ability to reach out to and organize Russian citizens has been admirable.

Tragically on August 20, 2020, Vladimir Putin's thugs poisoned Mr. Navalny with the nerve agent, Novichok that nearly ended his life.

After making a recovery in Germany, Mr. Navalny bravely returned to Russia where he was detained and transferred to a modern-day gulag where he faced torture.

To protest these despicable conditions, he has been on a hunger strike for close to three weeks, and is now in critical condition.

Russia has a deeply disturbing history of violence and assassinations to silence dissidents like Boris Nemtsov, Sergei Magnitsky, Alexander Litvinenko and many more.

In response, this resolution strongly condemns the Kremlin's gross mistreatment of Mr. Navalny, calls for him to receive adequate medical care, and urges the Biden Administration to take all appropriate actions to secure his release, including through increased sanctions.

Additionally, the resolution expresses gratitude for the critical work of Radio Free Europe/Radio Liberty in shining a light on these issues, and urges the State Department to take greater action to protect the broadcaster's physical presence in Moscow in face of the Kremlin's disturbing attacks on it.

I urge all my colleagues to support this legislation.

#### INTRODUCTION OF THE REBUILDING AMERICA'S AIRPORT INFRASTRUCTURE ACT

#### HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. BLUMENAUER. Madam Speaker, today I introduced the Rebuilding America's Airport Infrastructure Act of 2021. This legislation makes a long-overdue update to the Passenger Facility Charge (PFC) by increasing the maximum-allowable PFC by just \$1.00/year, starting in 2023, for four years and then indexes the fee to inflation every year thereafter. This increase to \$8.50 by 2026 would restore the value of the PFC to when it was last increased in 2000.

Airports are an essential part of American infrastructure and economic competitiveness, supporting \$1.4 trillion in annual economic output and 11.5 million jobs. The COVID-19 pandemic has devastated airports' finances with a combination of lower passenger levels and a higher demand for health infrastructure improvements to keep the flying public safe. These challenges come on top of a 5-year

\$115 billion infrastructure backlog that is a result of the federal government's failure to modernize one of the main funding mechanisms for airports: the PFC.

The PFC a locally imposed, per-passenger user fee that improves capacity and allows for airport updates, reduces noise, or increases competition among airlines. PFC revenues complement grants from the Airport Improvement Program (AIP) for eligible capital projects. But under current law, the maximum PFC amount airports can collect is capped at \$4.50 per passenger per flight segment. Congress last adjusted the PFC to \$4.50 in 2000, but with inflation and the rising cost of construction the purchasing power of the PFC has declined 40 percent. As a result, many aging airports have reached their debt capacity and either cannot finance new projects or have had to stretch them over a longer timeframe, increasing the costs and delaying the benefits for passengers.

Modernizing the PFC would raise tens of billions of dollars for airport infrastructure improvements while requiring zero taxpayer dollars, not increasing the national debt, and adding billions of dollars to U.S. Gross Domestic Product. The Rebuilding America's Airport Infrastructure Act will ensure that airports are safe, economically competitive, and the envy of the world.

#### REMEMBERING JAMES L. NEWBROUGH, SR.

#### HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. RYAN. Madam Speaker, I rise today to honor the life of James L. Newbrough, Sr., of Niles, Ohio, who passed away on Sunday, April 11, 2021 at the age of 83.

Mr. Newbrough was born February 17, 1938 in Brownsville, Pennsylvania the son of Lester and Mabel Clemmer Newbrough. He was a 1956 graduate of Centerville High School and was employed as a field engineer and tool re- pairman at Republic Steel in Warren for 30 years, retiring in 1986.

Jim was a member of First United Methodist Church in Niles, ITAM No. 39 in Girard, Sincerity Masonic Lodge in Niles, and member and past president of the Niles Men's Democratic Club. He was an avid Pittsburgh Steeler fan, enjoyed golfing, bowling, bocce, working on his lawn, spending time with his grandchildren, and was a United States Army Veteran.

Mr. Newbrough will be deeply missed by his wife Jenny Crockett Newbrough whom he married June 14, 1958, four sons, James L. Newbrough Jr. and his wife Becky of Niles, Mark A. Newbrough of Mineral Ridge, Gary E. Newbrough of Niles, and Attorney Kelly Stuart Newbrough and his wife Teresa of Niles, seven grandchildren, James L. Newbrough III and his wife Kristin, Eric Newbrough and his wife Erin, Kevin Kompanik (Rox), Alex Newbrough, Hannah Newbrough (Jason Ray), Jacob "Jack" Newbrough, Olivia Newbrough, and five great-grandchildren, Ella, Evan, Lexington, Mariah, and Kora.

He was preceded in death by a grandson, Gary E. "Duke" Newbrough II, a granddaughter Sarah Lynn Newbrough, three broth-

ers, John, Steve, and Richard Newbrough, and two sisters, Julie Myers and Mary Jane Henck.

I was very proud to call James a great friend and supporter. My deepest condolences go out to Jim's entire family and to all whose lives he touched.

#### TRIBUTE TO THE HON. WALTER F. MONDALE, FORMER VICE PRESIDENT OF THE UNITED STATES OF AMERICA

#### HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Ms. MCCOLLUM. Madam Speaker, I rise in tribute to the Honorable Walter F. Mondale, former Vice President of the United States of America, upon his death this week at age 93. Vice President Mondale was a global statesman, a national political leader, a remarkable legislator, a proud Minnesotan, a devoted husband, a wonderful father and grandfather, and a person people from all walks of life admired.

Growing up in Elmore, Minnesota, Mondale never forgot his small-town roots. Generations of Minnesotans hold him in deep affection, because of his unique ability to connect through his humor, humility and humanity—which was nurtured by his beloved wife Joan. Together from their marriage in 1955 until her death in 2014, Walter and Joan were a team who represented Minnesota and our country with grace, class and dignity.

Inspired and reinforced by Joan, Walter Mondale's life in public service was extraordinary. He served in the United States Army, was the Minnesota Attorney General, and represented Minnesota in the United States Senate. One of his most important roles was redefining the Vice Presidency of the United States as a partnership with the President. He also earned the 1984 Democratic nomination for President and broke a barrier by naming Geraldine Ferraro to be the first woman Vice Presidential candidate on a major party ticket. And while serving as Ambassador to Japan, Walter and Joan demonstrated an unwavering commitment to the power of American diplomacy.

Vice President Mondale's deep and abiding dedication to civil rights, children, health care and the environment have left a profound legacy for current and future generations of Americans. His pioneering leadership in protecting our air, land and water reflected his understanding that our precious lands and waters are the heart of who we are as Minnesotans and Americans, and that requires us to be responsible stewards of our planet.

His authorship of the Wild and Scenic Rivers Act in 1968 was a watershed moment in the environmental movement, bringing much-needed attention to these beautiful but threatened rivers across the country, including the Saint Croix National Scenic Riverway in Minnesota and Wisconsin. He was also among the first and most steadfast champions for the Boundary Waters Canoe Area Wilderness, because he understood that our biodiversity and clean water require permanent protection.

I am deeply grateful for Vice President Mondale's kind and wise counsel to me in Congress as I have worked to build on the success of the Wild and Scenic Rivers Act, the

Clean Air and Clean Water Acts, to ensure we are protecting our air, land and water for our children and grandchildren.

Madam Speaker, please join me in rising to honor the life of this extraordinary leader, and in extending sincerest condolences to the Mondale family. Minnesota and the United States was blessed to have Walter F. Mondale provide us with a lifetime of service.

# SECURE AND FAIR ENFORCEMENT BANKING ACT OF 2021

SPEECH OF

**HON. BARBARA LEE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, April 19, 2021*

Ms. LEE of California. Mr. Speaker, I rise in strong support of H.R. 1996, the Secure and Fair Enforcement Banking Act, or the SAFE Banking Act, of which I am an original cosponsor. I want to thank my friend Congressman PERLMUTTER as well as Chairwoman WATERS and Chairman NADLER for their leadership on this issue.

This bill creates protections for financial institutions to be able to provide financial services to state-legal cannabis businesses and ancillary businesses. This would allow these businesses to access the banking system instead of relying on cash transactions.

Marijuana is currently legal in 36 states, 4 territories and the District of Columbia for medicinal or recreational use. This is an important issue as financial institutions prohibit dealing with cannabis businesses because of its current Schedule I, federal status. We need to ensure that these legitimate businesses have access to banking services as more states have medicinal and adult use cannabis programs. Many of these businesses are operating as cash only, which has created many issues for business owners and employees and has led to safety concerns for our communities.

I look forward to continuing to work with my colleagues on this and other marijuana related issues as they relate to racial and economic inequality. The SAFE Banking Act helps provide a solution to this financial issue, but we must not forget the larger systemic injustice of cannabis prohibition, which has disproportionately impacted Black and brown communities through the war on drugs. We must work together to end federal cannabis prohibition and to pass the MORE Act.

# HONORING THE LIFE OF FLOYD LITTLE

**HON. JOHN KATKO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. KATKO. Madam Speaker, I rise today to honor the life of legendary Syracuse University Football Player and treasured member of the Syracuse community, Mr. Floyd Little, who passed away on January 1, 2021.

Floyd Little played for the Syracuse Orange Football Team from 1964 to 1966 and donned the number 44. This iconic jersey number was assigned to some of the most accomplished

Syracuse University running backs including Jim Brown and Ernie Davis. Like these legendary athletes, Little achieved great success during his college playing career, earning three All-American Titles and was later inducted into the College Football Hall of Fame.

After leaving Syracuse, Little was drafted by the Denver Broncos in the 1967 and quickly emerged as a star in the National Football League (NFL). In his nine seasons in the league, Little was selected to five Pro-Bowls, amassed over 12,000 all-purpose yards, was the league's rushing leader in 1971, and was later inducted into the NFL Hall of Fame in 2010.

Outside of football, Floyd Little was a compassionate and kind-hearted man who dedicated much of his life to community service. He leveraged his success to give back to others and empower his neighbors. Little became a distinguished speaker for charities and fundraisers across the country and frequently donated his time to numerous philanthropic endeavors. He was particularly proud to support the annual Tom Coughlin Jay Fund fundraiser, which raises money to fight childhood cancer, and worked extensively with the Walter Camp Football Foundation, which provides athletic opportunities to youth across the country. Like his success in football, Little earned countless accolades in recognition of his generosity and commitment to serving others. Little and his family returned to the Central New York region in 2011 out of a desire to serve his alma mater and the community he loved. Central New York has undoubtedly benefitted from his presence over the past decade, and we all join his friends and family in mourning this loss.

Madam Speaker, I ask that my colleagues in the House join me in honoring Mr. Floyd Little. Little's athletic legacy is one that is permanently cemented in record-books and Syracuse culture, and his crowning achievements will live on for generations to come. More importantly, however, Little will be remembered as an incredibly generous man who lived his life in service to others. His charitable work remains in the hearts of the thousands of people he helped throughout his life, and he will be remembered as a towering figure who came to be admired wherever he went.

# REMEMBERING JOSEPH "JOE" R. MERLO

**HON. TIM RYAN**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. RYAN. Madam Speaker, I rise today to honor the life of Joseph "Joe" R. Merlo, who passed away on December 22, 2020.

Joe was born on June 8, 1945 and was beloved by many people in my community. He was a husband, father, uncle, great uncle, grandfather, great grandfather, cousin, and friend.

Like many who grew up in Niles, Ohio, Joe was a legend. If you didn't get your haircut by Joe at some point in your life, then you weren't really a resident of Niles.

I will always remember Joe for providing me with sage advice early in my political career. Anyone that knew Joe knew he was always fun to be around and was a true Northeast Ohioan.

My deepest sympathies go out to Joe's family and to all whose lives he touched.

# HONORING THE 50TH ANNIVERSARY OF CONNECTICUT'S OMICRON CHAPTER OF DELTA KAPPA GAMMA

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Ms. DeLAURO. Madam Speaker, it is with great pleasure that I rise today to join the members of Connecticut's Omicron Chapter of Delta Kappa Gamma as they celebrate their 50th Anniversary—a remarkable milestone for this very special organization.

The Delta Kappa Gamma International Society is a unique organization whose membership includes tens of thousands of women educators from across the globe. Members focus on promoting their professional and personal growth—striving for excellence in education and dedicating themselves to making a difference in their students' lives, in their communities, and in the world. Over the course of the last fifty years, the members of Connecticut's Omicron Chapter have done just that.

One of sixteen chapters of Delta Kappa Gamma in the state, members of the Omicron Chapter live or work throughout the Naugatuck Valley. They have made it their mission to provide unique programs to the communities of the Valley that blend education and service. They have distributed books to newborns, young children, children of prisoners, and adult education students. Many of their members have knitted afghans and hats for both babies and cancer patients. They have helped to raise funds for UN-sponsored charities, the Ronald McDonald House, and the Umbrella, a shelter for victims of domestic abuse.

Perhaps most inspiring are Omicron's efforts on behalf of the next generations of educators. They understand the importance of nurturing those that will follow them in their professional pursuits. The Omicron chapter has sponsored the tuition for more than one-hundred fifty young women to attend Laurel Girls State, a one-week program rooted in civic education where they learn about how state and local government functions through a hands-on approach with state and local officials guiding the way. In addition, they also sponsor annual college scholarships to high school students planning to pursue careers in education.

From dedicating their professional careers to providing our young people with the strongest of foundations on which to build their future success to developing, implementing, and supporting programs that enrich the education of children outside the classroom, the Omicron chapter and its members have left an indelible mark on countless lives. I am proud to stand today to extend my heartfelt thanks and sincere appreciation to Connecticut's Omicron Chapter of Delta Kappa Gamma as they celebrate their 50th Anniversary. As we say in Italian—C'ent Anni—to another one hundred years.

CONGRATULATING JOINT STRATEGIC TECHNOLOGIES ON COMPLETION OF THE VETERAN INSTITUTE OF PROCUREMENT

**HON. RONNY JACKSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. JACKSON. Madam Speaker, I rise today to congratulate Joint Strategic Technologies, (JST) on their success of completion of the Veteran Institute for Procurement with gratitude and appreciation for their service to our country and with best wishes for continued success. I thank them for proudly representing our great State and showing the rest of the world our talents.

PERSONAL EXPLANATION

**HON. J. FRENCH HILL**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. HILL. Madam Speaker, had I been present, I would have voted YEA on H. Res. 130, Roll Call No. 121.

TRIBUTE TO LYNETTE BRYANT FRYAR

**HON. JAMES E. CLYBURN**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to a dear friend and a dedicated public servant, Lynette Bryant Fryar. A victim's Advocate at the Colleton County Sheriff's Department and former Chair of the Colleton County Election Commission, Ms. Fryar passed away on April 16, 2021. Her passing has left a huge void in the community.

Ms. Fryar was born in 1949 to Leon Bryant, Sr., and Pattie Mae Gruber Bryant. She graduated as the valedictorian from Ruffin High School in Colleton County, and went on to earn a degree in Secretarial Science from Orangeburg Calhoun Technical College.

She spent 36 years working for Clemson University at the Cooperative Extension Service in Colleton County. There she worked with youth development and outreach, using her care and concern for her community to build educational opportunities. She was awarded Clemson University's Outstanding Service Award for her exemplary work.

Following her retirement from the university, she chose not to slow down, but ramp up her community engagement. She spent three years working for AmeriCorps before becoming a Victims' Advocate at the Colleton County Sheriff's Department. There she continued doing what she did best, serving as a source of strength for those in need.

Ms. Fryar was very active politically. She joined the Colleton County Elections and Voter Registration Board in 2005 and served as its Chair. She continued to serve on the elections board until her death to ensure that all residents of Colleton County had access to the ballot box.

Ms. Fryar had an incredible ability to connect with people and was my MVP (most valuable proponent) in Colleton county. She believed strongly, just as I do, that we must all find something to do for which we are not paid. Her volunteer efforts were extensive, and all were focused on serving her beloved Colleton County. Her commitment to the community includes serving as a member of the S.C. Department of Education Personal Pathways Committee, the Keep Colleton Beautiful Committee, the Clemson University Cooperative Extension Futures Task Force Committee, the Lowcountry Food Bank Board, and many other boards and commissions. She was the former Director for Youth Leadership Colleton and the former Coordinator for Backpack Buddies in Colleton County. She held leadership offices with the Colleton County Branch of the NAACP, Colleton County Improvement Collaborative, the HCA Hospital Board of Trustees, the Colleton County School Board of Trustees, the American Cancer Society (Colleton County), the American Cancer Society Rehabilitation Committee (Colleton County), and the South Carolina Association of Cooperative Extension Secretaries.

Ms. Fryar remained dedicated to her alma mater and served as the liaison for Ruffin High School and the Colleton County Vocational Center. She also served on the Colleton County Transition Committee for the merger of Ruffin High School and Walterboro High School. She was also devoted to her church and served as several capacities including as a minister to the congregation.

She was married to David L. Fryar, and they are the parents of three daughters, Katrina Fryar of Columbia, South Carolina, Ronda Cropp (Jeffrey) of Charlotte, North Carolina, and Muriel Fryar of Atlanta, Georgia. She also had two grandchildren and one great-grandchild.

Madam Speaker, I ask you and my colleagues to join me in celebrating the life and legacy of Lynette Fryar. Her passion for Colleton County's people and places was unparalleled and her impact on her community will endure forever.

IN RECOGNITION OF THE EL DORADO SPRINGS PATRIOT PARKWAY

**HON. VICKY HARTZLER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mrs. HARTZLER. Madam Speaker, I rise today to recognize and celebrate the community project of Patriot Parkway in El Dorado Springs, Missouri, which will be the adornment of 48 American flags along U.S. Highway 54 within city limits.

In a time of division, the El Dorado Springs Chamber of Commerce and members of the community have come together in an act of patriotism and unity. These flags will be displayed every year from Memorial Day to Veterans Day to commemorate our veterans and to show some American pride.

This project was a vision years ago by Jack Tough, a dedicated member of his community who unfortunately passed before he could see it through. However, his dream came true by the efforts of his son, Jackson Tough, and his

fellow members of the El Dorado Springs Chamber of Commerce, who raised funds in the community to bring Patriot Parkway to life.

Please join me in celebrating this act of patriotism and community pride.

SECURE AND FAIR ENFORCEMENT BANKING ACT OF 2021

SPEECH OF

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Monday, April 19, 2021*

Mr. PERLMUTTER. Mr. Speaker, I submit the following letters of endorsement for H.R. 1996, the SAFE Banking Act of 2021.

AMERICAN TRADE ASSOCIATION  
FOR CANNABIS AND HEMP,  
*April 19, 2021.*

Re Support For SAFE Banking Act Legislation.

Hon. CHARLES SCHUMER,  
*Senate Majority Leader,*  
*U.S. Senate, Washington, DC.*  
Hon. NANCY PELOSI,  
*Speaker of the House,*  
*House of Representatives, Washington, DC.*  
Hon. MITCH MCCONNELL,  
*Senate Minority Leader,*  
*U.S. Senate, Washington, DC.*  
Hon. KEVIN MCCARTHY,  
*House Minority Leader,*  
*House of Representatives, Washington, DC.*

DEAR MAJORITY LEADER SCHUMER, SENATE MINORITY LEADER MCCONNELL, SPEAKER PELOSI, AND HOUSE MINORITY LEADER MCCARTHY: We write to you today in support of the SAFE Banking Act, legislation that will permit banks to provide services to state regulated marijuana businesses, employees, and ancillary businesses.

Unfortunately, under current federal law and regulations, state licensed and compliant cannabis businesses are unable to access banking services and are forced to operate primarily in cash. This creates an unnecessary risk to public safety for store operators, employees, and customers.

As we continue to see more states and territories move forward with the regulation of some form of adult-use marijuana, medical marijuana, or hemp derived CBD, it is essential to address the crisis the industry faces to access banking.

The threats faced by financial institutions of potential criminal prosecution for working with marijuana businesses as a result of the Controlled Substances Act are unacceptable and outdated.

We strongly support the passage of the SAFE Banking Act and it is our hope that Congress will act swiftly.

Sincerely,

American Trade Association for Cannabis and Hemp, Missouri Medical Cannabis, Georgia Cannabis Trade Association, Washington Cannabis Business Association, Alaska Marijuana Industry Association, MTCIA.

New Jersey Cannabis Trade Association, PCC, MICIA, Colorado Leads, HICIA, Southern California Coalition.

Maryland Wholesale Medical Cannabis Trade Association, Commonwealth Dispensary Association, DC Cannabis Trade Association, Cannabiz, Nevada Dispensary Association.

AMERICAN BANKERS ASSOCIATION,  
Washington, DC, April 19, 2021.

Hon. NANCY PELOSI,  
Speaker of the House,  
House of Representatives, Washington, DC.  
Hon. KEVIN MCCARTHY,  
Minority Leader,  
House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER MCCARTHY: On behalf of the American Bankers Association (ABA), I am writing to express our strong support for H.R. 1996, the Secure and Fair Enforcement Banking Act (SAFE Banking Act) of 2021 introduced by Representatives Ed Perlmutter (D-CO), Steve Stivers (R-OH), Warren Davidson (R-OH), Nydia Velázquez (D-NY) and over 150 bipartisan cosponsors.

This legislation, scheduled for consideration on this week's suspension calendar, addresses the conflict between federal and state law and whether banks can serve cannabis and cannabis related businesses. This issue has become a challenge for so many of our nation's communities and the banks that serve them. We were pleased to see this legislation passed the House of Representatives last Congress with over 300 bipartisan votes. With more states legalizing some form of cannabis use, we are hopeful that H.R. 1996 will once again receive a favorable and strong bipartisan vote.

Since 1996, voters across the country have determined that it is appropriate to allow their citizens to use cannabis for medical purposes and, since 2012, for adult use. Currently, 36 states have legalized cannabis for medical or adult use and that number continues to grow. Nevertheless, current federal law prevents banks from safely banking cannabis businesses, as well as the ancillary businesses that provide them with goods and services.

As a result, a majority of states are struggling to address the significant challenges to public safety, as well as regulatory and tax compliance that go hand-in-hand with businesses forced to operate in an all-cash environment. Providing a mechanism for the cannabis industry to access the banking system would help those communities reduce cash-motivated crimes, increase the efficiency of tax collections, and improve the financial transparency of the cannabis industry. Since bank accounts are monitored in accordance with existing anti-money laundering and Bank Secrecy Act requirements, bringing cannabis-related legitimate businesses into the mainstream banking sector would also help law enforcement to identify suspicious transactions—an opportunity that is not available in an all-cash environment.

ABA does not take a position on the legalization of cannabis. Nevertheless, our member banks find themselves in a difficult situation due to the conflict between state and federal law, with local communities encouraging them to bank cannabis businesses and federal law prohibiting it. Congress must act to resolve this conflict between state and federal law.

The Controlled Substances Act (21 U.S.C. §801 et seq.) classifies cannabis as an illegal drug and prohibits its use for any purpose. For banks, that means that all proceeds gen-

erated by a cannabis-related business, even when it is operating in compliance with state law, are unlawful proceeds under federal law, and so any attempt to conduct a financial transaction with that money (including simply accepting a deposit) can be considered money-laundering. All banks, whether state or federally chartered, are subject to federal anti-money laundering laws. And, all banks must have access to the federal payment system to operate, which is under the purview of federal authority. Thus, banking entities related to the cannabis business can pose significant regulatory sanction risk, loss of access to the payments system, and the potential loss of the bank charter itself. This places banks in an untenable position in dealing with these state-authorized businesses.

Currently, the only direction available to financial institutions in connection with cannabis-related accounts comes from guidance issued by the Financial Crimes Enforcement Network (FinCEN) in 2014. That guidance, which references a now rescinded memorandum from the U.S. Department of Justice (the "Cole Memo"), describes how financial institutions can report cannabis-related business activity consistent with their Bank Secrecy Act obligations. It does not create a safe harbor or otherwise modify federal law to protect banks from criminal and civil liability for money laundering. It merely creates a system for reporting activity that is illegal under federal law but otherwise legal under state law.

Although some financial institutions have weighed the prevailing climate of non-enforcement and have decided to shoulder the risk in order to serve the needs of their communities, the majority of financial institutions will not take the legal, regulatory, or reputational risk associated with banking cannabis-related businesses without congressional action. As a result, state-legal businesses are being excluded from the mainstream financial system.

The problems, though, are not limited to those businesses that have direct contact with the marijuana plant, such as growers and dispensaries. The impact of the divide between state and federal law extends to any person or business that derives revenue from a cannabis firm—including real estate owners, security firms, utilities, vendors and employees of cannabis businesses, as well as investors. As the legal state-cannabis industry continues to grow, the indirect connections to cannabis revenues will also continue to expand. Without greater clarity, that entire portion of economic activity in legal cannabis states will continue to be marginalized from the banking system.

The bipartisan SAFE Banking Act would be an important step toward enabling financial services for cannabis-related businesses. The bill specifies that proceeds from a legitimate cannabis business would not be considered unlawful under federal money laundering statutes or any other federal law, which is necessary to allow the provision of financial services to cannabis-related legitimate businesses as well as any ancillary businesses that derive some portion of their income from those businesses. The bill would

also direct FinCEN, and the federal banking regulators through the Federal Financial Institutions Examination Council, to issue guidance and exam procedures for banks doing business with cannabis-related legitimate businesses. Explicit, consistent direction from federal financial regulators will provide needed clarity for banks and help them better evaluate the risks and supervisory expectations for cannabis-related customers. The SAFE Banking Act is not a cure all for the cannabis banking challenge, but it is a measure that helps clarify many issues for the banking industry and regulators.

ABA is pleased to support the SAFE Banking Act and urges members of the House of Representatives to vote in favor of this legislation when it is brought up on this week's suspension calendar.

Sincerely,

ROB NICHOLS.

AMERICAN COUNCIL OF  
INDEPENDENT LABORATORIES,  
Washington, DC, April 19, 2021.

U.S. Rep. PERLMUTTER,  
Washington, DC.

DEAR REP. PERLMUTTER: I write today on behalf of the American Council of Independent Laboratories (ACIL) in strong support of H.R. 1996, the Secure and Fair Enforcement Banking Act (SAFE Banking Act) of 2021.

ACIL is an association representing independent commercial scientific and engineering firms with over 1,000 facilities across the U.S. engaged in testing, product certification, consulting, and research and development to enhance public health and safety.

This bipartisan legislation would provide safe harbor to financial institutions doing business with the state-legal cannabis industry. Since 1996, 47 states, four U.S. territories, and the District of Columbia have legalized some form of recreational or medical marijuana, including hemp and CBD products. However, cannabis remains illegal under the federal Controlled Substances Act, individuals who grow, possess, use, sell, transport, or distribute cannabis remain subject to federal criminal prosecution. Your legislation seeks to harmonize federal and state law by prohibiting federal regulators from taking punitive measures against depository institutions that provide banking services to legitimate cannabis-related businesses engaged in manufacturing, growing, or producing, as well as any business who handles, sells, transports, displays or distributes cannabis or cannabis products.

ACIL does not take a position on the legalization of cannabis, but our membership find themselves in a quandary due to the conflict between state and federal law.

Based upon the above, ACIL is pleased to support your SAFE Banking Act and we look forward to its passage in the U.S. Congress. Thank you for your time and attention. Please do not hesitate to call upon me if you have any questions.

Sincerely,

RICHARD BRIGHT,  
Chief Operating Officer.



APRIL 1, 2021

Hon. NANCY PELOSI,  
*Speaker of the House,*  
*Washington, DC.*  
Hon. CHARLES E. SCHUMER,  
*Majority Leader,*  
*Washington, DC.*  
Hon. STENY HOYER,  
*Majority Leader,*  
*Washington, DC.*  
Hon. JAMES E. CLYBURN,  
*Majority Whip,*  
*Washington, DC.*  
Hon. JOHN THUNE,  
*Minority Whip,*  
*Washington, DC.*  
Hon. PATRICK J. TOOMEY,  
*Ranking Member, Senate Committee on Bank-*  
*ing, Housing, & Urban Affairs, Washington,*  
*DC.*  
Hon. KEVIN MCCARTHY,  
*Minority Leader,*  
*Washington, DC.*  
Hon. MITCH MCCONNELL,  
*Minority Leader,*  
*Washington, DC.*  
Hon. STEVE SCALISE,  
*Minority Whip,*  
*Washington, DC.*  
Hon. RICHARD J. DURBIN,  
*Majority Whip,*  
*Washington, DC.*  
Hon. SHERROD BROWN,  
*Chair, Senate Committee on Banking, Housing,*  
*& Urban Affairs, Washington, DC.*

DEAR CONGRESSIONAL LEADERS: We are a bipartisan group of state and territorial attorneys general committed to public safety, financial transparency, and the rule of law. On May 8, 2019, 38 state and territorial attorneys general urged passage of the Safe and Fair Enforcement ("SAFE") Banking Act, or similar legislation, providing access to the regulated banking system for marijuana-related businesses in states with robust regulatory controls that ensure accountability in the marijuana industry. The undersigned attorneys general reiterate that support here and encourage Congress to take action expeditiously.

During the November 2020 election, voters in multiple states approved ballot measures to regulate cannabis for medical and/or adult use. Currently, forty-seven states, the District of Columbia, and four U.S. territories have legalized some form of recreational or medical cannabis use (including CBD/low THC). In short, it is clear that legalized cannabis is here to stay.

In forty-seven states, the District of Columbia, and four territories, cannabis is regulated through responsible and robust regulatory programs. Nonetheless, federal law currently inhibits the ability of national financial institutions to provide banking and other financial services to cannabis-related businesses operating lawfully under state regulations. Without access to traditional financial services, these businesses operate exclusively or primarily in cash, making those businesses targets for criminal activity and hindering efforts to ensure regulatory and tax compliance and track financial flows. This status quo—a rapidly expanding, multi-billion-dollar national marketplace without access to the national banking systems—is untenable.

As we noted in our May 2019 letter to the congressional leadership, passage of the SAFE Banking Act or similar legislation, in no way constitutes an endorsement of any state or territory's specific approach to the legalization of marijuana-related transactions, and the Act is in no way an endorsement for the legalization of medical or retail marijuana in those jurisdictions that choose not to pursue such an approach. But regardless of how individual policymakers feel about states permitting the use of medical or recreational marijuana, the reality of the situation requires federal rules that permit a sensible banking regime for legal businesses."

We further emphasized that passage of this legislation "reflects a recognition of the re-

alities on the ground and an embrace of our federalist system of government that is flexible enough to accommodate divergent state approaches."

To address an untenable status quo and recognize on the ground realities, we strongly urge the House of Representatives and Senate to promptly take up and act upon the SAFE Banking Act. Our states' ability to protect public safety and properly regulate this new and growing industry depends on Congress enacting this vital legislation.

Respectfully,

PHIL WEISER,  
*Colorado Attorney General.*  
WAYNE STENEHJEM,  
*North Dakota Attorney General.*  
KARL A. RACINE,  
*District of Columbia Attorney General.*  
DAVE YOST,  
*Ohio Attorney General.*

AMERICAN BANKERS ASSOCIATION,  
BUILDING SUCCESS TOGETHER,  
*Washington, DC, March 17, 2021.*

Hon. ED PERLMUTTER,  
*Member of Congress,*  
*Washington, DC.*  
Hon. NYDIA M. VELÁZQUEZ,  
*Member of Congress,*  
*Washington, DC.*  
Hon. STEVE STIVERS,  
*Member of Congress,*  
*Washington, DC.*  
Hon. WARREN DAVIDSON,  
*Member of Congress,*  
*Washington, DC.*

DEAR REPRESENTATIVES PERLMUTTER, VELÁZQUEZ, STIVERS AND DAVIDSON: On behalf of the American Bankers Association (ABA), I am writing to express our support for the Secure and Fair Enforcement Banking Act (SAFE Banking Act) of 2021. We would like to thank you for your efforts to address the conflict between federal and state law and whether banks can serve cannabis and cannabis related businesses. This issue has become a challenge for so many of our nation's communities and the banks that serve them.

Since 1996, voters across the country have determined that it is appropriate to allow their citizens to use cannabis for medical purposes and, since 2012, for adult use. Currently, 36 states have legalized cannabis for medical or adult use and that number continues to grow. Nevertheless, current federal law prevents banks from safely banking cannabis businesses, as well as the ancillary businesses that provide them with goods and services.

As a result, a majority of states are struggling to address the significant challenges to public safety, as well as regulatory and tax compliance that go hand-in-hand with businesses forced to operate in an all-cash environment. Providing a mechanism for the cannabis industry to access the banking system would help those communities reduce cash-motivated crimes, increase the efficiency of tax collections, and improve the financial transparency of the cannabis industry. Since bank accounts are monitored in accordance with existing anti-money laundering and Bank Secrecy Act requirements, bringing cannabis-related legitimate businesses into the mainstream banking sector would also help law enforcement to identify suspicious transactions—an opportunity that is not available in an all-cash environment.

ABA does not take a position on the legalization of cannabis. Nevertheless, our member banks find themselves in a difficult situation due to the conflict between state and federal law, with local communities encouraging them to bank cannabis businesses and federal law prohibiting it. Congress must act to resolve this conflict between state and federal law.

The Controlled Substances Act (21 U.S.C. §801 et seq.) classifies cannabis as an illegal drug and prohibits its use for any purpose. For banks, that means that all proceeds generated by a cannabis-related business, even when it is operating in compliance with state law, are unlawful proceeds under federal law, and so any attempt to conduct a financial transaction with that money (including simply accepting a deposit) can be considered money-laundering. All banks, whether state or federally chartered, are subject to federal anti-money laundering laws. And, all banks must have access to the federal payment system to operate, which is under the purview of federal authority. Thus, banking entities related to the cannabis business can pose significant regulatory sanction risk, loss of access to the payments system, and the potential loss of the bank charter itself. This places banks in an untenable position in dealing with these state-authorized businesses.

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The problems, though, are not limited to those businesses that have direct contact with the marijuana plant, such as growers and dispensaries. The impact of the divide between state and federal law extends to any person or business that derives revenue from a cannabis firm—including real estate owners, security firms, utilities, vendors and employees of cannabis businesses, as well as investors. As the legal state-cannabis industry continues to grow, the indirect connections to cannabis revenues will also continue to expand. Without greater clarity, that entire portion of economic activity in legal cannabis states will continue to be marginalized from the banking system.

The bipartisan SAFE Banking Act would be an important step toward enabling financial services for cannabis-related businesses. The bill specifies that proceeds from a legitimate cannabis business would not be considered unlawful under federal money laundering statutes or any other federal law, which is necessary to allow the provision of financial services to cannabis-related legitimate businesses as well as any ancillary businesses that derive some portion of their income from those businesses. The bill would also direct FinCEN, and the federal banking regulators through the Federal Financial Institutions Examination Council, to issue

guidance and exam procedures for banks doing business with cannabis-related legitimate businesses. Explicit, consistent direction from federal financial regulators will provide needed clarity for banks and help them better evaluate the risks and supervisory expectations for cannabis-related customers. The SAFE Banking Act is not a cure all for the cannabis banking challenge, but it is a measure that helps clarify many issues for the banking industry and regulators.

ABA is pleased to support the SAFE Banking Act and urges the House Financial Services Committee to approve this legislation and for the full House of Representatives to quickly consider this important measure.

Sincerely,

ROB NICHOLS.

AMERICAN FINANCIAL  
SERVICES ASSOCIATION,  
March 16, 2021.

Hon. NANCY PELOSI,  
*Speaker of the House,*  
*House of Representatives, Washington, DC.*  
Hon. KEVIN MCCARTHY,  
*Minority Leader,*  
*House of Representatives, Washington, DC.*

DEAR SPEAKER PELOSI AND MINORITY LEADER MCCARTHY: The American Financial Services Association (AFSA) writes to express its strong support for the Secure and Fair Enforcement (SAFE) Banking Act of 2021.

The SAFE Banking Act, sponsored by Representatives Ed Perlmutter (D-CO), Nydia Velázquez (D-NY), Steve Stivers (R-OH) and Warren Davidson (R-OH), had strong bipartisan support in the 116th Congress with 206 cosponsors, and passed the House 321-103. This legislation includes an important provision ending Operation Choke Point. Specifically, it prohibits a federal banking agency from ordering a bank to terminate a banking relationship with a legal business unless there is a valid reason that is not based solely on reputational risk.

The ostensible intent of Choke Point program was to prevent criminal fraud. However, in actuality, federal officials pressured banks to close accounts of businesses operating within state and federal law without legal recourse or due process solely because the officials were ideologically opposed to the businesses' existence. Under Operation Choke Point, businesses that were operating legally suddenly found banks terminating their accounts, in some cases accounts that the business had had for years, without explanation. While the program was targeted at gun dealers and payday lenders, other businesses, such as installment lenders, were also affected. No legal business should be targeted solely based on the political bias of a particular administration.

Even after Operation Choke Point officially ended, its effects remained. Financial services companies that are licensed and regulated still had their accounts closed with very little explanation. Legitimate bank customers, like traditional installment lenders, which have provided safe and affordable small-dollar credit to consumers in their communities for over a century, deserve fair access and fair treatment by federal banking agencies.

Limiting the availability of lawful goods and services to consumers in an attempt to punish politically disfavored businesses harms consumers and sets a bad precedent. Government initiatives must be carried out on solid legal ground, not political bias. We urge members of the House of Representatives to support the SAFE Banking Act.

Sincerely,

CELIA WINSLOW,  
*Senior Vice President,*  
*American Financial Services Association.*

## PERSONAL EXPLANATION

### HON. JODEY C. ARRINGTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. ARRINGTON. Madam Speaker, unfortunately, I was unable to be present for one of the votes.

Had I been present, I would have voted NAY on Roll Call No. 123.

## SECURE AND FAIR ENFORCEMENT BANKING ACT OF 2021

SPEECH OF

### HON. WARREN DAVIDSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, April 19, 2021*

Mr. DAVIDSON. Mr. Speaker, I include in the RECORD the following letters of endorsement for H.R. 1996, the SAFE Banking Act of 2021.

ARIZONA DISPENSARIES ASSOCIATION,  
17 March 2021.

Hon. ED PERLMUTTER,  
*House of Representatives,*  
*Washington, DC.*

DEAR REPRESENTATIVE PERLMUTTER: The Arizona Dispensaries Association would like to thank you for your leadership as you move forward with the reintroduction of the Secure and Fair Enforcement (SAFE) Banking Act. With an eye to economics and public safety, we consider this legislation to be essential to the businesses we represent.

Cannabis businesses transact solely in cash, amounting to billions of dollars in cash transactions each year, which poses significant public safety concerns. The Arizona cannabis program alone, which is the fourth top cannabis paradigm within the United States, garnered over \$1 billion in sales in 2020. Within the first ten days of recreational cannabis sales, Arizona businesses garnered at least \$2.9 million. With over \$1 billion in sales in 2020, received almost exclusively in cash payments, and an expanding recreational cannabis market, Arizona businesses must then use this cash to pay employees and taxes. Arizona cannabis businesses paid \$500,000 in excise taxes from the \$2.9 million earned from those first ten days of recreational operations in January. With an influx of cash to cannabis operators, obtained in an extremely short period of time, businesses can face difficulty in transporting taxation payments to local tax offices. This example underscores the immense challenges cannabis operators undergo due to cash only transactions.

The reliance on cash transactions causes reason for safety concerns of not only industry employees, but also the communities which they serve. As cannabis businesses operate using cash transactions, it is necessary to keep large amounts of cash on the premises. Aware of this fact, criminal actors targeted cannabis businesses for burglaries across the country in the spring of 2020. Members of the Arizona Dispensaries Association were targeted for these break-ins, resulting in significant financial losses not only due to theft, but also as a result of the accompanying property damage. SAFE Banking would enhance the safety of industry employees and the communities in which cannabis businesses operate by allowing businesses to drastically reduce the amount of cash on hand, lessening the chances of

cannabis businesses being targeted for this type of criminal activity. Additionally, with the ability to process payments electronically, there is a more detailed and accurate accounting of business activity, increasing the potential for increased tax revenue over the long term.

Nationwide, the cannabis industry's four-year job growth rate is an astounding 161%. The Arizona cannabis industry alone employs 20,000 individuals, with over 5,000 of those opportunities being created within 2020, which is especially noteworthy considering the far-reaching impacts of the COVID pandemic. As the SAFE Banking Act creates a safe harbor for financial institutions to bank the proceeds of state-legal cannabis businesses, its enactment is critical not only for Arizona's cannabis industry to continue to grow at an exponential rate, but to also contribute to the State of Arizona's economic recovery during the aftershocks of the pandemic.

SAFE Banking addresses many concerns ranging from economic viability to public safety, not only with bipartisan support, but with a neutral impact on the budget. Arizona Dispensaries association is prepared to work together to advance this legislation into law in the 117th Congress.

Best regards,

SAM RICHARD,  
*Executive Director,*  
*Arizona Dispensaries Association.*

ABIR,  
*April 19, 2021.*

Hon. ED PERLMUTTER,  
*U.S. House of Representatives,*  
*Washington, DC.*

DEAR REPRESENTATIVE PERLMUTTER: I am writing on behalf of the Association of Bermuda Insurers and Reinsurers (ABIR), which represents the public policy interests of Bermuda's leading insurers and reinsurers and make up over 35% of the global reinsurance market based on property & casualty net premiums earned. ABIR members employ over 43,000 Americans in the U.S. and protect consumers around the world by providing affordable and accessible insurance protection and peace of mind.

ABIR writes in support of H.R. 1996, the SAFE Banking Act, and to thank you for your leadership on this issue.

As you know, the current lack of harmonization between federal and state laws on cannabis banking deeply affects insurers and reinsurers. We support Congress addressing this important issue for all financial services providers and specifically and applaud the inclusion of insurance and other financial products or services insurers in the SAFE Banking Act.

Similar to other financial services providers, insurers are being forced to restrict providing insurance and other financial products or services to people working in state-legal cannabis jobs simply due to the source of their paycheck. The SAFE Banking Act would allow the financial services industry to serve the cannabis industry and will result in greater transparency for the state-legal operators.

Thank you for your leadership on this narrowly tailored yet profoundly important issue, and we look forward to working with you and your colleagues as legislation moves forward.

Sincerely,

JOHN M. HUFF,  
*President & CEO.*

CANNABIZIL,

Hon. ED PERLMUTTER,  
*House of Representatives,*  
*Washington DC.*

DEAR CONGRESSMAN PERLMUTTER: The Cannabis Business Association of Illinois (CBAI)

would like to thank you for your reintroduction of the Secure and Fair Enforcement or SAFE Banking Act. We again are in full support of this measure.

In June of 2019, Illinois signed into law groundbreaking cannabis social equity standards to ensure the diversity and inclusion of minority operators within the newly legalized adult use cannabis industry. These standards have quickly become the national template for other states seeking to develop social equity programs tied to their cannabis legalization efforts.

Illinois' social equity applicants have been significantly hindered due to their limited access to private capital and more practically to traditional financial services where they certainly could obtain loans and lines of credit to help offset startup costs and secure real estate. The SAFE Banking Act would not only resolve these financial challenges but also help to bolster the success factor for many of these social equity applicants.

The SAFE Banking Act would also be a great boon to the existing Illinois cannabis industry; their employees, their communities, their customers and of greater importance their patients. The Illinois cannabis industry garnered over \$1 billion in cannabis sales in 2020, a sum of money that is difficult to manage without access to traditional banking services. This lack of access to normal banking services, available to every other legal operating business in Illinois, is unfair and inequitable. The attack on ATM machines located in every Illinois dispensary during the Chicago August mass looting is a perfect example of the industry's vulnerability because of cash insistent transactions. Several of our association's members were targeted several times and sustained massive physical damage as well as product theft.

Even Illinois' Treasurer, Michael Frerichs, is a staunch supporter of the SAFE Banking Act's passage. He has gone on record stating the need to provide normal financial banking services to the cannabis industry creating more transparency and accountability within this nascent industry. Allowing electronic payments between businesses promotes a healthier, safer economy. Currently financial institutions prohibit these transactions inhibiting everything from interstate specialty equipment purchases to software maintenance contracts even association dues payments!

CBAI would like to thank you for your efforts on behalf of the industry. This is a very important piece of legislation and we are grateful for your leadership in putting together a bipartisan advocacy team. If our statewide association can help in moving this legislation forward, please let us know.

Regards,

PAMELA J. ALTHOFF,  
*CBAI Executive Director.*

CALIFORNIA CANNABIS  
INDUSTRY ASSOCIATION,  
March 17, 2021.

Hon. ED PERLMUTTER,  
Washington, DC.

Hon. NYDIA VELÁZQUEZ,  
Washington, DC.

Hon. STEVE STIVERS,  
Washington, DC.

Hon. WARREN DAVIDSON,  
Washington, DC.

DEAR REPRESENTATIVES, PERLMUTTER, STIVERS, VELÁZQUEZ, AND DAVIDSON: It is with great enthusiasm that we support the reintroduction of the Secure and Fair Enforcement Banking Act of 2021 ("SAFE Banking"). The California Cannabis Industry Association ("CCIA") is the largest and most influential trade association in the state of

California representing the diverse interests of the cannabis industry: retail, cultivation, manufacturing, delivery, distribution, testing, insurance, packaging, and various ancillary services. Our unified voice includes 500 businesses and represents nearly 15,000 employees across the state. SAFE Banking is not only critical to the economic success in our industry, but it is also imperative in improving public safety and making the cannabis industry more equitable.

#### I. SAFE BANKING CREATES OPPORTUNITY FOR BIPOC INDIVIDUALS

While cannabis is one of the fastest growing sectors in the United States, BIPOC individuals (Black, Indigenous, People of Color) have struggled to participate due to systematic economic racism and lack of access to capital. While some cities such as Oakland, San Francisco and Los Angeles have developed social equity programs with varying degrees of success, without access to capital, licenses obtained under these frameworks continue to be associated with high costs. Unfortunately, even in states like California that have equity programs written into their cannabis statutes, BIPOC owners fall prey to predatory business arrangements where a larger cannabis company will be effectively running the businesses through a management services agreement while the minority owner becomes a figurehead.

SAFE Banking would allow more banks, including community banks, to participate with the cannabis industry providing more opportunities for potential business owners. Additionally, SAFE Banking would make traditional financial instruments—like lines of credit—available to small operators. That capital is often the difference between success or failure for a small business. Currently, most cannabis businesses are funded through private generational wealth or investment, areas in which BIPOC individuals lag when compared to their white peers. Every year women of color get less than 1% of total venture capital funding. Further, data from 2019 indicates that only 200 Latino and Black individuals nationwide, in all industries, were able to raise over \$1 million in venture capital, making cannabis ownership all but unobtainable when start-up, operations costs, and licensing fees are considered.

While SAFE Banking would not resolve the issues of systematic economic racism, the opportunity for BIPOC individuals to establish relationships with traditional lenders is a critical step in mitigating the damage done by the War on Drugs.

#### II. SAFE BANKING IMPROVES PUBLIC SAFETY

During the summer of 2020, over three dozen cannabis businesses in California were the target of robberies and break-ins, adding to a long string of targeted criminal activity in the state. Cannabis businesses known to have cash on hand become easy targets for petty and organized criminals. In most cases from last summer, professional burglars were caught on security footage stealing cash registers, safes, and ATMs. The looting and robberies were so problematic that California's Bureau of Cannabis Control, the state's top regulator for cannabis activity, removed all cannabis business addresses from their website.

Without question, an act of vandalism is distressing to any business, but cannabis businesses are faced with unique challenges due to lack of access to traditional financial services. Due to closures of local offices of the California Department of Tax and Fee Administration (CDTFA) because of CO VI D-19, many cannabis businesses who regularly visited these offices to pay their excise taxes in cash, were sitting on excise tax payments, waiting until the local branches to

reopen. These excise tax payments were looted along with other cash and inventory.

The reduction of cash on site at cannabis businesses will help reduce the chances of robberies but could also improve public health. Like many other states, over the course of the last year California designated cannabis businesses as essential and our operations saw many come into our businesses to buy medicinal and adult use cannabis. However, all cash transactions require significantly more face-to-face interaction than other types of payment systems and ran contrary to a Centers for Disease Control recommendation to limit cash sales.

#### III. SAFE BANKING IS A JOB CREATOR

California has the largest cannabis economy not only in the United States, but also in the world. The state legal industry employed a massive 57,970 individuals in 2020 and generated over \$3.4 billion dollars in sales. Of the nearly 60,000 individuals employed by the cannabis industry, over 23,000 of those jobs were added during the COVID-19 pandemic.

SAFE Banking could increase economic growth by ensuring that cannabis business could conduct regular payroll and deposit money into banks that could turn those deposits into outward facing loans. Access to traditional financial services would allow these businesses to hire more workers and open more facilities.

#### IV. CONCLUSION

For the safety of our employees and our communities we urge quick action on this critical piece of legislation. Removing federal law barriers to banking services for state-legal cannabis businesses, would catalyze economic growth in our state and around the country. Banking reform is essential to the diversity and growth of the cannabis industry. CCIA is proud to support this bipartisan bill and looks forward to supporting the efforts to passage.

Sincerely,

LINDSAY ROBINSON,  
*Executive Director,*  
*California Cannabis Industry Association.*

#### COLORADO BANKERS ASSOCIATION.

REPRESENTATIVE PERLMUTTER: The Colorado Bankers Association is proud to again endorse the SAFE Banking Act to allow state-legal cannabis businesses access to banking services. We have supported this in previous years. CBA represents over 95% of the banking industry in Colorado and we support the bill to get cash off the streets and make our communities safer.

Banking operations are greatly complicated by the conflict of state and federal law on cannabis. That creates substantial problems for handling cannabis deposits which range from cash handling and security to major compliance issues with FinCEN requirements for Suspicious Activity Reports required by the Bank Secrecy Act/Anti Money Laundering laws. For local banks that usually results in a bank not knowingly handling cannabis related accounts. For regional and nationwide banks that almost always results in not banking cannabis accounts. Lending issues are more complicated.

Due to widespread legalization of some form of recreational or medical marijuana, including CBD oil, today 97.7% of the population in the U.S. lives in cannabis friendly jurisdictions. We very much believe it is up to each state and its voters to decide how to proceed with marijuana laws, but there is a clear need to align federal and state laws addressing the related banking problems.

The state/federal conflict of laws creates restrictions on banks for accepting cannabis related deposits. This poses a serious public

safety risk and is our primary reason for advocating the SAFE Banking Act. Additionally, financial institutions that provide banking services to state-legal marijuana businesses are currently subject to criminal prosecution for “aiding and abetting” a federal crime and money laundering allegations due to the Controlled Substances Act. Banking services such as accepting credit card payments, depositing revenues, and writing checks to pay employees, vendors and taxes are needed by licensed and regulated cannabis businesses that are now cut off from such banking services.

The SAFE Banking Act creates the ability to access the banking system and make our communities safer. The bill removes violations of money laundering laws for any proceeds derived from state-legal marijuana businesses. The result is to get cash off the streets and into the financial system which is built to identify and block or report fraud and illicit activity. This bill also contains needed protections for hemp and hemp-derived CBD related businesses, which still struggle in accessing financial services despite the legalization of hemp in the 2018 Farm Bill.

The Colorado Bankers Association is pleased to support this needed change in federal law. Please contact us with any questions.

DON A. CHILDEARS,  
Chief Executive Officer,  
Colorado Bankers Association.

CUNA,  
March 18, 2021.

Hon. ED PERLMUTTER,  
House of Representatives,  
Washington, DC.

Hon. STEVE STIVERS,  
House of Representatives,  
Washington, DC.

Hon. NYDIA VELÁZQUEZ,  
House of Representatives,  
Washington, DC.

Hon. WARREN DAVIDSON,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVES PERLMUTTER, STIVERS, VELÁZQUEZ, AND DAVIDSON: On behalf of America's credit unions, I am writing in support of the Secure and Fair Enforcement (SAFE) Banking Act of 2021, which would permit credit unions in states where marijuana is legal to safely serve their members' related needs. The Credit Union National Association (CUNA) represents America's credit unions and their more than 120 million members.

Credit unions exist to serve the financial services needs of their members, but the disparate treatment of production, distribution, sale and use of cannabis under federal law and some state laws has discouraged them from providing services to businesses throughout the supply chain in states where cannabis is legal. In recent years, as various states have legalized cannabis for medicinal and recreational use, participants in the market have sought out credit unions to provide safe and affordable financial services. In recent years, 36 states, the District of Columbia, Guam, Puerto Rico and the U.S. Virgin Islands have approved medical marijuana and cannabis programs.

CUNA takes no position on legalizing or decriminalizing medicinal or recreational cannabis at either the state or federal level. However, credit unions operating in states where it is legal have members and member businesses involved in the cannabis market who need access to traditional depository and lending services, the absence of which creates a significant public safety issue. A 2015 analysis found that, in the absence of being banked, one in every two cannabis

dispensaries were robbed or burglarized—with the average thief walking away with anywhere from \$20,000 to \$50,000 in a single theft.

Additionally, even financial institutions that choose not to bank the cannabis industry still risk unknowingly serving those businesses in states where cannabis is legal. Indirect connections are often difficult to identify and avoid because like any other industry, those offering cannabis-related services work with vendors and suppliers. These are Main Street businesses like the printing company that makes a business card, the landlord that rents office space, and even the utility company that provides water or electricity. Under the existing status quo, a credit union that does business with any one of these indirectly affiliated entities could unknowingly risk violating federal law.

The SAFE Banking Act of 2021 would offer narrowly targeted federal protections for credit unions and other financial institutions accepting deposits, extending credit, or providing payment services to an individual or business engaged in cannabis related commerce in states where such activity is legal with a safe harbor, so long as they are compliant with all other applicable laws and regulations. Furthermore, the SAFE Banking Act provides safe harbor to credit unions and their employees who are not aware if their members or customers are involved in this business.

Many credit unions operate in states where their voters or legislatures have made cannabis legal in one form or another. Therefore, CUNA believes that financial institutions should be permitted to lawfully serve businesses that engage in activities authorized under their state laws, even when such activity may be inconsistent with federal law.

For that reason, CUNA has long supported the SAFE Banking Act and we look forward to working with you to advance this legislation into law. On behalf of America's credit unions, thank you for your leadership on this important issue.

Sincerely,

JIM NUSSLE,  
President & CEO.

#### PERSONAL EXPLANATION

#### HON. C. SCOTT FRANKLIN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2021

Mr. C. SCOTT FRANKLIN of Florida. Madam Speaker, due to a personal matter, I could not make votes on Thursday, April 15th, and Friday, April 16th. Had I been present, I would have voted YEA on Roll Call No. 109; YEA on Roll Call No. 110; YEA on Roll Call No. 111; YEA on Roll Call No. 112; YEA on Roll Call No. 113; YEA on Roll Call No. 114; YEA on Roll Call No. 115; YEA on Roll Call No. 116; YEA on Roll Call No. 117; NAY on Roll Call No. 118; and YEA on Roll Call No. 119.

#### RECOGNIZING THE LIFE OF RICHARD ERICKSON

#### HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2021

Mr. KELLY. Madam Speaker, I rise today to celebrate the life of Richard Erickson, who

passed away on February 21, 2021. He was a true servant to his family, community, and country and he will be deeply missed.

“Dick” Erickson was born on March 8, 1952 to Leslie and Alida Erickson in Preston, Minnesota. He attended Elementary School at Highland Country School, and at the age of 12 he left home to work for a local farmer. He later attended high school in Lanesboro, Minnesota. At age 17, Dick enlisted in the United States Navy. He served in the Vietnam War aboard the USS Newport News.

After returning, Dick began his 38 year career in law enforcement. He attended the Rio Hondo Police Academy in Whittier, California before joining the police force in Tupelo, Mississippi. He worked as an undercover narcotics officer and became a K-9 officer where he met his new partner, a German Shepard named Akky. The pair served together as Dick headed up the Tupelo Drug Task Force. Dick ended his career as the Chief of Police in Mantachie, MS. As a Mississippian, Dick served in the Army and Mississippi National Guard. In his 8 year career, he earned his combat medic's license and the rank of E6.

Mr. Erickson is survived by his mother, Alida; brother, Larry; sister Mary Brown; nine children; and thirteen grandchildren.

Dick Erickson was a dedicated community servant and a beloved father, brother, and leader. I am grateful for his service to state and country and join countless others in mourning his loss.

#### IN HONOR OF THE SERVICE OF COLONEL CHRIS A. MCKINNEY

#### HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2021

Mrs. DINGELL. Madam Speaker, I rise today to recognize Colonel Chris A. McKinney, the outgoing Commander of the 177 Military Police Brigade. A key figure in protecting our Capitol, his service to our community and to our nation are worthy of commendation.

Colonel McKinney's military and federal civilian service spans over three decades. He began his service as a Second Lieutenant and was selected for the Corps of Engineers in 1993. He served as an Engineer Platoon Leader, and as Executive Officer and Company Commander for C Co. 1/151st Infantry. He also served assignments in Aviation, the Judge Advocate General Corps and the Military Police Corps, as well as in the Federal Bureau of Investigation and Department of Homeland Security. Deployed in combat to Afghanistan for Operation Enduring Freedom and to Iraq for Operation Iraqi Freedom, he served as a member of the Combined Joint Special Operations Task Force. Colonel McKinney has earned numerous awards and decorations for his service across the country and globe, including the Legion of Merit and Bronze Star Medal.

During Colonel McKinney's tenure he led the Tiger Brigade in their response to the COVID-19 pandemic. This included setting up acute care facilities and leading testing programs in Michigan's prisons and long-term care facilities. Colonel McKinney and his team responded to the historic Midland Flooding, conducted the first ever MI Quick Reaction

Force, and led planning and preparation for hurricane response to the U.S. Virgin Islands.

An instrumental figure in protecting our nation's capital, Colonel McKinney led two task forces during the Presidential Inauguration and Operational Capitol Response II. We are eternally grateful for Colonel McKinney's leadership and the Michigan National Guard and their role in defending our Capitol and every person who works here.

Madam Speaker, I ask my colleagues to join me in honoring Colonel Chris A. McKinney for his lifetime of invaluable service to this Nation. I join with Colonel McKinney's family—including his wife of thirty years, Terri, and his children Kate and Ryan—friends, and colleagues in extending my gratitude to him for his exemplary and honorable service to this country.

#### HONORING THE 100TH ANNIVERSARY OF THE FEAST OF SAINT SEBASTIAN

**HON. ROSA L. DeLAURO**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Ms. DeLAURO. Madam Speaker, it is with great pleasure that I rise today to join the Saint Sebastian Church, its membership and the community of Middletown, Connecticut as they celebrate the 100th Anniversary of the Feast of Saint Sebastian—a celebration of ethnic pride and culture that has grown to become a treasured community tradition.

The first immigrants from Melilli, Sicily arrived in the City of Middletown in 1895. Over the course of the next several decades, the number of Melillesi who came to call Middletown home grew exponentially, forming a tight-knit community in the City's North End. As the Melillesi families grew so did their desire to celebrate their rich history and tradition. Like in so many other Italian-American communities, they did so through the annual religious celebrations of the patron saint of their hometown, Saint Sebastian. This small neighborhood celebration has since grown into one of the City's most well-known and popular annual traditions.

By 1921, the annual Feast of Saint Sebastian had become a major event in the Sicilian community, attracting participants not only from Middletown but surrounding towns as well. It was in 1921 that the first official feast committee was formed and when the first statue of Saint Sebastian, a gift designed and sculpted by local laborer Sebastiano Marchese, was presented to the community. It was also from this first major Feast and its collection of funds, that the first steps toward the creation of the Saint Sebastian Church and Parish were taken. Just over a decade later, after approval from the diocese and the purchase of properties for the church and rectory, the cornerstone was placed and construction of Saint Sebastian Church was completed within a year. Today, Saint Sebastian Church, which almost mirrors its companion of the same name in Melilli, continues to be the heartbeat of Middletown's Italian-American community, and the Feast remains an annual tradition that the whole City looks forward to celebrating.

The Feast of Saint Sebastian, whose festivities now span three days, is a celebration of

the Melillesi culture. Booths provide food and drink, games and carnival rides entertain adults and children, and the main stage provides musical entertainment where many gather to sing and dance. Special masses are held and upon entering the Church one can view the statue of Saint Sebastian, often hearing chants of "Santo Sebastiano" as those gathered pray to the patron saint. And on the Sunday of the Feast, hundreds dressed all in white with red sashes attend the "I Nuri" running—the procession of Saint Sebastian. It is a remarkable sight to behold.

People across the country struggle to create a sense of community—a sense of belonging. Over the course of its one-hundred-year history, the Feast of Saint Sebastian has helped the families of Middletown's Melillesi immigrants and their descendants do just that. This year, as they mark its centennial anniversary, I am proud to stand and extend my sincere thanks and appreciation to all of those, past and present, who have made the Feast of Saint Sebastian such a special celebration. The bonds of community that the Feast has helped to shape will continue to impact generations to come.

#### HONORING THE MEMORY OF JUANA SEQUEIRA SOLIS

**HON. JIMMY GOMEZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, April 21, 2021*

Mr. GOMEZ. Madam Speaker, I rise today in memory of Juana Sequeira Solis who passed away on April 6, 2021 at the age of 94. She was born in 1926 in Nicaragua and was the eldest of five children.

In 1945, at the age of 18, she immigrated to the United States in search of a better life. In 1950, she moved to Los Angeles where she met her late husband, Raul S. Solis, while taking citizenship classes. The couple then married in October of 1953.

Mrs. Solis and her late husband raised seven children in the unincorporated area of La Puente, California.

She enjoyed cooking for her family and friends and was an avid gardener. The family was her focal point where she taught her children to give back to their community; stressed the importance of achieving a higher education; and preserving the environment.

Mrs. Solis was a devout Roman Catholic.

Mrs. Solis worked hard to provide for her children and was employed for over 20 years as an assembly line worker at Mattel Inc. until her retirement in 1991. She was an active union member with the United Rubber Workers.

Mrs. Solis is preceded in death by her beloved husband of 58 years, Raul S. Solis, who was a proud Teamster and her beloved daughter, Beatriz M. Solis, who served as the Director for Healthy Communities at the California Endowment.

She is survived by her children: Irma Rincon, Raul Solis, Jr., Hilda Solis, Victor Solis, Anna Solis, Leticia Solis and their spouses; 10 grandchildren, and 23 great-grandchildren.

She will be remembered for her kindness and fighting spirit. She will be deeply missed by all who knew her.

Madam Speaker, I ask that Members in the House Chamber please join me for a moment of silence to honor the life of Juana Sequeira Solis.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 22, 2021 may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### APRIL 27

9:30 a.m.

Committee on Armed Services

To hold hearings to examine Department of Defense's management challenges and opportunities.

SD-G50

10 a.m.

Committee on Appropriations

Subcommittee on Defense

To hold closed hearings to examine the Missile Defense Agency, focusing on a program update.

SVC-217

Committee on Commerce, Science, and Transportation

Subcommittee on Consumer Protection, Product Safety, and Data Security

To hold hearings to examine curbing COVID cons, focusing on warning consumers about pandemic frauds, scams, and swindles.

SR-253

Committee on Energy and Natural Resources

To hold hearings to examine energy development on federal lands, focusing on the current status of the Department of the Interior's onshore oil and gas leasing program.

SD-366

Committee on Finance

To hold hearings to examine climate challenges, focusing on the tax code's role in creating American jobs, achieving energy independence, and providing consumers with affordable, clean energy.

WEBEX

Committee on Health, Education, Labor, and Pensions

To hold hearings to examine supporting children, workers and families by strengthening America's child care sector.

SH-216

Committee on Homeland Security and Governmental Affairs  
Emerging Threats and Spending Oversight  
To hold hearings to examine controlling Federal legacy IT costs and crafting 21st century IT management solutions.  
SD-342/VTC

Committee on the Judiciary  
Subcommittee on Privacy, Technology, and the Law  
To hold hearings to examine how social media platforms' design choices shape our discourse and our minds, focusing on algorithms and amplification.  
SD-226

2:30 p.m.  
Committee on Commerce, Science, and Transportation  
Subcommittee on Surface Transportation, Maritime, Freight, and Ports  
To hold hearings to examine the future of automotive mobility, safety, and technology.  
SR-253

Committee on Environment and Public Works  
Subcommittee on Clean Air, Climate, and Nuclear Safety  
To hold hearings to examine S. 283, to establish a National Climate Bank.  
SD-406

Committee on Finance  
Subcommittee on Fiscal Responsibility and Economic Growth  
To hold hearings to examine creating opportunity through a fairer tax system.  
SD-215

Committee on Foreign Relations  
To hold hearings to examine U.S. Policy on Afghanistan.  
SD-G50

3 p.m.  
Committee on the Judiciary  
Subcommittee on Federal Courts, Oversight, Agency Action, and Federal Rights  
To hold hearings to examine Supreme Court fact-finding and the distortion of American democracy.  
SD-226

APRIL 28

9:30 a.m.  
Committee on Homeland Security and Governmental Affairs  
Business meeting to consider the nominations of Kiran Arjandas Ahuja, of Massachusetts, to be Director of the Office of Personnel Management, and Anton George Hajjar, of Maryland, Amber Faye McReynolds, of Colorado, and Ronald Stroman, of the District of Columbia, each to be a Governor of the United States Postal Service.  
SD-342

10 a.m.  
Committee on Appropriations  
Subcommittee on Interior, Environment, and Related Agencies  
To hold hearings to examine health disparities in Indian Country, focusing on a review of the Indian Health Service's COVID response and future needs.  
SD-138

Committee on Commerce, Science, and Transportation  
Business meeting to consider S. 15, to require the Federal Trade Commission to submit a report to Congress on scams targeting seniors, S. 115, to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the effects of the COVID-19 pandemic on the travel and tourism industry in the United States, S. 120, to prevent and respond to the misuse of communications services that facilitates

domestic violence and other crimes, S. 163, to address the workforce needs of the telecommunications industry, S. 198, to require the Federal Communications Commission to incorporate data on maternal health outcomes into its broadband health maps, S. 316, to establish a temperature checks pilot program for air transportation, S. 326, to require the Secretary of Commerce to conduct an assessment and analysis of the effects of broadband deployment and adoption on the economy of the United States, S. 381, to establish the National Ocean Mapping, Exploration, and Characterization Council, S. 558, to establish a national integrated flood information system within the National Oceanic and Atmospheric Administration, S. 576, to amend title 14, United States Code, to require the Coast Guard to conduct icebreaking operations in the Great Lakes to minimize commercial disruption in the winter months, S. 593, to restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Washington and the State of Alaska, to address a Canadian cruise ship ban and the extraordinary impacts of the COVID-19 pandemic on Alaskan communities, S. 735, to amend the Scientific and Advanced-Technology Act of 1992 to further support advanced technological manufacturing, S. 1106, to prohibit the sale of shark fins, S. 1259, to provide that crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, an original bill relating to marine mammals, and the nominations of Donet Dominic Graves, Jr., of Ohio, to be Deputy Secretary of Commerce, and Bill Nelson, of Florida, to be Administrator of the National Aeronautics and Space Administration.  
SH-216

Committee on Environment and Public Works  
To hold hearings to examine the President's proposed budget request for fiscal year 2022 for the Environmental Protection Agency.  
SR-301

Committee on Foreign Relations  
Business meeting to consider the nomination of Bonnie D. Jenkins, of New York, to be Under Secretary of State for Arms Control and International Security, and other pending nominations.  
SD-106/VTC

Committee on Health, Education, Labor, and Pensions  
To hold hearings to examine the response to COVID-19, focusing on using lessons learned to address mental health and substance use disorders.  
SD-430

Committee on the Judiciary  
To hold hearings to examine pending nominations.  
SD-G50

2 p.m.  
Committee on Appropriations  
Subcommittee on Commerce, Justice, Science, and Related Agencies  
To hold hearings to examine proposed budget estimates and justification for fiscal year 2022 for the Office of the U.S. Trade Representative.  
SD-124

Committee on Appropriations  
Subcommittee on Legislative Branch  
To hold hearings to examine proposed budget estimates and justification for fiscal year 2022 for the Library of Congress, the Congressional Budget Office, and the Government Accountability Office.  
SD-192

2:30 p.m.  
Committee on Armed Services  
Subcommittee on Emerging Threats and Capabilities  
To hold hearings to examine United States Special Operations Command's efforts to sustain the readiness of special operations forces and transform the force for future security challenges.  
SR-232A

Committee on Armed Services  
Subcommittee on Readiness and Management Support  
To hold hearings to examine defense acquisition programs and acquisition reform.  
SR-222

Committee on Homeland Security and Governmental Affairs  
Government Operations and Border Management  
To hold hearings to examine the non-governmental organization perspective on the southwest border.  
VTC

Committee on Indian Affairs  
To hold an oversight hearing to examine the COVID-19 response in Native communities, focusing on Native education systems one year later.  
SD-628

Committee on the Judiciary  
Subcommittee on the Constitution  
To hold hearings to examine stopping gun violence, focusing on extreme risk order/"red flag" laws.  
SD-226

3 p.m.  
Committee on Appropriations  
Subcommittee on Military Construction and Veterans Affairs, and Related Agencies  
To hold hearings to examine the VA telehealth program, focusing on leveraging recent investments to build future capacity.  
SD-138

Committee on Veterans' Affairs  
To hold hearings to examine pending calendar business.  
SH-216

4:30 p.m.  
Committee on Armed Services  
Subcommittee on Strategic Forces  
To hold hearings to examine United States nuclear deterrence policy and strategy.  
SD-562

APRIL 29

10 a.m.  
Committee on Commerce, Science, and Transportation  
To hold hearings to examine the nomination of Eric S. Lander, of Massachusetts, to be Director of the Office of Science and Technology Policy.  
SR-253



*April 21, 2021*

CONGRESSIONAL RECORD — *Extensions of Remarks*

**E441**

Committee on Energy and Natural Resources

ka, to be Deputy Secretary of the Interior.

To hold hearings to examine the nomination of Tommy P. Beaudreau, of Alas-

SD-366

# Daily Digest

## Senate

### Chamber Action

#### *Routine Proceedings, pages S2089–S2135*

**Measures Introduced:** Thirty-seven bills and four resolutions were introduced, as follows: S. 1261–1297, and S. Res. 167–170. **Pages S2121–23**

#### **Measures Passed:**

***Congratulating the Northwest Missouri State University Bearcats men's basketball team:*** Senate agreed to S. Res. 168, congratulating the Northwest Missouri State University Bearcats men's basketball team on winning the 2021 NCAA Men's Division II National Championship. **Page S2134**

***Honoring William Robert "Bobby" "Slick" Leonard:*** Senate agreed to S. Res. 169, honoring the life and legacy of William Robert "Bobby" "Slick" Leonard. **Page S2134**

***Death of former Vice President Walter Frederick Mondale:*** Senate agreed to S. Res. 170, relating to the death of Walter Frederick Mondale, former Vice President of the United States. **Pages S2134–35**

***Joint Session of Congress:*** Senate agreed to H. Con. Res. 30, providing for a joint session of Congress to receive a message from the President. **Page S2135**

***Honoring and recognizing Veterans Service Organizations during COVID-19:*** Committee on Veterans' Affairs was discharged from further consideration of S. Res. 143, to honor and recognize the patriotism and service to the United States provided by Veterans Service Organizations during the COVID-19 pandemic, and the resolution was then agreed to. **Page S2135**

**COVID-19 Hate Crimes Act—Agreement:** A unanimous-consent-time agreement was reached providing that the motions to invoke cloture with respect to Schumer (for Hirono/Collins) Amendment No. 1445, and to S. 937, to facilitate the expedited review of COVID-19 hate crimes, be withdrawn; that when Senate resumes consideration of the bill on Thursday, April 22, 2021, the following amendments be reported by number and that they be the

only amendments in order: Cruz/Kennedy Amendment No. 1456, Lee Amendment No. 1425, and Blackburn Amendment No. 1458; that at 11:30 a.m., Senate vote on or in relation to the amendments in the order listed; that Schumer (for Hirono/Collins) Amendment No. 1445, as amended, if amended, be agreed to; and Senate vote on passage of the bill, as amended, with 60 affirmative votes required for adoption of the amendments and passage of the bill, with 4 minutes of debate equally divided prior to each vote; all with no intervening action or debate. **Page S2117**

A unanimous-consent agreement was reached providing that at approximately 10 a.m., on Thursday, April 22, 2021, Senate resume consideration of the bill. **Page S2135**

**Motion To Discharge Kahl Nomination:** By 51 yeas to 50 nays, Vice President voting yea (Vote No. EX. 161), Senate agreed to the motion to discharge the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy, from the Committee on Armed Services. Subsequently, the nomination was placed on the Executive Calendar pursuant to the provisions of S. Res. 27, relative to Senate procedure in the 117th Congress. **Pages S2107–15**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 51 yeas 49 nays (Vote No. EX. 160), Vanita Gupta, of Virginia, to be Associate Attorney General. **Pages S2091–S2107**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 49 nays (Vote No. EX. 159), Senate agreed to the motion to close further debate on the nomination. **Page S2094**

1 Navy nomination in the rank of admiral. **Page S2089**

**Nomination Discharged:** The following nomination was discharged from further committee consideration and placed on the Executive Calendar:

Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy, which was sent to the Senate on January 20, 2021, from the Senate Committee on Armed Services. **Pages S2107–15**

Messages from the House:	Page S2118
Executive Communications:	Pages S2118–21
Executive Reports of Committees:	Page S2121
Additional Cosponsors:	Pages S2123–24
Statements on Introduced Bills/Resolutions:	Pages S2124–30

Additional Statements:	
Amendments Submitted:	Pages S2130–33
Authorities for Committees to Meet:	Page S2134
Privileges of the Floor:	Page S2134
Record Votes: Three record votes were taken today. (Total—161)	Pages S2094, S2107, S2115

**Adjournment:** Senate convened at 10:30 a.m. and adjourned, as a further mark of respect to the memory of the late Walter Frederick Mondale, former Senator from Minnesota and Vice President of the United States, pursuant to the provisions of S. Res. 170, at 8:09 p.m., until 10 a.m. on Thursday, April 22, 2021. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2135.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: USCP, AOC, AND SAA

*Committee on Appropriations:* Subcommittee on the Legislative Branch concluded a hearing to examine proposed budget estimates and justification for fiscal year 2022 for the Capitol Police, Architect of the Capitol, and Senate Sergeant at Arms, after receiving testimony from Yogananda D. Pittman, Acting Chief, United States Capitol Police; J. Brett Blanton, Architect of the Capitol; and Karen H. Gibson, Sergeant at Arms and Doorkeeper of the Senate.

### TECHNOLOGY TRANSITION ACTIVITIES

*Committee on Armed Services:* Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine science and technology, technology maturation, and technology transition activities, after receiving testimony from Peter Highnam, Deputy Director, Defense Advanced Research Projects Agency, Major General John A. George, USA, Commanding General, Army Combat Capabilities Development Command, Rear Admiral Lorin C. Selby, USN, Chief, Naval Research, and Brigadier General Heather L. Pringle, USAF, Commander, Air Force Research Laboratory, all of the Department of Defense.

### DOD CYBER WORKFORCE

*Committee on Armed Services:* Subcommittee on Personnel concluded a hearing to examine the current and future cyber workforce of the Department of Defense and the military services, after receiving testimony from John Sherman, Acting Chief Information Officer, Veronica E. Hinton, Acting Deputy Assistant Secretary for Civilian Personnel Policy, Leonard G. Litton III, Acting Deputy Assistant Secretary for Military Personnel Policy, and Lieutenant General Dennis A. Crall, USMC, Director, Command, Control Communications and Computers/Cyber and Chief Information Officer, Joint Staff, J6, all of the Department of Defense.

### NOMINATIONS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nominations of Bill Nelson, of Florida, to be Administrator of the National Aeronautics and Space Administration, who was introduced by Senator Rubio and former Senator Kay Bailey Hutchison, Lina M. Khan, of New York, to be a Federal Trade Commissioner, who was introduced by Senators Klobuchar and Blumenthal, and Leslie B. Kiernan, of Maryland, to be General Counsel of the Department of Commerce, who was introduced by Secretary of Commerce Penny Pritzker, after the nominees testified and answered questions in their own behalf.

### AIR TRAVEL

*Committee on Commerce:* Subcommittee on Aviation Safety, Operations, and Innovation concluded a hearing to examine America's safe return to air travel, after receiving testimony from Charlene Reynolds, City of Phoenix Aviation Department, Phoenix, Arizona; Sara Nelson, Association of Flight Attendants-CWA, and Nick Calio, Airlines for America, both of Washington, D.C.; and Leonard J. Marcus, Harvard T.H. Chan School of Public Health, Cambridge, Massachusetts.

### BUSINESS MEETING

*Committee on Foreign Relations:* Committee ordered favorably reported the following business items:

S.1169, to address issues involving the People's Republic of China, with amendments;

S.814, to promote security partnership with Ukraine, with amendments; and

The nominations of Victoria Nuland, of Virginia, to be an Under Secretary (Political Affairs), and Uzra Zeya, of Virginia, to be an Under Secretary (Civilian Security, Democracy, and Human Rights), both of the Department of State.

**U.S. POLICY ON YEMEN**

*Committee on Foreign Relations:* Subcommittee on Near East, South Asia, Central Asia, and Counterterrorism concluded a hearing to examine United States policy on Yemen, after receiving testimony from Tim Lenderking, Special Envoy for Yemen, Department of State; and Lise Grande, United States Institute of Peace, and Amanda Catanzano, International Rescue Committee, both of Washington, D.C.

**BUSINESS MEETING**

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the nominations of Julie A. Su, of California, to be Deputy Secretary of Labor, and Cynthia Minette Marten, of California, to be Deputy Secretary, and James Richard Kvaal, of Massachusetts, to be Under Secretary, both of the Department of Education.

**PATENT SYSTEM**

*Committee on the Judiciary:* Subcommittee on Intellectual Property concluded a hearing to examine improving access and inclusivity in the patent system, focusing on unleashing America's economic engine, after receiving testimony from Georgia Grace Edwards, SheFly, Burlington, Vermont; Mallun Yen, Operator Collective, Woodside, California; Angela J. Grayson, American Intellectual Property Law Association, Bentonville, Arkansas; and Lateef Mtima,

Howard University School of Law, Washington, D.C.

**COMPETITION IN APP STORES**

*Committee on the Judiciary:* Subcommittee on Competition Policy, Antitrust, and Consumer Rights concluded a hearing to examine competition in app stores, focusing on antitrust, after receiving testimony from Kyle Andeer, Apple Inc., Cupertino, California; Wilson White, Google LLC., Mountain View, California; Horacio Gutierrez, Spotify, New York, New York; Mark Cooper, Consumer Federation of America, Washington, D.C.; Kirsten Daru, Tile, Inc., San Mateo, California; and Jared Sine, Match Group, Dallas, Texas.

**NOMINATION**

*Committee on Small Business and Entrepreneurship:* Committee concluded a hearing to examine the nomination of Dilawar Syed, of California, to be Deputy Administrator of the Small Business Administration, after the nominee, who was introduced by Senator Kaine, testified and answered questions in his own behalf.

**INTELLIGENCE**

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

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## House of Representatives

***Chamber Action***

**Public Bills and Resolutions Introduced:** 35 public bills, H.R. 19, 2716–2749; and 5 resolutions, H.J. Res. 42; H. Con. Res. 31; and H. Res. 339–641, were introduced. **Pages H2053–55**

**Additional Cosponsors:** **Pages H2056–57**

**Report Filed:** A report was filed today as follows:

Supplemental report on H.R. 51, to provide for the admission of the State of Washington, D.C. into the Union (H. Rept. 117–19, Part 2). **Page H2053**

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Dingell to act as Speaker pro tempore for today. **Page H2001**

**Suspensions:** The House agreed to suspend the rules and pass the following measure:

Amending the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Ana-

logues Act to extend until September 2021, a temporary order for fentanyl-related substances:

H.R. 2630, amended, to amend the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act to extend until September 2021, a temporary order for fentanyl-related substances; **Pages H2025–29**

Agreed to amend the title so as to read: “To amend the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act to extend until October 2021, a temporary order for fentanyl-related substances.” **Page H2029**

**National Origin-Based Antidiscrimination for Nonimmigrants Act:** The House passed H.R. 1333, to transfer and limit Executive Branch authority to suspend or restrict the entry of a class of aliens, by a yea-and-nay vote of 218 yeas to 208 nays, Roll No. 127. **Pages H2005–16, H2029–30**

Rejected the Wenstrup motion to recommit the bill to the Committee on the Judiciary, by a ye-and-nay vote of 208 yeas to 216 nays, Roll No. 126.

**Pages H2015–16 H2029–30**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted.

**Page H2005**

H. Res. 330, the rule providing for consideration of the bills (H.R. 51), (H.R. 1573), and (H.R. 1333) was agreed to yesterday, April 20th.

**Access to Counsel Act of 2021:** The House passed H.R. 1573, to clarify the rights of all persons who are held or detained at a port of entry or at any detention facility overseen by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement, by a ye-and-nay vote of 217 yeas to 207 nays, Roll No. 129.

**Pages H2016–25, H2030–32**

Agreed to amend the title so as to read: “To clarify the rights of certain persons who are held or detained at a port of entry or at any facility overseen by U.S. Customs and Border Protection.”.

**Page H2016**

Rejected the Issa motion to recommit the bill to the Committee on the Judiciary, by a ye-and-nay vote of 209 yeas to 215 nays, Roll No. 128.

**Page H2024–25, H2030–31**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted.

**Page H2016**

H. Res. 330, the rule providing for consideration of the bills (H.R. 51), (H.R. 1573), and (H.R. 1333) was agreed to yesterday, April 20th.

**Suspension—Proceedings Resumed:** The House agreed to suspend the rules and pass the following measure. Consideration began Monday, April 19th.

**Protection of Saudi Dissidents Act of 2021:** H.R. 1392, amended, to protect Saudi dissidents in the United States, by a  $\frac{2}{3}$  ye-and-nay vote of 350 yeas to 71 nays, Roll No. 130.

**Page H2032**

**Electing the Sergeant-at-Arms of the House of Representatives:** The House agreed to H. Res. 339, electing the Sergeant-at-Arms of the House of Representatives.

**Page H2032**

**Discharge Petition:** Representative Roy presented to the clerk a motion to discharge the Committee on Rules from the consideration of the resolution, H. Res. 292 entitled, providing for the consideration of the bill (H.R. 859) to prohibit the President from issuing moratoria on leasing and permitting energy and minerals on certain Federal land, and for other purposes (Discharge Petition No. 3).

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2005.

**Quorum Calls—Votes:** Five ye-and-nay votes developed during the proceedings of today and appear on pages H2029–32.

**Adjournment:** The House met at 12 p.m. and adjourned at 8:09 p.m.

## *Committee Meetings*

### **OVERSIGHT OF THE ECONOMIC DEVELOPMENT ADMINISTRATION'S ROLE IN PANDEMIC RESPONSE**

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing entitled “Oversight of the Economic Development Administration's Role in Pandemic Response”. Testimony was heard from Dennis Alvord, Acting Assistant Secretary for Economic Development, Economic Development Administration, Department of Commerce.

### **APPROPRIATIONS—U.S. AFRICA COMMAND**

*Committee on Appropriations:* Subcommittee on Defense held a budget hearing on U.S. Africa Command. Testimony was heard from General Stephen J. Townsend, Commander, U.S. Africa Command. This hearing was closed.

### **APPROPRIATIONS—ENVIRONMENTAL PROTECTION AGENCY**

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a budget hearing on the Environmental Protection Agency. Testimony was heard from Michael Regan, Administrator, Environmental Protection Agency.

### **APPROPRIATIONS—U.S. CENTRAL COMMAND**

*Committee on Appropriations:* Subcommittee on Defense held a budget hearing on U.S. Central Command. Testimony was heard from General Kenneth F. McKenzie, Jr., Commander, U.S. Central Command. This hearing was closed.

### **APPROPRIATIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

*Committee on Appropriations:* Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies held a budget hearing on the Department of Housing and Urban Development. Testimony was heard from Marcia L. Fudge, Secretary, Department of Housing and Urban Development.

**FY22 STRATEGIC FORCES POSTURE HEARING**

*Committee on Armed Services:* Subcommittee on Strategic Forces held a hearing entitled “FY22 Strategic Forces Posture Hearing”. Testimony was heard from Melissa Dalton, Acting Assistant Secretary of Defense for Strategy, Plans and Capabilities, Department of Defense; Admiral Charles Richard, Commander, U.S. Strategic Command; and General James Dickinson, Commander, U.S. Space Command.

**LEADING THE WIRELESS FUTURE: SECURING AMERICAN NETWORK TECHNOLOGY**

*Committee on Energy and Commerce:* Subcommittee on Communications and Technology held a hearing entitled “Leading the Wireless Future: Securing American Network Technology”. Testimony was heard from public witnesses.

**MISCELLANEOUS MEASURES**

*Committee on Financial Services:* Full Committee concluded a markup on Views and Estimates of the Committee on Financial Services on Matters to be Set Forth in the Concurrent Resolution on the Budget for Fiscal Year 2022 Budget; Resolution Establishing the Task Force on Artificial Intelligence in the Committee on Financial Services; Resolution Establishing the Task Force on Financial Technology in the Committee on Financial Services; H.R. 1087, the “Shareholder Political Transparency Act”; H.R. 1187, the “ESG Disclosure Simplification Act”; H.R. 1277, the “Improving Corporate Governance Through Diversity Act”; H.R. 2123, the “Diversity and Inclusion Data Accountability and Transparency Act”; H.R. 2516, the “Promoting Diversity and Inclusion in Banking Act”; H.R. 2543, the “Federal Reserve Racial and Economic Equity Act”; H.R. 2547, the “Comprehensive Debt Collection Improvement Act”; and H.R. 2553, the “Real Estate Valuation Fairness and Improvement Act of 2021”. Views and Estimates for the Fiscal Year 2022 Budget Resolution was adopted, as amended. Resolution to establish the Task Force on Artificial Intelligence and Resolution to establish the Task Force on Financial Technology were agreed to. H.R. 2553, H.R. 2547, H.R. 2543, H.R. 2516, H.R. 2123, H.R. 1087, H.R. 1187, H.R. 1277 were ordered reported, as amended.

**THE CRISIS IN YEMEN: PART 2**

*Committee on Foreign Affairs:* Subcommittee on the Middle East, North Africa, and Global Counterterrorism held a hearing entitled “The Crisis in Yemen: Part 2”. Testimony was heard from Timothy A.

Lenderking, U.S. Special Envoy for Yemen, Department of State.

**MISCELLANEOUS MEASURES**

*Committee on Foreign Affairs:* Full Committee held a markup on H.R. 1488, the “Global Electoral Exchange Act of 2021”; H.R. 1036, the “Bassam Barabandi Rewards for Justice Act”; H.R. 402, the “CROOK Act”; H.R. 2538, the “FENTANYL Results Act”; H. Res. 186, calling for the immediate release of Trevor Reed, a United States citizen who was unjustly found guilty and sentenced to nine years in a Russian prison; H.R. 2471, the “Haiti Development, Accountability, and Institutional Transparency Initiative Act”; H.R. 1228, the “Libya Stabilization Act”; H.R. 496, the “Ukraine Religious Freedom Support Act”; H.R. 826, the “Divided Families Reunification Act”; H. Res. 294, encouraging reunions of divided Korean-American families; H.R. 1155, the “Uyghur Forced Labor Prevention Act”; and H. Res. 317, condemning the ongoing genocide and crimes against humanity being committed against Uyghurs and members of other religious and ethnic minority groups by the People’s Republic of China. H.R. 1488, H.R. 2471, H.R. 1228, and H. Res. 317 were ordered reported, as amended. H.R. 1036, H.R. 402, H.R. 2538, H. Res. 186, H.R. 496, H.R. 826, H. Res. 294, and H.R. 1155 were ordered reported, without amendment.

**OVERSIGHT OF THE DEPARTMENT OF HOMELAND SECURITY’S OFFICE OF INSPECTOR GENERAL**

*Committee on Homeland Security:* Full Committee held a hearing entitled “Oversight of the Department of Homeland Security’s Office of Inspector General”. Testimony was heard from Christopher P. Currie, Director, Homeland Security and Justice Team, Government Accountability Office; and Joseph V. Cuffari, Inspector General, Department of Homeland Security.

**OVERSIGHT OF THE UNITED STATES CAPITOL POLICE AND PREPARATIONS FOR AND RESPONSE TO THE ATTACK OF JANUARY 6TH**

*Committee on House Administration:* Full Committee concluded a hearing entitled “Oversight of the United States Capitol Police and Preparations for and Response to the Attack of January 6th”. Testimony was heard from Michael A. Bolton, Inspector General, U.S. Capitol Police.



## INFRASTRUCTURE IN INDIGENOUS COMMUNITIES: PRIORITIES FOR AMERICAN JOBS PLAN

*Committee on Natural Resources:* Subcommittee for Indigenous Peoples of the United States held a hearing entitled “Infrastructure in Indigenous Communities: Priorities for American Jobs Plan”. Testimony was heard from public witnesses.

## LEGISLATIVE MEASURES

*Committee on Natural Resources:* Subcommittee on National Parks, Forests, and Public Lands held a hearing on H.R. 820, the “New Philadelphia National Historical Park Act”; H.R. 920, the “Brown v. Board of Education National Historic Site Expansion Act”; H.R. 2497, the “Amache National Historic Site Act”; and H.R. 2626, the “Pullman National Historical Park Act”. Testimony was heard from Representatives Neguse, LaHood, Clyburn, and Kelly of Illinois; and public witnesses.

## WORKING TOWARDS CLIMATE EQUITY: THE CASE FOR A FEDERAL CLIMATE SERVICE

*Committee on Science, Space, and Technology:* Subcommittee on Environment held a hearing entitled “Working Towards Climate Equity: The Case for a Federal Climate Service”. Testimony was heard from public witnesses.

## MISCELLANEOUS MEASURE

*Committee on Transportation and Infrastructure:* Full Committee held a markup on Fiscal Year 2022 Budget Views and Estimates of the Committee on Transportation and Infrastructure. Fiscal Year 2022 Budget Views and Estimates of the Committee on Transportation and Infrastructure was adopted, without amendment.

## SUSTAINABLE WASTEWATER INFRASTRUCTURE: MEASURES TO PROMOTE RESILIENCY AND CLIMATE ADAPTATION AND MITIGATION

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment held a hearing entitled “Sustainable Wastewater Infrastructure: Measures to Promote Resiliency and Climate Adaptation and Mitigation”. Testimony was heard from Robert C. Ferrante, Chief Engineer and General Manager, Los Angeles County Sanitation Districts, California; Kishia L. Powell, Chief Operating Officer and Executive Vice President, D.C. Water, Washington D.C.; and public witnesses.

## LEGISLATIVE MEASURES

*Committee on Veterans' Affairs:* Subcommittee on Oversight and Investigations held a hearing on H.R. 711,

the “West Los Angeles VA Campus Improvement Act of 2021”; H.R. 1948, the “VA Employee Fairness Act of 2021”; H.R. 2082, the “VA Supply Chain Resiliency Act”; H.R. 2428, the “Strengthening Oversight for Veterans Act of 2021”; H.R. 2429, the “VA Police Improvement and Accountability Act”; legislation on Strengthening VA Whistleblower Protection Act of 2021; legislation on VA FOIA Reform Act of 2021; legislation on directing the Secretary of Veterans Affairs to make certain information publicly available on one internet website of the Department of Veterans Affairs; legislation on Improving VA Accountability to Prevent Sexual Harassment and Discrimination Act of 2021; legislation on VA Beneficiary Debt Collection Improvement Act; legislation on VA Equal Employment Counseling Modernization Act; legislation on Strengthening VA Background Checks Act; legislation on directing the Secretary of Veterans Affairs to submit to Congress a plan for expending Coronavirus pandemic funding made available to the Department of Veterans Affairs, and for other purposes; and legislation to amend title 38, United States Code, to make certain improvements to the Office of Accountability and Whistleblower Protection of the Department of Veterans Affairs, and for other purposes. Testimony was heard from Jeffrey R. Mayo, Acting Assistant Secretary, Human Resources and Administration/Operations, Security, and Preparedness, Department of Veterans Affairs; and Christopher Wilber, Counsel to the Inspector General, Office of the Inspector General, Department of Veterans Affairs.

## IN THEIR OWN WORDS: PAID LEAVE, CHILD CARE, AND AN ECONOMY THAT FAILED WOMEN

*Committee on Ways and Means:* Full Committee held a hearing entitled “In Their Own Words: Paid Leave, Child Care, and an Economy that Failed Women”. Testimony was heard from public witnesses.

## Joint Meetings

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR THURSDAY, APRIL 22, 2021

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Agriculture, Nutrition, and Forestry:* business meeting to consider S. 1251, to authorize the Secretary of Agriculture to develop a program to reduce barriers to entry for farmers, ranchers, and private forest landowners

in certain voluntary markets; to be immediately followed by a hearing to examine the nomination of Jewel Hairston Bronaugh, of Virginia, to be Deputy Secretary of Agriculture, 9:30 a.m., SR-301.

*Committee on Armed Services:* to hold hearings to examine United States Central Command and United States Africa Command in review of the Defense Authorization Request for fiscal year 2022 and the Future Years Defense Program; to be immediately followed by a closed session in SVC-217, 9:30 a.m., SD-G50.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine 21st century communities, focusing on capitalizing on opportunities in the clean energy economy, 10 a.m., WEBEX.

*Committee on Energy and Natural Resources:* to hold hearings to examine the opportunities and challenges that exist for advancing and deploying carbon and carbon-dioxide utilization technologies in the United States, 10 a.m., SD-366.

*Committee on Finance:* to hold hearings to examine U.S.-China Relations, focusing on improving U.S. competitiveness through trade, 10 a.m., WEBEX.

*Committee on Health, Education, Labor, and Pensions:* to hold hearings to examine protecting U.S. biomedical research, focusing on efforts to prevent undue foreign influence, 10 a.m., SD-430.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine the nominations of Kiran Arjandas Ahuja, of Massachusetts, to be Director of the Office of Personnel Management, and Anton George Hajjar, of Maryland, Amber Faye McReynolds, of Colo-

rado, and Ronald Stroman, of the District of Columbia, each to be a Governor of the United States Postal Service, 10:15 a.m., SD-342/VTC.

*Committee on Judiciary:* Subcommittee on Criminal Justice and Counterterrorism, to hold hearings to examine behavioral health and policing, focusing on interactions and solutions, 10 a.m., SD-226.

*Committee on Veterans' Affairs:* business meeting to consider the nomination of Richard A. Sauber, of the District of Columbia, to be General Counsel, Department of Veterans Affairs, 11:30 a.m., S-211, Capitol.

## House

*Committee on Armed Services,* Subcommittee on Tactical Air and Land Forces; and Subcommittee on Readiness, joint hearing entitled "Update on F-35 Program Accomplishments, Issues, and Risks", 9:30 a.m., 2118 Rayburn and Webex.

*Committee on Education and Labor,* Full Committee, hearing entitled "Members Day Hearing: Committee on Education and Labor", 10:15 a.m., Zoom.

*Committee on the Judiciary,* Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing entitled "Oversight of the Voting Rights Act: The Evolving Landscape of Voting Discrimination", 9 a.m., 2141 Rayburn and Webex.

*Committee on Oversight and Reform,* Subcommittee on Environment, hearing entitled "The Role of Fossil Fuel Subsidies in Preventing Action on the Climate Crisis", 10 a.m., Webex.

*Next Meeting of the SENATE*

10 a.m., Thursday, April 22

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Thursday, April 22

## Senate Chamber

**Program for Thursday:** Senate will resume consideration of S. 937, COVID-19 Hate Crimes Act, and the following amendments be in order Cruz/Kennedy Amendment No. 1456, Lee Amendment No. 1425, and Blackburn Amendment No. 1458. At 11:30 a.m., Senate will vote on or in relation to those amendments, and then Schumer (for Hirono/Collins) Amendment No. 1445, as amended, if amended, be agreed to, and Senate vote on passage of the bill.

## House Chamber

**Program for Thursday:** Consideration of H.R. 51—Washington, D.C. Admission Act.

## Extensions of Remarks, as inserted in this issue

## HOUSE

Arrington, Jodey C., Tex., E436  
 Blumenauer, Earl, Ore., E431  
 Clyburn, James E., S.C., E433  
 Davidson, Warren, Ohio, E436  
 DeLauro, Rosa L., Conn., E429, E432, E439  
 Dingell, Debbie, Mich., E429, E438

Franklin, C. Scott, Fla., E438  
 Gomez, Jimmy, Calif., E439  
 Graves, Sam, Mo., E430  
 Hartzler, Vicky, Mo., E433  
 Hill, J. French, Ark., E433  
 Jackson, Ronny, Tex., E433  
 Kaptur, Marcy, Ohio, E430  
 Katko, John, N.Y., E432

Kelly, Trent, Miss., E429, E438  
 Lee, Barbara, Calif., E432  
 Luetkemeyer, Blaine, Mo., E429  
 McCollum, Betty, Minn., E430, E431  
 Perlmutter, Ed, Colo., E433  
 Ryan, Tim, Ohio, E431, E432



# Congressional Record

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