



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, THURSDAY, APRIL 29, 2021

No. 74

## House of Representatives

The House was not in session today. Its next meeting will be held on Friday, April 30, 2021, at 9 a.m.

## Senate

THURSDAY, APRIL 29, 2021

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, in times of trouble, You hear us. We call to You, and You provide answers. As our lawmakers seek to follow Your precepts, guide them in their challenging work.

Lord, strengthen our Senators to trust You completely. Provide them with the powers of wisdom, discipline, and discernment.

You have promised that in everything You are working for the good of those who love You, who are called according to Your purpose.

Let Your Kingdom come. Let Your will be done on Earth as it is in Heaven.

We pray in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Vermont.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### JOINT SESSION OF CONGRESS

Mr. SCHUMER. Madam President, last night, before a joint session of Congress, President Biden laid out a comprehensive, thoughtful vision for the country.

First, he spoke about what we have accomplished so far, and on that front, there was plenty to talk about.

The Democratic majority in Congress passed the most sweeping Federal recovery effort in a new generation, the American Rescue Plan, accelerating the pace of vaccinations and our economic rebound. As a result, the United States administered more than 200 million shots in less than 100 days. More than half of American adults have gotten at least one shot, and two-thirds of American seniors are vaccinated. Eighty-five percent of all Americans have received a stimulus check of \$1,400 through the American Rescue Plan. More than 160 million relief checks have been delivered.

Our economic recovery continues apace. The United States created more than a million jobs over the past 3 months—the most new jobs in a Presi-

dent's first hundred days in American history. And just this morning, we learned that jobless claims hit a new pandemic low for the third straight week. Today's numbers are an indication that our economy is back on track and should be going full throttle. America is turning the corner. America is turning the corner.

Over the first quarter, the American economy grew by 6.4 percent—6.4 percent. Under President Biden and Democratic majorities in Congress, America is turning the corner—6.4 percent growth, wow. That shows you that America is back, and that shows you that the kind of strong, active proposals that we Democrats have made are the right direction for the country and have the support throughout the country of Democrats, Independents, Republicans because it is the right thing to do—the right thing to do.

The story of the first hundred days is a story about shots going into arms, checks going into pockets, life getting back to normal, and the economy picking up a lot of steam. After one of the most difficult years in history, we have made extraordinary progress.

President Biden spoke last night about how and where we can build on that strong foundation. We can't rest. We have a lot more to do. We want to keep this country going at a strong rate of growth, creating new jobs, making America healthier. We want to continue to do that. We are not just going to stop with the ARP. We can't.

President Biden proposed common-sense investments and policies that will provide a pathway to success for working people and for America as a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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whole. In particular, the President's focus on jobs, middle-class incomes, and helping families and workers succeed in a 21st-century economy was very much welcomed.

America is breathing a sigh of relief to see Joe Biden in that chair and not the previous President, who just all too often, even in those speeches where he was supposed to rise to the occasion, appealed to the worst instincts of people.

The President's plan—President Biden's plan—will help restore that once innate American optimism that has really been shaken for the last 4 years. Now the Congress must act. And, as majority leader, I intend for the Senate to take up legislation to make President Biden's vision a reality.

Truthfully, a lot of what President Biden proposed last night should be bipartisan. Just because a Democratic President proposed a jobs and infrastructure plan doesn't mean jobs and infrastructure are Democratic issues. Just because a Democratic President proposed a comprehensive plan to address childcare and education and workforce training doesn't mean those are just Democratic issues. My Republican colleagues, in one way or another, have joined Democrats on legislation in those subject areas for years.

President Biden spoke at length about the need to outcompete China. That is something our two parties have long agreed on and a topic the Senate will address in the next work period.

Even on the very difficult subjects like police reform, gun safety, immigration, bipartisan compromise—strong bipartisan compromise, strong legislation coming out of bipartisan compromise—is never out of reach.

Senator MURPHY continues to discuss bipartisan safety measures with Senator CORNYN and others. Senators BOOKER and DURBIN continue to discuss bipartisan policing reform with Senator SCOTT, KAREN BASS, Congresswoman SHEILA JACKSON LEE, and many others.

Just this morning, I met with George Floyd's brother, Eric Garner's mother, and Mr. Ben Crump, the lawyer for the family of George Floyd, and I told them that we are committed to getting meaningful, strong reform done—hopefully, in a bipartisan way, if we can.

Here on the Senate floor, we are proving that our two parties can work together on legislation, including on some of the issues that President Biden mentioned. Today's vote offers a great example. This afternoon, the Senate is going to vote on a bipartisan water infrastructure bill. We have agreed with the Republican minority to consider several amendments first, including three Republican amendments. I promised my caucus and the country that we would try to do things in a more open way, where amendments would be debated on the floor. We did that last week on the anti-Asian hate crimes legislation. We are doing it today on the water bill, and we hope to do it on

the comprehensive America COMPETES Act when we come back next week.

So the bottom line is very simple: We are moving forward wherever we can in a bipartisan way.

I expect the Senate will pass the water infrastructure bill with a resounding bipartisan vote after the amendments are debated. So let it be a signal to our Republican colleagues that Senate Democrats want to work together on infrastructure when and where we can.

Certainly, the water bill is not the only example of bipartisan legislation this Congress. As I mentioned, a few weeks ago, nearly the entire Senate stood together to pass legislation to combat the recent surge in hate crimes, particularly against Americans of Asian descent, 94 to 1—94 to 1.

And just yesterday, the Senate passed, with bipartisan support, a measure to reinstate critical rules to reduce the emissions of methane into our atmosphere. It was the first significant action the Senate has taken to combat climate change in at least a decade, probably much more.

Even though our two parties have been divided in the past on the subject of climate change, we can no longer afford to have those differences foil our progress. The methane CRA must be the first—the first of many steps we take to tackle climate change.

So these past few months have provided a great example of what the Senate can do. The American people deserve a Congress that works and produces the kinds of change that Americans are demanding. President Biden pointed the way. He pointed the way forward on a number of issues last night. Now it is up to us, here in the Senate and in the Congress, to make progress, the progress for the American people, a reality.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 69.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Andrea Joan Palm, of Wisconsin, to be Deputy Secretary of Health and Human Services.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant 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. 69, Andrea Joan Palm, of Wisconsin, to be Deputy Secretary of Health and Human Services.

Charles E. Schumer, Patty Murray, Michael F. Bennet, Jack Reed, Jeanne Shaheen, Patrick J. Leahy, Martin Heinrich, Catherine Cortez Masto, Kirsten E. Gillibrand, Christopher Murphy, Christopher A. Coons, Tammy Baldwin, Tammy Duckworth, Chris Van Hollen, Tim Kaine, Thomas R. Carper, Amy Klobuchar, Margaret Wood Hassan.

## LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 65.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Cynthia Minnette Marten, of California, to be Deputy Secretary of Education.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant 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. 65, Cynthia Minnette Marten, of California, to be Deputy Secretary of Education.

Charles E. Schumer, Patty Murray, Michael F. Bennet, Jack Reed, Jeanne Shaheen, Patrick J. Leahy, Martin Heinrich, Catherine Cortez Masto, Kirsten E. Gillibrand, Christopher Murphy, Christopher A. Coons, Tammy Baldwin, Tammy Duckworth, Chris Van Hollen, Tim Kaine, Thomas R. Carper, Amy Klobuchar, Margaret Wood Hassan.

Mr. SCHUMER. Madam President, finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, April 29, be waived.

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

## LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. SCHUMER. I yield the floor.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### JOINT SESSION OF CONGRESS

Mr. MCCONNELL. Madam President, last night, President Biden delivered his first address to a joint session of Congress, and today marks his 100th day in office.

President Biden is a likeable person. Many of us remember serving with him in this Chamber. But while the tone of his remarks were understated, the content was anything but. He talked at length about competing with China without mentioning that he wants to cut U.S. defense spending after inflation. Exactly what we cannot do if we want to keep pace.

He talked about immigration without taking any responsibility for the border crisis that has his administration packing unaccompanied children into facilities and releasing arrivals into our country.

And the President talked about unity and togetherness while reading off a multitrillion-dollar shopping list that was neither designed nor intended to earn bipartisan buy-in, a blueprint for giving Washington even more money and even more power to micromanage American families and build the country liberal elites want instead of the future Americans want.

Think back to the start of this administration. Remember its day one priorities: axing a pipeline project that would have supported thousands of jobs; freezing the exploration behind America's energy independence; and resigning the climate agreement that has gotten less emissions reduction out of China, which is inside the deal, than the United States achieved on our own, outside the deal.

The approach has remained equally radical since. Even after the CDC's own experts showed months ago that schools are safe, the administration's partisan COVID bill threw money at districts without requiring prompt reopenings.

As a humanitarian crisis mounts at the southern border, the President's team has offered mixed messaging and ineffectiveness.

While Iran keeps ramping up nuclear rhetoric and financing terror across the Middle East, this White House keeps downplaying the Iranian terror. And they appear eager to squander sanctions leverage just to climb back into a failed deal from back in the Obama era.

And again, as Russia and China fast-track military modernization, President Biden turned in a defense spending proposal that would put U.S. forces behind the curve.

That was the backdrop for last night's speech. But instead of practical plans to fulfill these basic responsibilities, America heard a lengthy liberal daydream. We heard about the so-called jobs plan packed with punitive tax hikes at exactly the time our Nation needs a recovery. Ivy League experts say that it would actually leave American workers with lower wages at the end of the day.

We heard about the so-called family plan, another gigantic tax-and-spend colossus. Instead of empowering all kinds of families with flexibility, this one would just subsidize specific paths that Democrats deem best so Washington can call the shots from early childhood through college graduation.

But wait. There was more. There was hostility toward the Second Amendment rights of American citizens. There was support for Democrats' sweeping election takeover bill that would neuter voter ID in all 50 States—oh—and, by the way, make the Federal Election Commission a partisan body—oh—and legalize ballot harvesting, where paid political operatives can show up carrying stacks, stacks of other people's ballots.

Here is the bottom line. Recall that more than a year ago, at the outset of the pandemic, a top House Democrat said this crisis provided the left “a tremendous opportunity to restructure things to fit our vision.” Well, last night, President Biden said much the same: that his administration intends to turn “crisis into opportunity.”

The far left certainly gets the message. Some of the most liberal Members of Congress have gone out of their way to say they are surprised and delighted—delighted—by the President's willingness to do things their way.

Even a neutral wire report explained yesterday that the Biden agenda seeks to “fundamentally transform and expand government's role in the lives of everyday Americans.”

Let me say that again. A neutral wire report explained yesterday that the Biden agenda seeks to “fundamentally transform and expand government's role in the lives of everyday Americans.”

It is an attempt to continue dragging a divided country farther and faster to the left. This administration wants to jack up taxes in order to nudge families toward the kinds of jobs Democrats want them to have, in the kinds of industries Democrats want to exist, with the kinds of cars Democrats want them to drive, using the kinds of childcare arrangements that Democrats want them to pursue. These plans aren't about creating options and flexibility for Americans; they are about imposing a vision.

Instead of encouraging work and rewarding work and helping connect more Americans with opportunities to work and build their lives, this administration is working overtime to break the link—the link—between work and income. They want to break the link between work and income.

Outside observers across the political spectrum agree these Democrats are unlearning the commonsense, pro-work lessons of bipartisan welfare reform from back in the nineties.

This isn't what the American people voted for. This country just elected a 50-50 Senate, a very closely divided House, and a President who talked a big game about cutting deals, bringing people together, and building bridges. But even on subjects as historically bipartisan as pandemic relief, voting rights, and infrastructure, our Democratic friends have become addicted to divide-and-conquer.

As our distinguished colleague Senator TIM SCOTT put it last night:

They won't even build bridges . . . to build bridges.

It doesn't have to be this way. Republicans support actually competing with China. Republicans support actually helping working families. Republicans support actual infrastructure. Ranking Member CAPITO and a number of our leading Republican colleagues have rolled out a multi-hundred-billion-dollar targeted infrastructure proposal. Today, in fact, the Senate is set to pass bipartisan legislation to help States and localities to provide clean and safe drinking water.

Our President will not secure a lasting legacy through go-it-alone radicalism. He won't get much done that way. It won't be good for the country. And whatever the Democrats do get done through partisan brute force will be fragile. The American people need us to find common ground and to move this country forward, and they would like for us to do it together.

#### CONGRATULATING THE UNIVERSITY OF KENTUCKY'S WOMEN'S VOLLEYBALL TEAM FOR WINNING THE 2020 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S VOLLEYBALL CHAMPIONSHIP

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 189, 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. 189) congratulating the University of Kentucky's Women's Volleyball Team for winning the 2020 National Collegiate Athletic Association Division I Women's Volleyball Championship.

There being no objection, the Senate proceeded to consider the resolution.

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

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

The resolution (S. Res. 189) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### DRINKING WATER AND WASTE-WATER INFRASTRUCTURE ACT OF 2021—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 914, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 914) to amend the Safe Drinking Water Act and the Federal Water Pollution

Control Act to reauthorize programs under those Acts, and for other purposes.

#### Pending:

Duckworth (for Carper/Capito) amendment No. 1460, in the nature of a substitute.

AMENDMENT NOS. 1471, AS MODIFIED; 1461; 1469; AND 1472 TO AMENDMENT NO. 1460

The PRESIDING OFFICER. Under the previous order, the following amendments are the only amendments in order to S. 914, which the clerk will report by number.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. RUBIO] proposes amendment numbered 1471, as modified, to amendment No. 1460.

The amendment, as modified, is as follows:

(Purpose: To modify a provision relating to allotments under the Federal Water Pollution Control Act)

At the end of section 210 (relating to clean water State revolving funds), add the following:

(c) FEDERAL WATER POLLUTION CONTROL ACT ALLOTMENTS.—Section 205 of the Federal Water Pollution Control Act (33 U.S.C. 1285) is amended—

(1) by striking the section designation and heading and all that follows through the end of subsection (a) and inserting the following:

#### "SEC. 205. ALLOTMENTS.

"(a) FISCAL YEARS 2022 AND THEREAFTER.—

"(1) DEFINITIONS.—In this subsection:

"(A) BUY AMERICAN OVERSIGHT.—The term 'Buy American oversight' means any activity carried out by the Administrator for the management or oversight of the requirements of section 608.

"(B) UNITED STATES TERRITORY.—The term 'United States territory' means—

"(i) American Samoa;

"(ii) the Commonwealth of the Northern Mariana Islands;

"(iii) the United States Virgin Islands; and

"(iv) Guam.

"(2) INITIAL ALLOTMENTS.—

"(A) IN GENERAL.—For each of fiscal years 2022 through 2026, of the amounts made available to carry out this section for the fiscal year, the Administrator shall provide for each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, any other territory or possession of the United States, United States territories, Indian Tribes, and Buy American oversight an allotment equal to not less than the allotment described in the following table:

"Recipient	Allotment
Alabama .....	0.005
Alaska .....	0.005
Arizona .....	0.005
Arkansas .....	0.005
California .....	0.005
Colorado .....	0.005
Connecticut .....	0.005
Delaware .....	0.005
District of Columbia .....	0.005
Florida .....	0.005
Georgia .....	0.005
Hawaii .....	0.005
Idaho .....	0.005
Illinois .....	0.005
Indiana .....	0.005
Iowa .....	0.005
Kansas .....	0.005
Kentucky .....	0.005
Louisiana .....	0.005
Maine .....	0.005
Maryland .....	0.005
Massachusetts .....	0.005
Michigan .....	0.005
Minnesota .....	0.005
Mississippi .....	0.005
Missouri .....	0.005
Montana .....	0.005
Nebraska .....	0.005
Nevada .....	0.005
New Hampshire .....	0.005
New Jersey .....	0.005
New Mexico .....	0.005
New York .....	0.005
North Carolina .....	0.005
North Dakota .....	0.005
Ohio .....	0.005
Oklahoma .....	0.005
Oregon .....	0.005
Pennsylvania .....	0.005
Puerto Rico .....	0.005
Rhode Island .....	0.005
South Carolina .....	0.005
South Dakota .....	0.005
Tennessee .....	0.005
Texas .....	0.005
Utah .....	0.005

<b>“Recipient</b>	<b>Allotment</b>
Vermont .....	0.005
United States territories .....	0.015
Virginia .....	0.005
Washington .....	0.005
West Virginia .....	0.005
Wisconsin .....	0.005
Wyoming .....	0.005
Indian Tribes .....	0.0025
Buy American oversight .....	0.001.

“(B) ADDITIONAL ALLOTMENTS TO STATES, DISTRICT OF COLUMBIA, AND PUERTO RICO.—Notwithstanding any other provision of this section, for each of fiscal years 2022 through 2026, of the amounts made available to carry out this section for the fiscal year remaining after all allotments under subparagraph (A) are provided for that fiscal year, the Administrator shall provide an additional allotment to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico in an amount based on the proportion that, as determined in the most recently published annual estimate of the Bureau of the Census—

“(i) the population of the State, District of Columbia, or Commonwealth of Puerto Rico, respectively; bears to

“(ii) the total population of all States, the District of Columbia, and the Commonwealth of Puerto Rico.

The Senator from New Hampshire [Mrs. SHAHEEN] proposes an amendment numbered 1461 to amendment No. 1460.

The amendment is as follows:

(Purpose: To expand the eligibility under the State response to contaminants program)

At the appropriate place in title I, insert the following:

#### **SEC. 1. STATE RESPONSE TO CONTAMINANTS.**

Section 1459A(j)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-19a(j)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “an underserved community” and inserting “a community described in subsection (c)(2)”; and

(2) in subparagraph (A)(i), by striking “such underserved” and inserting “that”.

The Senator from Louisiana [Mr. KENNEDY] proposes amendment numbered 1469 to amendment No. 1460.

The amendment is as follows:

(Purpose: To require the Administrator of the Environmental Protection Agency to carry out an annual study on the prevalence of boil water advisories)

At the appropriate place, insert the following:

#### **SEC. . ANNUAL STUDY ON BOIL WATER ADVISORIES.**

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall conduct a study on the prevalence of boil water advisories issued in the United States.

(b) REPORT.—

(1) IN GENERAL.—The Administrator shall submit to Congress a report describing the results of the most recent study conducted under subsection (a) as part of the annual budget request transmitted to Congress under section 1105(a) of title 31, United States Code.

(2) REQUIREMENT.—In the annual report required under paragraph (1), the Administrator shall include a description of the reasons for which boil water advisories were issued during the year covered by the report.

The Senator from Utah [Mr. LEE] proposes amendment numbered 1472 to amendment No. 1460.

The amendment is as follows:

(Purpose: To limit the authority to reserve water rights in designating a national monument)

At the end, add the following:

#### **TITLE III—MISCELLANEOUS**

##### **SEC. 301. RESERVATION OF WATER RIGHTS AT NATIONAL MONUMENTS.**

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

“(e) WATER RIGHTS.—

“(1) NO RESERVATION OF WATER RIGHTS.—In designating a national monument under subsection (a), the President may not reserve any implied or expressed water rights associated with the national monument.

“(2) APPLICABLE LAW.—Water rights associated with a national monument designated under subsection (a) may be acquired for the national monument only in accordance with the laws of the State in which the water rights are located.”.

The PRESIDING OFFICER. The Senator from Delaware.

S. 914

Mr. CARPER. Madam President, the Senator is now considering S. 914, the Drinking Water and Wastewater Infrastructure Act of 2021. This legislation was reported unanimously last month by the Committee on Environment and Public Works on a vote of 20 to 0.

I rise today to join Senator CAPITO to urge our colleagues to join us in voting for the adoption of this legislation. The legislation will help upgrade our Nation’s drinking water and wastewater infrastructure—investments that are sorely needed.

So that our colleagues understand the real need for drinking water and wastewater investments, let me just begin today by sharing a bit of my own personal history on these issues and invite our colleagues to maybe recall a bit of their own history.

My sister Sheila and I were born in Beckley, WV, a coal mining town in the southern part of the State. For 2 of the 6 years that our family resided in the Mountain State, we lived outside of Beckley, a coal mining town, and we lived alongside a stream known as Beaver Creek. We lived outside of Beckley by a couple of miles.

Sometimes, my sister and I, along with other kids in our tiny community, would play on the banks of Beaver Creek, chasing frogs, trying to catch the small fish that swam there. We were never allowed to eat fish caught

in Beaver Creek, though, and our neighbors didn’t eat them either. Why? Because we were told in no uncertain terms by our parents that it wasn’t safe to eat those fish.

In time, we learned some of the reasons why it wasn’t safe. Some of the septic tanks that nearby residents relied upon were not well maintained, and as a result, raw sewage and other pollution would sometimes end up seeping into Beaver Creek.

My sister Sheila and I would go on to grow up in Danville, VA, located right along the border with North Carolina. Danville, VA, had once been the last capital of the Confederacy. By the time we got there, it had become the home of Dan River Cotton Mills, as well as the world’s biggest tobacco market. Even our radio station was WBTV, World’s Biggest Tobacco Market. We lived in what I suppose was a middle-class neighborhood just outside of town, and we drank water from a well in our own backyard that was located less than 100 feet from our septic tank.

My senior year in high school, I was fortunate enough to win a Navy ROTC scholarship and attended Ohio State University. There, in Columbus, OH, we drank water provided by the city of Columbus, which also treated the sewage of the city’s close to half a million inhabitants.

Several years after graduating from Ohio State in 1968 and while deployed to Southeast Asia as a naval flight officer fighting during the Vietnam war, I would learn that the Cuyahoga River, which flowed through Cleveland, OH, had actually caught on fire. I dubbed it “the fire heard around the world.” It served as a wake-up call to our Nation to get serious and begin addressing the air and water pollution that were all too prevalent in much of our country.

Spurred by this wake-up call, our President at the time, Richard Nixon, by Executive order and affirmed by the Congress, created the Environmental Protection Agency in 1970.

Inspired in part by the burning Cuyahoga River and outrage at the indiscriminate dumping of pollution into rivers, streams, and wetlands around this country, Congress enacted the Clean Water Act in 1972 over the veto of then-President Richard Nixon.

The goals of the Clean Water Act are at the same time simple and profound. These are the words: to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

Let me repeat this: to “restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

In the Clean Water Act, Congress ambitiously declared that the waters of the United States would be fishable and swimmable by 1983 and that there would be no more pollution discharged into our waters by 1985.

Two years later, in 1974, then-President Gerald Ford signed the Safe Drinking Water Act into law.

In the years that followed, cities and communities across our country applied to EPA for grant funding to help build new drinking water systems and improve existing ones. Similarly, with the help of EPA grants, communities across America built or upgraded wastewater treatment systems to clean up the wastewater being discharged into rivers and streams.

Over time, grant requests greatly exceeded the funding available through EPA grants. During the Reagan administration, a controversial new approach was proposed—the creation of revolving loan funds administered and managed by each State. After considerable debate and compromise, this proposal was enacted into law. I was serving in the House of Representatives at the time and ended up supporting that proposal. Thus, the concept of State revolving funds was born in 1987. The Clean Water Program was an alternative financing mechanism for the construction of wastewater facilities. Congress extended the same revolving loan fund concept to Federal drinking water programs in 1996.

Federal funds seeded revolving funds in all 50 States and in Puerto Rico and provided support for projects in the other territories and in the District of Columbia, right here. This Federal support leveraged State and local funding, along with revenues generated by utilities.

In the years immediately following the creation of these funds, Congress periodically modified them to meet the changing needs in cities and communities across our country and inspire the use of new technologies.

In more recent years, however, the programs languished, and the authorizations for the State revolving funds were in dire need of updating.

In 2018, for the first time in 22 years—22 years—Congress reauthorized the Drinking Water State Revolving Fund. It did so for 3 years. The Clean Water State Revolving Loan Fund, used for wastewater and other vital needs, has not been reauthorized in nearly—get this—35 years, and now the Drinking Water State Revolving Fund is set to expire at the end of this year.

Somebody should do something, and that somebody is us. Needless to say, we have fallen woefully short of Congress’s lofty ambitions to create fishable and swimmable waters by 1983 and to eliminate the discharge of pollution in navigable waters by 1985. It is also clear that the system we have

now, despite our best efforts, isn’t enough to meet the needs of our communities, particularly those who cannot afford to participate in loan programs to upgrade increasingly inadequate drinking water and wastewater facilities.

For far too many families in this Nation, access to safe, clean drinking water and a healthy environment is, frankly, a dream, just a dream, and a lot of folks, too many folks, face a real crisis.

All too often, we see headlines telling of the poor state of water infrastructure in our country and its lack of resilience in the face of severe weather. Not that long ago in Texas, earlier this year, nearly 15 million people—15 million people—lost access to clean water when plummeting temperatures broke water mains and brought power down at drinking water facilities across that State. In Jackson, MS, that same harsh weather caused over 80 water main breaks and left tens of thousands of people without water, particularly in predominantly African-American neighborhoods.

But, as we all know, this goes well beyond a few isolated cases. The problem of water in our Nation runs much deeper. Millions of Americans still lack consistent access to clean drinking water today.

The American Society of Civil Engineers’ 2021 report this year reported that America’s infrastructure—they give out grades: A, B, C, D, E, F. They gave our water systems a grade of C-minus.

I don’t know about my colleagues, but I never got much of a pat on the back when I brought home a C-minus on my report card, and neither did my sister. C-minus is not satisfactory in my family or, I think, for our country.

That same report early this year also revealed that there is a water main break every 2 minutes—every 2 minutes—in the United States and that 6 billion gallons of treated, drinkable water are lost each day to leaks and crumbling water supply systems. That begs the question: How much is 6 billion gallons, anyway? Well, it is enough lost water to fill 9,000 swimming pools. Let me repeat that. It is enough water to fill 9,000 swimming pools—not each year, not each month, not each week—every day. Some communities report losing a quarter or even half of their drinking water to leaking pipes.

In my own State of Delaware, where Senator COONS and I come from, communities like Ellendale, DE, in the southern part of our State, struggled for years to find and afford safe alternatives for increasingly polluted drinking water wells. Ellendale is not alone. Thousands in communities of color and Tribal communities, rural communities, and others struggle, not only with access to clean water and wastewater treatment, but also with the capacity to afford the infrastructure necessary to provide and meet those services.

Let me emphasize: Clean water is an essential part of our healthy lives, healthy economics, and a healthy environment. But for those communities who simply cannot afford to pay back loans for needed water infrastructure, we have to find a better way.

I think by working across the aisle and working hard, our committee—the Environment and Public Works Committee—is suggesting that by way of this legislation before us today.

I am pleased to report that these are the challenges that we have sought to address head-on with this legislation. This bipartisan legislation that we consider today authorizes more than \$35 billion for drinking water and wastewater infrastructure programs at the Environmental Protection Agency over the next 5 years. These programs will create jobs and make our communities healthier by building, by repairing, by upgrading, and by modernizing our Nation’s aging drinking water and wastewater infrastructure systems.

Here is how.

First, the measure takes the historic step of reauthorizing the Clean Water State Revolving Fund for the first time in 35 years—35 years. And it does so by increased funding levels for the first time since 1987. This legislation also reauthorizes the Drinking Water State Revolving Fund, a program whose authorization expires, I mentioned earlier, at the end of this year. This fund helps to ensure that clean water flows whenever we turn on our faucet—that clean water comes out of it.

Next, this bill makes sure we are helping our fellow Americans most in need—the least of these, the most in need—by boosting funding for programs that fund projects in low-income areas, rural communities and Tribal lands, and communities of color that have historically been left behind by investments in our water infrastructure. According to a recent analysis, water systems with multiyear Safe Drinking Water Act violations are 40 percent more likely to be in places with higher proportions of people of color. Drinking water quality violations are by far the most frequent in low-income rural communities, where local governments struggle to finance the most basic water infrastructure needs.

To help resolve this historic injustice, more than 40 percent of this bill’s investments are targeted to help disadvantaged communities. Our bill authorizes more than a billion in new funding to reduce lead in drinking water. And particularly for our country’s rural areas, Tribal populations and low-income neighborhoods, our bill invests another billion into programs to connect households to drinking water and wastewater systems and services.

Wide disparities in opportunity and investment are also present in Tribal communities. Our legislation grows the Tribal Drinking Water Program by 20 percent and reforms programs to help

Tribal education agencies remove lead from their drinking water systems, too.

This legislation does far more than just fix what is broken. To borrow a phrase from our President, Joe Biden, this legislation actually does “build back better” by fortifying water infrastructure for new and worsening climate realities.

I will be honest with you, Madam President and colleagues. In this country, ours is a future that promises more severe weather events like hurricanes, like floods, droughts, and bitterly cold weather. It is a future, like it or not, with more and more people living on the frontlines of sea level rise, like my home State of Delaware, the lowest lying State in our Nation.

To that end, the bill provides a combined \$500 million to make our water infrastructure systems more resilient and adaptable in the face of extreme weather events. Within that historic investment is a new \$125 million program which will, for the first time, provide grants to communities seeking to fortify their wastewater systems against climate change's impact.

Finally, with our eyes focused on the future, our bill expands government's role in researching and developing the water technologies for tomorrow, by investing in technologies to improve, for example, storm water control and waste management. By doing so, we can help American companies export innovation while not exporting jobs, rather by creating them right here. This is not just a bill to spend and build on but legislation that would direct our Agencies to build and spend more wisely. We know that investment in innovation, as envisioned in the bill before us, can have a profound positive impact on our economy, creating jobs and fostering growth for our entire Nation. We can, in short, seize the opportunity in the face of so much adversity. As we say in Delaware, “Carpe diem. Seize the day.” Actually, we say: “Carpe diem. Seize the day.”

There is an old African proverb that comes to mind that goes something like this: If you want to go fast, travel alone. If you want to go far, travel together. On this bill, I can proudly say Senator CAPITO and our colleagues on the Environment and Public Works Committee have chosen to travel together. The Drinking Water and Wastewater Infrastructure Act of 2021 passed out of the Environment and Public Works Committee with a resounding vote of 20 to 0.

And from outside the Halls of Congress, this bill has earned praise from across the political spectrum, from big cities to small communities. A group of government officials that includes the U.S. Conference of Mayors wrote that this measure will “help address the many water infrastructure challenges that communities face. Local leaders support the Drinking Water and Wastewater Infrastructure Act as a reliable, long-term and increased federal investment in water infrastructure.”

Representing our less-populated areas of the country, there are places like Raleigh County in West Virginia. Raleigh County is where I was born, where my sister and I were born. Senator CAPITO knows it well. Senator MANCHIN knows it well. His wife is from there. Representing places like Sussex County in southern Delaware, the Rural Community Assistance Partnership says this about our legislation: “Proud to support this bill because Americans deserve clean, safe, reliable, and affordable drinking water, regardless of the community's size or zip code.” I could not agree more.

We know that access to safe, reliable and healthful water isn't a blue State or red State issue. It is an issue that goes to the core of the promise afforded to every American in Thomas Jefferson's Declaration of Independence—largely penned by Thomas Jefferson—with these words: a promise of “Life, Liberty, and the pursuit of Happiness.” If we would be honest with ourselves, none of us can expect to pursue, much less enjoy, this American ideal if we don't have access to clean water to drink, because without water we have no life.

The need for action on this issue is clear. To that end, I have been grateful to the partnership of our ranking member, Senator CAPITO. I am proud this measure is the very first piece of infrastructure legislation, I believe, to be reported out of a Senate committee in this the 117th Congress. The Environmental and Public Works Committee has a long tradition, as some know, for working across the aisle to get significant legislation over the finish line. This bill is the latest example of the kind of work that we do.

I would like to say we are work horses, not show horses.

This is the first one that Senator CAPITO and I have been able to work on together, and I am grateful for all that she and her staff have done to help get us here to this day. I oftentimes say that bipartisan solutions are lasting solutions. Think about that: Bipartisan solutions are lasting solutions. That is how I think we should approach almost all of our work here in the Senate—by reaching out to our colleagues across the aisle, where we can, creating lasting solutions to problems and challenges facing our Nation. This bill before us today is a product of that kind of partnership.

The legislation is the result of tireless, dedicated work by the ranking member, Senator CAPITO, by her staff, and by my own. I want to thank them and every member of our committee for all their outstanding, bipartisan work and for all their contributions to helping us craft this legislation over the last several months.

I especially want to note on my staff: John Kane, sitting behind me; Margaret McIntosh, known as “Mackie”; Tyler Hofmann-Reardon; and our fearless staff director, Mary Frances Repko. And I want to thank another

member of our team, who used to be a part of our EPW team and is now leaving our staff. This is her last day—Ashley Morgan. We want to thank her for all her help in the last couple of years. I also want to thank Adam Tomlinson for his leadership with Ranking Member CAPITO and her EPW team, including Jess Kramer and Travis Cone. We thank them all very, very much.

Finally, a big shout out to our Water Subcommittee chair, Senator DUCKWORTH, for taking the lead to introduce this excellent measure, along with Senator CARDIN and EPW subcommittee ranking members, Senator LUMMIS of Wyoming and Senator CRAMER. It has been a pleasure to work with each of you and your staffs. I would go so far as to say that it was a labor of love.

With this bill's level of support, it is my hope that we can seize this momentum and pass this measure quickly this week. I urge all my colleagues to join Senator CAPITO and me in supporting this excellent bill.

Before I yield the floor, I want to reflect on last night and the address that was brought to us by our President from Delaware, Joe Biden, a long-time friend and colleague. I was encouraged by his remarks. He is not a very partisan person, and I think he reached out a hand of friendship to the other side of the aisle, in both the House and the Senate, to try to work together.

I am a retired Navy captain, a Vietnam veteran, and a big believer in leadership by example. In our committee, the Environmental and Public Works Committee, Democrats and Republicans—Senator CAPITO and, before that, JOHN BARRASSO; before that, Barbara Boxer and, gosh, JIM INHOFE, as chairs of our committee—we have sought to provide bipartisan leadership and show by example, and we are trying to do that again here today.

My hope is that, God willing, about a month from now, we will bring another bill up for a vote for debate in our committee on surface transportation, roads, highways, and bridges, and maybe continue to set a good example for this body and for the administration and the House, too.

With that in mind, I am looking for Senator CAPITO. I don't see her on the floor, but I do see the whip, my friend Senator THUNE. I think maybe I should yield to him.

I should tell you guys that Senator THUNE and I, almost every Thursday, are joined with the Chaplain of the U.S. Senate, Barry Black, a retired admiral who is Chaplain of the Senate now. He is good enough to host a Bible study in his office space. We usually end up sitting there. It is one of my favorite parts of the week.

Almost every week he reminds us of Matthew 25. Senator THUNE knows the Bible better than most pastors. It is true. Senate Chaplain Barry Black will oftentimes remind us of Matthew 25. It starts like this: “When I was thirsty, you would give me to drink.”



We have, I think, a moral imperative to act on this legislation, to make it better, and to be able to hammer out a compromise with the House and the administration. There is a moral imperative to pass legislation of this nature.

There is also a fiscal imperative. I spoke about filling up how many thousands of swimming pools from one water leakage a day.

There is a health imperative here in the middle of the worst health crisis in 200 years.

There is an economic imperative, as well. It is hard to foster economic growth and development in communities where wastewater is not treated and there is drinking water you can't drink. Who wants to set up a business and go into business in places like that?

There are a lot of reasons we need to embrace this legislation, make it better if we can, and send it off to the House and get it to conference.

We have been joined by a new Presiding Officer. He has just joined us straight from New Jersey. For many years, he, Senator BOOKER, has joined us in our Bible study. He, Senator DUCKWORTH, and I formed a caucus that is designed to make sure we don't overlook the least of these, and I salute him for his leadership and good work in that regard.

With that, I see Senator CAPITO here. I am not sure if I should yield to the whip, Senator THUNE, or yield to her.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from South Dakota.

Mr. THUNE. Mr. President, I would echo what my colleague from Delaware has said about the Chaplain's Bible study on a weekly basis. That, I think, is the highlight for many of us throughout the week.

I would also say that the Senator from Delaware also has a very good command of the Holy Scriptures, and I appreciate the opportunity that he and I and others have, on a weekly basis, to participate in that study and would encourage other Members to join us. It is truly an inspirational time and is something that, I think, we all need with the busyness that we have on a weekly basis here in the Senate.

(The remarks of Senator THUNE pertaining to the introduction of S. 1458 and S. 1475 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. THUNE. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

#### STATE WATER RIGHTS AMENDMENT

Mr. LEE. Mr. President, water is one of our most precious resources, and it is vital to life. It is necessary for agriculture, industry, recreation, conservation, the development and growth of cities, and so many aspects of our day-to-day lives. Unfortunately, for States like Utah—States with a lot of Federal land and States that are dry in many areas—our supply for this critical re-

source, water, is threatened under the Antiquities Act.

Why is this the case? Well, let's review the background.

Back in 1908, the Supreme Court concluded that, when the Federal Government reserves land for an Indian reservation, it also implicitly reserves sufficient water on that land to fulfill the purposes of the reservation, creating the "Federal reserved water rights" doctrine. In later cases, the Court expanded that doctrine to apply to other Federal properties—other Federal properties like national forests and recreation areas.

Then, in 1976, the Supreme Court held that the doctrine applied to national monuments created by the President. In other words, it affirmed the President's authority unilaterally to change the legal water rights within a State simply by designating a monument under the Antiquities Act.

Now, under the Antiquities Act, the President has the authority and the discretion to create a monument, as long as there is Federal land. So it makes a State like mine, 67 percent of which is owned by the Federal Government, a sitting duck for abuse.

Now, we have talked about Antiquities Act abuses in other contexts. Here, I am focusing in on a very narrow ramification of Antiquities Act abuse, which relates to water rights. It is only that narrow ramification that I am trying to address with this amendment.

Monument designations can be and often are made without the approval of the State and its inhabitants. And, unfortunately, in recent years, these designations have grown rather significantly in size and in scope.

The result for public land States, like Utah, is involved in access and use to the water supply being significantly curtailed. In some cases, privately held water rights are even terminated altogether, and it opens up the door to even greater abuse under the Antiquities Act down the road.

Imagine for a moment if a proposal for a national monument were designated in just one river basin, such as the Grand Canyon. In order to preserve the flow of water on the Colorado River through the Grand Canyon, water rights—legally established, longstanding, long-established water rights—could be eliminated, completely eliminated in Colorado, in Utah, in Arizona, in Nevada, in California through the stroke of the executive pen.

A reservation of water could reduce or eliminate drinking water for communities across the West. It could eliminate irrigation water for almonds or grapes in California or Sudan grass in Utah. The perils are endless.

That is why I am introducing an amendment that would prevent the President from unilaterally creating reserved water rights when designating a national monument.

Now, it is important for me to mention—now that I have explained what

this amendment would do, I want to talk about what it would not do.

My amendment would not prevent the President from creating a national monument itself. And, furthermore, it would still allow for water rights to be acquired for a monument through the State system in which the water rights themselves reside.

It would simply and fairly give States a say in the process, regardless of how you feel about national monuments or about the Antiquities Act. I have made clear in the past I have got grave concerns with the Antiquities Act, and I believe it needs to be repealed. This bill does not do that. This bill simply cabins off water rights and says that water rights need to be handled through the legal process to which they would otherwise be handled, to which they would otherwise be subjected.

This is a simple, commonsense solution to ensure that Utah and other States where there is a lot of Federal public land are guaranteed the protection of their existing water rights and a reliable water supply. It would be easy to dismiss or denigrate or downplay the importance of this if you live in a State where there is not much Federal land. But if you live in a State like mine, where most of the land is owned by the Federal Government, you can understand how quickly this could become destructive, if abused, and that is exactly why we need this amendment.

I urge all my colleagues to support it.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, my neighbor, I want to take a few minutes this morning—additional minutes this morning—to discuss the water issues facing rural America, and the Presiding Officer comes from the Garden State, and a lot of people who have heard Senator COONS and me talk about our State think of us as the poultry State. We think, for about every person who lives in Delaware, we have got about 300 chickens. We raise a lot of the corn and soybeans to feed those chickens. So almost every State is a rural State in one way or the other.

But the issues facing rural America often do not get the same level of attention or assistance with drinking water and wastewater programs that larger, more urban or suburban areas receive.

As our Committee on Environment and Public Works was drafting the Drinking Water and Wastewater Infrastructure Act of 2021, the legislation before us today, many of us focused on the need to invest in small, rural, and disadvantaged communities because they often—to be honest with you, often get left behind.

These communities are overlooked or overburdened when it comes to addressing the drinking water and wastewater needs of their residents too often.



Most of our country's drinking water and wastewater utilities are small. Approximately, 80 percent of the country's almost 17,000 wastewater utilities serve a population of fewer than 10,000 people. More than 90 percent of the country's 43,000 community water systems serve a population of fewer than 10,000 people.

Small and rural communities have more difficulty affording public water service. These communities lack the population density needed to financially support a public drinking water system, and if they have managed to build a system, they often lack the people to properly staff it.

In fact—I was shocked to hear this, but 43 percent of small water systems are operated and staffed by one person, by one single person. Forty-three percent of small water systems are operated and staffed by one person.

These rural towns' and villages' drinking systems face the same challenges as large systems, larger systems, in making sure that water is safe, making sure the water is clean, making sure that the water is reliable.

Complicating matters, these communities have to do it with far fewer resources, in many instances.

I want to share just a couple of examples of challenges facing these communities just from my own home State, and I am sure every Member of this body can provide examples in their own States.

For example, there is a town called Selbyville. It is right on the Delaware-Maryland line, not too far from Rehoboth Beach and Dewey and Bethany Beaches. But Selbyville is currently operating without a fully licensed water treatment operator due to the death of a longtime operator who passed away after a long battle with cancer. The only other licensed operator for the town is currently out on disability, and the remaining two operators are not fully licensed.

Through the Technical Assistance Program that this bill would reauthorize, the town has been able to obtain the required training to prepare the two partially licensed operators for the State licensing exam.

This program has helped to train these individuals in areas like disinfection control, filtration, provide the on-site technical assistance for leak detection and hydrant maintenance.

Another example, the Pepper Ridge Mobile Park in Frankford, DE—not too far away—suffered many years of waterline breakage, low water pressure, no hydrants, valves, levers, and inadequate distribution lines.

The Delaware Rural Water Association, through our State revolving fund, was able to obtain funds to do a full water line upgrade.

And incidentally, we will also reauthorize this program at an increased level of funding.

This legislation before us today specifically helps rural and smalltown America by reauthorizing critical pro-

grams like the ones I just mentioned in my own State and by adjusting the cost share for these communities to make these infrastructure upgrades more affordable to ratepayers.

Passing this legislation will be an important step toward addressing the overwhelming infrastructure needs of 43,000 water systems in rural communities, many of which have one person operating that system.

According to the most recent EPA drinking water infrastructure assessment, rural drinking water needs are currently estimated at \$74 billion over the next 20 years, including \$3.3 billion just for Indian Country.

To help rural communities, this bill expands drinking water technical assistance opportunities for rural communities by authorizing more than \$75 million in technical assistance grants.

We have been joined on the floor by the prime author of this legislation, the Senator from Illinois, and I am just going to stop where I am in my discourse on rural American water needs of a lot of our rural communities and to yield the floor, unless Senator CAPITO—no. Senator DUCKWORTH.

I just want to thank Senator DUCKWORTH for being the prime sponsor of this legislation, for allowing the rest of us—we have a big racetrack, Dover Downs NASCAR track, we use the term “drafting,” when one car gets really close behind the other and kind of holds on, but we want to thank Senator DUCKWORTH for allowing the rest of us to draft on her legislation that she and Senator LUMMIS from Wyoming have introduced, and we are grateful for her leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I remember sitting in a House Oversight Committee hearing years ago on the Flint water crisis. At the time, my oldest daughter Abigail was just a year old.

I remember looking out into the audience and seeing just a hand holding a baby bottle up from the middle of a crowd in that hearing room. That baby bottle looked exactly like the one that my own baby drank out of. It was a little bottle with a pink top.

But unlike my daughter's bottle, the water in this one was brown, a muddy, murky brown.

I couldn't, and all these years later I still can't, begin to imagine what it would have been like to have to drink that water while I was pregnant or to have no choice but to give it to my baby because the system that I trusted to provide my family with clean, safe drinking water had failed me.

But that kind of nightmare remains the everyday reality for far, far too many parents across this country.

It has been 7 years since the leaders of the city of Flint tried to save a few dollars by swapping out its drinking water supply from Detroit's system to the Flint River, setting off a chain of

events that poisoned nearly 9,000 kids in just 18 months.

But the damage inflicted on that community will never go away, and while Flint was a tragedy, it was not an anomaly. According to both the EPA and CDC, there is no known safe level of lead in a child's blood. Yet more than 6 million homes continue to get water from lead service lines, including in my own home State of Illinois, which has more known lead service lines than any other State in the country.

And despite lead service lines being banned nearly 35 years ago, as of 2019, roughly half a million children under the age of 6 still had elevated levels of lead in their blood—something that can cause permanent brain damage.

And lead is just one of the many issues that communities struggle with every day due to our outdated and dilapidated water systems.

But instead of working to address these known issues, the Federal Government's share of capital spending in the water sector fell from 63 percent in 1977 to a meager 9 percent in 2017.

And now, our dwindling Federal and State investments into our water infrastructure are allowing countless Americans to be exposed to pollutants, whether it is from taking a sip from their kitchen faucets or even just living near an outdated stormwater system.

Part of the problem with water infrastructure is that it is expensive and no one sees it—out of sight, out of mind. But that only lasts until there is a major problem, like in Texas, where over 15 million people were temporarily left without access to clean water.

Well, we have to stop waiting for our infrastructure to fail before we invest in it. We cannot wait around for another crisis to sicken our families before we decide to put real State and Federal dollars into rebuilding our drinking water and wastewater systems.

Imagine if your child was one of those who had gotten sick because legislators refused to take action on such an obvious crisis. Imagine if you had to be the one to get your newborn to sip on water too opaque to see through.

We should not let even one more parent suffer through that worst-case scenario. Access to clean water is a human right, and every American deserves access to clean water, no matter their ZIP Code, the color of their skin, or the size of their income.

It is long, long past time that we turn that right into a reality by investing in the kinds of projects that would put Americans back to work rebuilding our crumbling water infrastructure. We must dramatically increase Federal investments to provide every family access to the most basic human needs—clean water.

That is one reason why I introduced the Drinking Water and Wastewater Infrastructure Act of 2021. If our Nation

truly wants to build back better, we can't only pour money into fixing our roads while failing to repair the pipes beneath them.

Because water infrastructure is infrastructure, everyone needs it in every corner of this country.

My bipartisan bill would invest significant Federal dollars to help States, communities, and schools fix and upgrade aging water systems to improve water quality, while fostering economic growth throughout the country.

Our legislation seeks to reauthorize and enhance State revolving loan funds, which are the most effective tools we have to provide States with Federal investments that empower local leaders to modernize water systems, implement lead reduction projects, and rebuild stormwater overflow infrastructure.

Our bill would also continue getting shovels into the ground and support quality jobs by reauthorizing the WIFIA financing program, an initiative that already helped finance nearly \$20 billion for water infrastructure projects and created 49,000 jobs in just under 7 years.

It would provide more than \$700 million in lead testing and reduction programs, in part through a program very close to my heart, the voluntary lead testing in schools and childcare facilities program, expanding it to go beyond testing to include lead reduction.

Of course, it is not sufficient to simply increase investment levels—we must enact policies that effectively distribute critical dollars in a fair and just manner that prioritizes the most vulnerable Americans, and the most pressing public health and safety needs.

That is why my bipartisan legislation prioritizes environmental justice by providing direct help to small, disadvantaged, rural and tribal communities that have been ignored for far too long.

By lowering non-Federal cost-shares, creating new grants and allowing for debt forgiveness, we can help communities that typically struggle to afford traditional loans. This includes Centerville, IL, a community that needs resources to kick start projects that will rebuild their catastrophically failing systems that allow sewage to seep into my constituents' homes whenever it rains.

Look, we must face the awful reality that a community's racial and economic composition are the top predictors of waste facility locations—and we should be outraged that these environmental justice communities are often neglected in favor of wealthy areas that are home to rate payers that can cover the cost of safe water.

Congress cannot abandon American communities simply because they cannot afford to update their water infrastructure . . . especially when we know that the Federal Government failed to prevent this crisis from happening.

Concerns about the health effects of lead pipes date back all the way back

to the late 1800's—yet Congress didn't ban the use of lead service lines until 1986! And even then, the Federal Government allowed lead pipes already in the ground to remain . . . forcing too many of our communities to essentially drink through a "lead straw" to this very day.

We helped create this problem. Now, it's on us to help fix it.

Our mission lies right before us: work together to protect the health of our most vulnerable neighbors and achieve a reality where: no elementary-schooler is scared to use their school's drinking fountain;

no parent questions whether it's safe to give their child a glass of water before bedtime; and

no family comes to expect that their house will be flooded by sewage every time it rains.

At the end of the day, it's simple the condition of our water infrastructure is a crisis. It is a crisis that is daunting, yes, and devastating, certainly—yet it's a crisis that is solvable. Every dollar we spend improving our water systems can help save the health of our future generations. And that is why I hope my colleagues will join me in voting yes on the Drinking Water and Wastewater Infrastructure Act of 2021.

AMENDMENT NO. 1471, AS MODIFIED, TO

AMENDMENT NO. 1460

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes for remarks equally divided prior to a vote on amendment No. 1471, as modified.

The Senator from Florida.

Mr. RUBIO. Mr. President, this amendment No. 1471 is our amendment, and it would modernize the formula by which this money is distributed.

This formula is 34 years old. It privileges a handful of States over the vast majority—I think the number is 15 over the other 35. And it is not just me saying it; the EPA issued a report that stated that the current formula does not meet the wastewater needs of all of the States and recommended that it be updated regularly. Notably, from the EPA's report, it says that the EPA does not know how the current allotment formula was developed. It says:

The weighting and factors that were used to establish the formula for the original allotment are not known.

My home State of Florida is one of many that are disadvantaged under the current formula, and the result has been obvious over the years.

I think most of my colleagues would agree that distributing funds—let alone \$14.4 billion—to States without rhyme or reason is not beneficial and isn't fair.

It is not just States, by the way. This amendment, if passed, would secure more equitable allotments to Native American Tribes and territories.

Unfortunately, I made—in our drafting of this amendment, there was a small technical error in which, instead of stating that it should be 0.025 in the distribution for Native American Tribes, it says .0025.

So I ask unanimous consent to further modify amendment No. 1471 with the changes that are at the desk so that the right number is on there.

The PRESIDING OFFICER. Is there objection?

The Senator from Delaware.

Mr. CARPER. Reserving the right to object, I cannot agree to this unanimous consent request because this is the exact reason why we don't amend complicated formulas on the floor with limited oversight.

This bill was hotlined last night, I think, with the current language from Senator RUBIO, and now he would like to change it here literally at the last moment. With all due respect, I just cannot agree to that.

I said to him in a conversation on the floor that I think he knows me well enough that I am willing to work with him and others who would like to see some modifications in this formula going forward. This is not the end of the trail. We will have a conference with the House. We will have negotiations with the White House.

I just want to say to Senator RUBIO that I look forward to working with him and Senator CAPITO to consider the changes that he is proposing but not to do it at the last minute here on the floor. I am unable to do that.

I reluctantly object, but I am going to have to do that. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. RUBIO. Mr. President, in my remaining time—

The PRESIDING OFFICER. The Senator has no time remaining.

Mr. RUBIO. I ask unanimous consent for an additional 30 seconds.

The PRESIDING OFFICER. Is there objection?

Without objection.

Mr. RUBIO. Mr. President, I just want to state that we are not changing the formula. There is an extra zero, and it is literally a typo, the kind of typo people make every single day in the Senate. Instead of saying ".025," it says ".0025." Everyone knows what it was intended to do. That is the way we talked about it. That has been objected to. The Senate is now a place where you cannot amend a typo by unanimous consent. That is unbelievable. It is unreal. I, frankly, find it unacceptable.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, our committee has worked on this legislation all year. We have had hearings. We have had meetings, discussions at the staff level and Member level to try to come to an agreement on all kinds of provisions to the bill, and we are prepared to do more of that once this legislation is adopted.

But we reported this bill unanimously because it will benefit citizens across our Nation, better ensuring that, no matter where they live, they will have access to clean and safe water.

Our bill ensures that every State, territory, and Tribe will receive more funding to make critical investments in clean water projects. But by proposing a formula that only takes population growth into account—only takes population growth into account—Senator RUBIO and Senator SCOTT's amendment will ensure that many States, including rural States, territories, and Indian Tribes, will lose water infrastructure funding, in some cases as much as 80 percent.

We cannot afford to take money away from these governments when their needs are so great, especially in communities that have historically been underfunded and underserved. That is why more than 50 different organizations, from the U.S. Chamber of Commerce to the League of Conservation Voters and a whole lot of others in between, oppose this amendment.

As a result, I ask unanimous consent to have printed in the RECORD a list of those organizations—a growing list of those organizations.

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

## ORGANIZATION

AFL-CIO,  
Advocates for a Clean Lake Erie,  
Alliance for the Great Lakes,  
American Council of Engineering Companies,  
American Littoral Society,  
American Rivers,  
American Sustainable Business Council,  
Anthropocene Alliance,  
Associated General Contractors of America,  
Black Women's Health Imperative,  
Cahaba River Society,  
Clean Water Action,  
Clean Water Action Minnesota,  
Ducks Unlimited,  
Earthjustice,  
Endangered Habitats League,  
Environment America,  
Environmental Defense Fund,  
Environmental Law & Policy Center,  
For Love of Water (FLOW),  
Grasslands Water District,  
Great Egg Harbor Watershed Association,  
GreenLatinos,  
Healthy Gulf,  
Holy Spirit Missionary Sisters, USA-JPIC,  
Hydraulic Institute,  
Illinois Council of Trout Unlimited,  
International Union of Operating Engineers,  
International Union of Operating Engineers (Also in WIN Joint Letter),  
Laborers' International Union of North America,  
Leadership Team, U.S. Province of the School Sisters of St. Francis of St. Francis United,  
League of Conservation Voters,  
Milwaukee Metropolitan Sewer District,  
Milwaukee Riverkeeper,  
National Association of Clean Water Agencies,  
National Association of Counties,  
National Association of Regional Councils,  
National Coalition for Legislation on Affordable Water (NCLA-WATER),  
National Conference of State Legislatures,  
National Electrical Contractors Association,  
National Latino Farmers & Ranchers Trade Association,

National League of Cities,  
National Parks Conservation Association,  
National Wildlife Federation,  
Natural Resources Defense Council,  
Natural Resources Defense Council (Also in LCV Joint Letter),  
North America's Building Trades Union,  
Ohio Environmental Council,  
Onondaga Audubon,  
Religious Coalition for the Great Lakes,  
Rural Water,  
Sierra Club,  
Southern Environmental Law Center,  
Surfrider Foundation,  
United Association of Plumbers and Pipefitters,  
United States Chamber of Commerce,  
United States Conference of Mayors,  
United Steelworkers,  
Vinyl Institute,  
Water Infrastructure Network,  
Water Systems Council,  
Waterkeeper Alliance.

Mr. CARPER. I urge my colleagues to join me and Senator CAPITO in voting no on this amendment—again, looking forward to subsequently working with Senators RUBIO and SCOTT to see if we can come to a consensus on these changes.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I ask unanimous consent to address this for a minute.

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

Mrs. CAPITO. I just want to join with Senator CARPER in opposition to this amendment. While I think it is well-meaning for the State of Florida, and I think that both Senator RUBIO and Senator SCOTT have made us aware of this issue, I think that in order to update these formulas, we should have hearings. We should actually do this in a more studied, more detailed way than this amendment presents for us to do.

With that, I join my colleague and my chair in opposition to this amendment.

## VOTE ON AMENDMENT NO. 1471, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1471, as modified.

Mr. RUBIO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Kentucky (Mr. PAUL), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Alabama (Mr. SHELBY).

The PRESIDING OFFICER (Mr. SCHATZ). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 14, nays 81, as follows:

[Rollcall Vote No. 176 Leg.]

## YEAS—14

Burr	Lee	Scott (FL)
Cornyn	Ossoff	Sinema
Crapo	Risch	Tillis
Cruz	Romney	Warnock
Kelly	Rubio	

## NAYS—81

Baldwin	Grassley	Murphy
Barrasso	Hagerty	Murray
Bennet	Hassan	Padilla
Blackburn	Hawley	Peters
Blumenthal	Heinrich	Portman
Blunt	Hickenlooper	Reed
Booker	Hirono	Rosen
Boozman	Hoeven	Sanders
Braun	Hyde-Smith	Sasse
Brown	Inhofe	Schatz
Capito	Johnson	Schumer
Cardin	Kaine	Scott (SC)
Carper	Kennedy	Shaheen
Casey	King	Smith
Cassidy	Klobuchar	Stabenow
Collins	Lankford	Sullivan
Coons	Leahy	Tester
Cortez Masto	Lujan	Thune
Cotton	Lummis	Toomey
Daines	Manchin	Tuberville
Duckworth	Markey	Van Hollen
Durbin	Marshall	Warner
Ernst	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Gillibrand	Moran	Wyden
Graham	Murkowski	Young

## NOT VOTING—5

Cantwell	Paul	Shelby
Cramer	Rounds	

The amendment (No. 1471), as modified, was rejected.

## AMENDMENT NO. 1461 TO AMENDMENT NO. 1460

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote in relation to amendment No. 1461.

Who yields time?

Mr. CARPER. I yield time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I call up amendment 1461, and I want to thank Senators COLLINS, GILLIBRAND, KING, ROUNDS, and PETERS for cosponsoring this amendment and also thank Chairman CARPER and Ranking Member CAPITO for their support for the amendment.

As we all know, you can't put a price on safe drinking water, but for too many communities and too many households in this country, costs are a real barrier to contamination.

This bipartisan amendment will help States address pollution not just from regulated contaminants like arsenic but also from unregulated contaminants like PFAS. It does this by expanding an existing grant program to help small and disadvantaged communities, not just those defined as underserved. It would also help households with private wells.

We have to provide more tools to ensure that all Americans have access to clean, safe drinking water. My amendment would do just that. I urge its adoption, and I would be very happy to have this done by voice vote.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to be a cosponsor of Senator

SHAHEEN's amendment. I urge its adoption.

Representing, as I do, a State where there are a great number of people who receive their drinking water from wells, it is really important that we extend this program to identify contaminants there.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, the Shaheen-Collins amendment makes changes to the State Response to Contaminants Program. Specifically, the amendment expands the provisions for the State Response to Contaminants Program from covering just underserved communities to also small and disadvantaged communities, to allow communities that are financially unstable, which cannot afford to address contaminants, or small, which means less than 10,000 people in population, to qualify for grants to address contaminants in the drinking water.

This is a good amendment, and we thank the sponsor and also join here in cosponsoring. I urge a "yes" vote and a voice vote.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I would also join in the positive comments to say this meets two issues that I care deeply about and certainly hit my State, which is the PFAS issue and also small and disadvantaged communities. It very much helps with safe and clean drinking water.

Mrs. SHAHEEN. Mr. President, I rise today to speak in support of Senate amendment No. 1461, which I have offered to expand a key program that helps address contaminated drinking water. But before I do, I would like to commend Senator DUCKWORTH, Chairman CARPER, and Ranking Member CAPITO for developing the bipartisan legislation currently before the Senate, the Drinking Water and Wastewater Infrastructure Act. This bipartisan bill will invest more than \$35 billion for water infrastructure across the country. This can't come soon enough for States like New Hampshire.

Like most States, New Hampshire is suffering from aging infrastructure, much of it is between 50–100 years old. And unfortunately, our State government and municipalities simply do not have the ability to fully fund the hundreds of millions of dollars needed to address the rising costs of failing infrastructure, population growth, and changes in regulation. Communities across the country are facing similar financial challenges.

That is why Congress must pass sweeping legislation to tackle our Nation's water infrastructure problems, build climate-resilient systems, and ensure that all Americans have access to clean and safe water. The Drinking Water and Wastewater Infrastructure Act is a good first step, and I look forward to working with my colleagues on both sides of the aisle to do more.

The amendment I am offering today with Senators COLLINS, GILLIBRAND,

KING, ROUNDS, and PETERS will help more people impacted by drinking water contaminants, including those who rely on wells. While America's drinking water is among the safest in the world, unregulated contaminants, such as PFAS, are increasingly being detected in drinking water across the country. This is a problem in particular for New Hampshire's southern cities and towns, including Merrimack, Londonderry, Portsmouth, and Dover.

It is not just unregulated contaminants. Pollutants and known carcinogens like arsenic, radon, iron, and manganese have been found in New Hampshire groundwater sources at levels that threaten public health. According to the New Hampshire Department of Environmental Services, approximately 98,000 Granite Staters who utilize private wells have unsafe levels of arsenic in their water.

As I have heard again and again, discovering that you have been drinking contaminated water can produce a range of emotions, from anger and fear to guilt. It is heartbreaking to hear stories of parents worried about what their kids' exposure will mean for their health. I am committed to finding every opportunity to improve this situation. That is why I am proposing to expand a key part of the Environmental Protection Agency's Assistance for Small and Disadvantaged Communities Program to help States respond to water contamination in more places.

I want to make clear that States have flexibility to support a range of projects to address contaminants including in underground sources of drinking water, which will help households relying on well water. In New Hampshire, a little over half of our population gets its drinking water from public water systems that provide water from lakes, rivers, and wells. The remainder get their water from residential wells. All of them deserve healthy and safe drinking water. My amendment will help do just that. And I urge my colleagues to support it.

As I said at the outset, this bill we have before us today is a good step in addressing our water infrastructure needs, but there is more to be done. For instance, Congress must address outstanding issues affecting water infrastructure financing. The 2017 tax law repealed a longstanding incentive under section 118 of the Internal Revenue Code known as the Contributions in Aid of Construction exemption, or CIAC. Communities across New Hampshire have been planning projects for years that are now threatened by these tax changes. For example, the Hampstead Area Water Company reports that it is facing a \$1.5 million tax bill on an infrastructure project aimed at providing more customers access to clean drinking water. And what is worse, these tax increase may be passed on to utility customers, increasing their water bills. That is why I have filed an amendment to undo these harmful changes, so that our Tax Code

once again encourages these critical investments. I look forward to working with my colleagues to fix this.

We must also provide increased support for water systems in small rural communities across the country that are struggling as a result of this pandemic. The financial impacts of COVID-19 on systems serving 10,000 people or fewer is estimated to be at least \$3.6 billion. Yet no support for small rural water and wastewater systems has been included in COVID relief legislation to date. That is why I have joined with Senator TILLIS to introduce the Emergency Assistance for Rural Water Systems Act, legislation that would provide critical funding to small and rural communities during this challenging time.

Finally, we must address PFAS contamination and its effects on our communities. As many of us know, PFAS chemicals impact drinking water sources in and around military bases, manufacturing sites, airports, and other places across the country due to their widespread use in firefighting foam and consumer products. In my State of New Hampshire, the city of Portsmouth closed a major water supply well at the former Pease Air Force Base due to PFAS in the drinking water. And several communities in southern New Hampshire are struggling with groundwater PFAS contamination near the Saint-Gobain plant in Merrimack. Residents near the Coakley Landfill Superfund site in North Hampton and Greenland are concerned about high levels of PFAS found in nearby surface waters.

We owe it to the American families in New Hampshire and across the country who live and work near sites contaminated by these materials to invest at the scale necessary to fix the problem. That is why I have championed legislation, the PFAS Testing and Treatment Act, which would deliver robust Federal resources to support State efforts to address PFAS through remediation and clean up. I hope to work with the chairman and ranking member, as well as House and Senate leaders, to move this proposal forward.

Access to safe, clean drinking water is essential. While I am only seeking a vote on amendment No. 1461 today, I will continue to work on all of these issues. I look forward to passage of the Drinking Water and Wastewater Infrastructure Act and continuing to work to address these outstanding issues in future infrastructure bills.

VOICE OF AMENDMENT NO. 1461

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1461) was agreed to.

AMENDMENT NO. 1469 TO AMENDMENT NO. 1460

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1469.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I want to talk briefly about boil water advisories. They are more than just frustrating. They are more than just inconvenient. They can be dangerous.

I don't know about the Presiding Officer's community or my colleagues' communities, but they have been happening more and more frequently in Louisiana. Since 2005, we have had 9,661 boil water advisories. We had 1,600 of them last year alone.

I thank the EPW Committee for working with me and all of my colleagues. My amendment would require the EPA to provide us an annual study on the prevalence of these boil water advisories and the reasons therefor so we can decide whether to take action, if any.

I would appreciate my colleagues' support.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I rise in support of Senator KENNEDY's amendment because we need to know more about boil orders, something that I, frankly, hadn't heard a lot about. I thank the Senator for bringing it to our attention.

We are in support of this amendment. These are frequently used, and transparency is needed on them.

I yield to the gentlewoman from West Virginia.

Mrs. CAPITO. Mr. President, I thank Senator KENNEDY for this. I pull up my local newspaper, and the first thing that comes up is listing the boil water advisories. This is absolutely needed. I think it is a great idea. I am very much in support of this.

#### VOTE ON AMENDMENT NO. 1469

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1469) was agreed to.

#### AMENDMENT NO. 1472 TO AMENDMENT NO. 1460

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote in relation to amendment No. 1472.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise in opposition to this amendment by Senator LEE. His amendment would amend the Antiquities Act to prohibit the President from reserving water when designating a national monument.

The amendment states that any water rights associated with a national monument may only be acquired under State law. The Lee amendment overturns decades of Supreme Court precedent that when a President designates a national monument under the Antiquities Act, the designation reserves the right to use enough water to fulfill the purpose of the monument.

But the water infrastructure bill is not the appropriate place for this amendment. I urge my colleagues to oppose this amendment.

Mrs. CAPITO. Mr. President, we yield back our time.

#### VOTE ON AMENDMENT NO. 1472

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. CAPITO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Kentucky (Mr. PAUL), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Alabama (Mr. SHELBY).

The result was announced—yeas 41, nays 54, as follows:

#### [Rollcall Vote No. 177 Leg.]

##### YEAS—41

Barrasso	Hagerty	Portman
Blackburn	Hawley	Risch
Boozman	Hoeven	Romney
Braun	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Sullivan
Crapo	Lee	Thune
Cruz	Lummis	Tillis
Daines	Marshall	Toomey
Ernst	McConnell	Wicker
Fischer	Moran	Young
Grassley	Murkowski	

##### NAYS—54

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

##### NOT VOTING—5

Cantwell	Paul	Shelby
Cramer	Rounds	

The amendment (No. 1472) was rejected.

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 41, the nays are 54.

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

The amendment (No. 1472) was rejected.

The PRESIDING OFFICER. Under the previous order, amendment No. 1460, as amended, is agreed to.

The amendment (No. 1460), as amended, was agreed to.

The PRESIDING OFFICER. The clerk will read the bill by title for a third time.

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

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, I am going to raise an issue at this point that is not relevant to the water bill. I ask unanimous consent to be given that opportunity.

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

#### EXTENDING TEMPORARY EMERGENCY SCHEDULING OF FENTANYL ANALOGUES ACT

Mr. DURBIN. Mr. President, we are in the midst of the worst opioid epidemic in a generation, and one tragic aspect of this is the widespread use of fentanyl, a deadly opioid that has killed thousands of people in America.

In 2018, the Drug Enforcement Administration took the unprecedented step of placing all fentanyl-related substances, also known as fentanyl analogs, on schedule I under the Controlled Substances Act. That makes it easier to prosecute any individual who sells or even simply possesses fentanyl analogs, and it subjects those individuals to stiff mandatory minimum penalties regardless of individual circumstances. Typically, a drug is only added to schedule I after the Department of Health and Human Services conducts a scientific study to determine if it has a high potential for abuse and no accepted medical use.

The DEA has had the temporary authority to bypass this process for 2 years. The authority was scheduled to expire on February 6 of last year, 2020. The DEA warned us of the dire consequences if it expired. In response, I worked with Senator LINDSEY GRAHAM and Senator FEINSTEIN and authored legislation extending the authority for 15 months, until May 6, 2021.

So what did the Trump administration do for the 12 months that it was in office with this issue still looming? Nothing and neither did Congress.

Now the Biden administration has asked Congress for an additional extension of the DEA's temporary authority in order to evaluate this issue. Just last week, the Senate confirmed Lisa Monaco as Deputy Attorney General. She will oversee the Drug Enforcement Administration. President Biden's nominee to head the DEA, Anne Milgram, is still to be considered by the Senate, so this request now for a temporary extension seems reasonable.

Let me add, though, at the same time as we grapple with the opioid epidemic, we are also in the midst of a national reckoning about racism and massive incarceration in America. We hold more prisoners, by far, than any country in the world. This is largely due to our failed War on Drugs, which has disproportionately targeted people of color. While the majority of illegal drug users and drug dealers in our country is White, the vast majority of

people incarcerated for drug offenses is African American or Latino. That is a fact.

More than three decades ago—and I remember this well as I served in the House at the time—Congress responded to the dramatic rise in the use of crack cocaine by dramatically increasing sentences for nonviolent drug offenders; for example, with a sentencing guideline for crack cocaine as compared to powder cocaine of 100 to 1. Well, that was it. We were going to get tough. We were going to send a message. It didn't work. The overall use of illegal drugs actually increased after we increased these penalties between 1990 and 2014, and the availability of drugs like heroin and methamphetamine, instead of going down, increased.

Senator CORY BOOKER is the chair of the Criminal Justice and Counterterrorism Subcommittee of the Senate Judiciary. He has brought these concerns to the floor of the Senate time and again. I was proud to join him as well as Senator GRASSLEY and Senator LEE. We authored the FIRST STEP Act to begin reforming our criminal justice system from the previous effort with our War on Drugs.

Senator BOOKER has raised serious concerns about extending the DEA's order when it comes to these fentanyl analogs. For example, he notes the significant racial disparity in fentanyl analog prosecutions. People of color comprise 68 percent of those being sentenced. He also notes that addiction is, in fact, a public health crisis and that we cannot prosecute ourselves out of the opioid epidemic, a lesson we should have learned with the War on Drugs.

So there is an important debate to be had about how to effectively combat the abuse of fentanyl, but we cannot resolve it today on the floor of the Senate. The DEA's authority is scheduled to expire next week, and we will be gone. Last week, the House passed a bill extending the scheduling order until October 22. Senator BOOKER has agreed not to object to the House bill so that the Senate will have an opportunity to debate the future of this DEA authority and consider other important reforms to our criminal justice system.

Mr. President, at this point, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2630, which was received from the House and is at the desk.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 2630) 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.

There being no objection, the Senate proceeded to consider the bill.

Mr. DURBIN. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. DURBIN. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2630) was passed.

Mr. DURBIN. I ask unanimous consent that 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.

#### DRINKING WATER AND WASTEWATER INFRASTRUCTURE ACT OF 2021—Continued

Ms. LUMMIS. Mr. President, I rise today to speak in strong support of the Drinking Water and Wastewater Infrastructure Act of 2021. I want to thank Environment and Public Works Ranking Member CAPITO, full committee Chairman CARPER, Chairman DUCKWORTH, and their staffs for their hard work and cooperation on this bill.

While many issues divide this Senate, clean water is not one of them. As ranking member of the Fisheries, Water, and Wildlife Subcommittee under which drinking water and wastewater jurisdiction lies, I am proud to see the work our committee has done to bring this bill to the floor today, and I especially want to thank Senator DUCKWORTH for all of her efforts to serve our communities by shepherding this bill through the Senate.

On May 17th, our committee and subcommittee held a hearing to examine the challenges facing drinking water and wastewater infrastructure throughout the Nation. We heard from witnesses that many obstacles remain in America's water quality. High among those obstacles is the lagging funding related to an aging infrastructure. The primary mechanism for financing water infrastructure is from State and local sources, including the collection of user fees, but funding has not kept pace with the growing need to address an aging system. Only 20 percent of very large utilities and 10 percent of small utilities report that they will be able to provide full-cost service in 5 years. I am proud to be a part of the team that has come together to find a solution to these problems.

While working on this issue, I learned something that might surprise a lot of Americans: The majority of our Nation's drinking water and wastewater utilities are small. Over 90 percent of the country's roughly 50,000 community water systems serve populations fewer than 10,000 people. Roughly 80 percent of America's 17,000 wastewater utilities serve populations fewer than 10,000 people. Rural and small communities like many found in my

State of Wyoming have greater difficulty affording public wastewater service due to low population density and lack of economies of scale. Rural communities also have lower median household incomes and often have higher rates of poverty, only compounding the challenge. The mandates and requirements given under the Clean Water Act and Safe Drinking Water Act can be burdensome on these small and rural communities. This bill reauthorizes a number of programs that will provide technical assistance, funding, research, and expertise for these small communities. The Circuit Rider Program, for example, has long been among our Nation's most successful public-private partnerships. The Wyoming Association of Rural Water Systems and organizations like it across the country are doing yeomen's work in delivering for our rural communities.

The Drinking Water and Wastewater Infrastructure Act unanimously passed our committee by a vote of 21 to 0. Similar legislation worked on by then-Chairman BARRASSO and Ranking Member CARPER likewise passed without any opposition last Congress.

Mr. President, I have the unique privilege of being the only Senator to sit on all three committees of jurisdiction over transportation and infrastructure. All three committees are hard at work considering the recent infrastructure plan put forward by President Biden. Let me give a brief history of the bipartisan nature of this topic.

In 2019, the EPW Committee under my fellow Senator from Wyoming JOHN BARRASSO, passed a 5-year highway funding bill unanimously out of committee. In 2018, President Trump signed the bipartisan America's Water Infrastructure Act into law. In 2016, President Obama signed the bipartisan Water Infrastructure Improvements for the Nation Act into law. In 2015 we had two bipartisan transportation bills pass into law, and in 2014 we had another bipartisan water resources bill become law.

President Biden mentioned last night that infrastructure is historically a bipartisan issue. He applauded my Republican colleagues for putting forward a good infrastructure plan of our own just last week. Our Republican bill is based on ideas that have garnered bipartisan support in the past, which makes it a perfect foundation upon which to build an infrastructure plan that could pass into law. I urge President Biden and my colleagues on the other side of the aisle to remember this as we move to an infrastructure bill.

I am proud of the work that my colleagues and I did on today's Drinking Water and Wastewater Infrastructure Act. I would like to thank my colleagues on the EPW Committee for their work, and I urge all Senators to support it.

Mrs. FEINSTEIN. Mr. President, I rise today in support of the Drinking Water and Wastewater Infrastructure



Act, S. 914, introduced by my colleague Senator DUCKWORTH. This bill would provide much needed funding for drinking water and wastewater cleanup across the country, addressing climate change and assisting underserved communities.

Millions of Americans do not have access to clean water. In California alone, it is estimated that nearly 1 million Californians do not have access to clean water from their tap. California faces unique water challenges, and in the face of climate change, drought per- and polyfluoroalkyl substances contamination, and population growth, my State's aging water infrastructure, like many others, is in need of support.

The Drinking Water and Wastewater Infrastructure Act authorizes more than \$35 billion for updating and repairing aging infrastructure, and also assisting historically underserved and marginalized communities.

Communities of color and low-income communities are more likely to lack the infrastructure to provide safe drinking water to households and prevent water contamination. For example, the farming communities of the San Joaquin Valley face a frequent danger of drought that threatens to dry up their groundwater supply.

These predominantly Latino communities also face the threat of growing nitrate levels in their ground water supplies, forcing families to forego using tap water for drinking, cooking, and even showering.

This bill would fix these disparities by funding investments and advancements in infrastructure to ensure that families have access to clean water, no matter where they live.

I am pleased that my amendment to Section 203 was included in the substitute bill. Section 203 of the base bill creates a new EPA grant program for water recycling and other sustainable water supplies that will complement the existing Bureau of Reclamation water recycling program.

In the base bill, section 203 prohibits water recycling projects that have received any Bureau of Reclamation funding from receiving EPA funding. I think it is reasonable to prohibit water districts that have received Bureau of Reclamation construction funding from also receiving construction funding from EPA.

But the base bill would also prohibit water districts from applying for EPA grants if they received even preliminary Reclamation funding years ago for feasibility studies, planning, or design.

The new EPA program is needed precisely because there is a backlog of \$800 million to \$1 billion for water recycling projects under the Bureau of Reclamation's program.

I don't believe it makes sense to prohibit water districts from accessing available EPA funding to build needed water recycling projects just because they got a little Reclamation study funding years ago.

My amendment, which Senators PADILLA and KELLY cosponsored, would ensure that water recycling projects that received Bureau of Reclamation funding for studies would still be eligible to apply for EPA funding.

I thank the bill managers for accepting this amendment into the substitute bill.

I am also pleased to vote for Senator SHAHEEN's bill and thank the Senator for her efforts to improve our nation's water infrastructure.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, this week on the Senate floor, my colleagues and I have explained how the Drinking Water and Wastewater Infrastructure Act of 2021 would make significant improvements to our country's water infrastructure.

After a bipartisan, regular order legislative and amendment process, we move to final consideration.

This legislation makes meaningful progress on our drinking water and wastewater challenges that will benefit the States represented by every single one of us.

It invests heavily in the State revolving loan funds to give our States that flexibility they need in their funding.

It creates a new grant program specifically for small and disadvantaged communities to upgrade their systems, fix leaky pipes, and prevent water loss.

It helps connect low-income households to public water systems or helps them to get new and better septic tanks.

It supports water infrastructure projects on Indian reservation lands and in Alaskan Native villages.

It provides assistance to remove and replace lead pipes, as well as lead testing in schools and childcare centers.

It encourages the next generation to be a part of that water infrastructure workforce that is so critical.

All of the investments represent the EPW's shared goals of improving public health and fostering economic growth in all of our communities.

These are just a few of the provisions which I wanted to highlight and which are informed by particular challenges facing our water systems in the State of West Virginia, but based on the feedback from all of our colleagues in both parties and the groundswell of support we have seen from various water advocacy groups, it is clear that these provisions will have broad applicability to help communities all across the United States. It is why we have such a diverse and growing coalition of more than 70 supporters, from water systems to local governments, to industry, to labor, to environmental organizations.

Before I wrap up, I would like to thank my colleague and chairman of our committee and West Virginia-born Chairman TOM CARPER.

This legislation represents, I think, a fantastic first effort for our ongoing work together to address the major concerns of the American people when

it comes to infrastructure and the environment, and in a thoughtful and fiscally responsible fashion.

His staff has been engaged and candid with mine throughout this entire process. So, in particular, I would like to thank John Kane, the lead for Chairman CARPER's water team, and his colleague Annie D'Amato, as well as Tyler Hoffman-Reardon and Mackie McIntosh, who provided support throughout these negotiations. So thank you. Chairman CARPER's team is led by staff director Mary Frances Repko, who brought her wealth of experience to bear on this process as well.

I would certainly like to take time to highlight the members of my team, who worked long hours, nights and weekends, to deliver this legislation—Jess Kramer, EPW Republican water counsel, and Travis Cone, who is here with me today, my Republican deputy staff director and lead for our environmental team. They led the negotiations on our side and brought us to where we are today.

They had strong assistance from our staff director, Adam Tomlinson, as well as chief counsel Elizabeth Horner, as well as Max Hyman, one of our policy staff who contributed to the language we see today in this bill.

I would like to also thank and congratulate Fisheries, Water, and Wildlife Subcommittee Chair TAMMY DUCKWORTH and Ranking Member CYNTHIA LUMMIS and their staffs for their hard work on this bill. They are two of my colleagues from my House days, and I am so glad that all of us are working together again on the same committee, no less, here in the U.S. Senate.

I also appreciate Transportation and Infrastructure Subcommittee Chair BEN CARDIN, whom I have worked with on a lot of these issues previously, and also my good friend Ranking Member KEVIN CRAMER for providing a lot of input into this legislation.

This has absolutely been a team effort. It is what we are here for, to work together. I look forward to our team racking up a lot more wins in infrastructure and beyond over the course of the 117th Congress.

In closing, I just want to reiterate again that passing this bipartisan bill in a bipartisan way is also very important. We know it is more than symbolic, but there is symbolism, I think, here because it shows the American people what we hear all the time when we go home: that their elected officials in Congress can work together and collaboratively on issues such as infrastructure. The bill represents the solid work that comes out of good-faith negotiations.

Chairman CARPER and I worked together and never took our eye off of the mutual goal—a bipartisan bill that can pass both Chambers and be signed into law. We are here today with that bill. I am proud to be Chairman CARPER's partner, and I appreciate his leadership.



I hope that as we move forward with other infrastructure packages, we remember this moment. We know the next couple of weeks and months are going to be tough, but we can do tough things to deliver for the American people. That is what we were sent here to do.

So, again, I urge my colleagues to vote yes on this legislation, and I hope we continue in this spirit.

I yield the floor, or I yield to my partner, Chairman CARPER.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I don't want to trivialize this important moment, but I am tempted to say: I am TOM CARPER, and I approve this message. But I won't say that, but I certainly do approve this message.

So pretty remarkable. We have three Members of our body who were born in West Virginia, and one is the daughter of a former Governor of our State and maybe the mother of a future Governor of our State. We will have to wait and see.

We have another former Governor of West Virginia who serves here with us and whose wife Gayle actually was in the same high school graduating class with my first cousin Dan Patton. It is really kind of incestuous. But people ask why we get along so well, and I am reminded of the words of Joe Biden. He and I rode the train together a lot of years to Delaware and back when I joined him in the Senate and in the House before that. Joe likes to say—the President likes to say that all politics is personal. He says that all diplomacy is personal as well. And I think you see a little bit of that at work here, and it is just a good reminder for all of us.

Before we vote here in a couple minutes, I just want to express once again my support for the legislation before us, the Drinking Water and Wastewater Infrastructure Act of 2021.

I am a firm believer that actions do speak louder than words, so before we move to a vote, let me close by saluting the unanimous action taken by the Committee on Environment and Public Works on this bill.

Every member of the committee, all of us, every one of us, had a hand in crafting the legislation with the help of our staff—half of us Democrats, half of us Republicans.

First of all, the committee members worked together to formulate legislation that would reauthorize critical financing mechanisms for drinking water and wastewater infrastructure across our country.

In bipartisan negotiations, we addressed the fundamental needs of the communities that have been left behind by our past efforts to address clean water, and we have—or at least we sought to try to ensure with this bill that rural and disadvantaged and Tribal communities will have the needed resources they need to access the same safe water that the rest of us

really take for granted most of the time.

After all those efforts involving members on both sides of our committee dais and many of our colleagues throughout this body, we reported this much needed legislation to the full Senate by unanimous vote, 20 to 0. That is right, 20 to 0. The bill we hope to take up today passed out of our committee unanimously. In fact, the Republicans like this bipartisan bill so much that they included it in their infrastructure proposal, and President Biden supports this legislation as a good first step forward. He reminded us of that last night in his address.

We just don't see this kind of bipartisanship often enough, and I think—I talked earlier about how we are leaders. We have a responsibility to lead by example. That is what I was trained to do in the Navy and a lot of us as well—lead by example. We are trying to do that here today.

That remarkable consensus is why this bill is so worthy of our support. The benefit that it provides will reach all corners of our Nation. This legislation will be a boon not just to our towns and not just to our cities but also to our rural communities. It will help ensure the healthy environment necessary for our collective happiness, vitality, and long-term success, no matter where we live. You know what it says in the Declaration of Independence. Life, liberty, and the pursuit of happiness. This is part of that. Without water, we just don't have any of those things.

Not only does the Drinking Water and Wastewater Infrastructure Act of 2021 provide the resources we need to build, the resources we need to upgrade, the resources we need to expand critical infrastructure, but it also ensures that we make a substantial investment in projects that will withstand the increasingly harsh weather events—be they storms, be they floods, freezing cold snaps, droughts—that have plagued places like Texas and Mississippi in recent weeks and months.

As all my colleagues in this body are aware, the ravages of changing climate in the form of devastating weather could hit any of our communities at any time and in many cases already have.

There is a good reason why groups like the U.S. Conference of Mayors on the one hand, the U.S. Chamber of Commerce on the other hand, and the National Wildlife Federation support this legislation.

I mentioned earlier on the floor the American Society of Civil Engineers, which gave our water systems a D—I think a D-minus average grade on the 2021 report card on the state of our Nation's infrastructure. This is what they say about this bill after giving us I think a D-minus average grade on our Nation's infrastructure. Here is what they said about this legislation. Senator CAPITO, here is what they said:

... critical if we are to improve our nation's aging water systems and ensure that they continue to provide and protect public health, welfare, and safety.

There is plenty in it to inspire the Rural Community Assistance Partnership to say the organization is "proud to support this bill because Americans deserve clean, safe, reliable, and affordable drinking water, regardless of their community's size or zip code." Colleagues, I couldn't agree more.

This measure reauthorizes and increases funding for the bedrock Federal water and wastewater infrastructure financing problems—the drinking water and clean water State revolving funds. In the case of the Clean Water Fund, this is the first reauthorization of the Clean Water Fund in 35 years—35 years.

Local government leaders, policy experts, and advocates from all parts of our country and all political stripes also support our bill because it would invest \$500 billion to ensure water infrastructure systems are more resilient in the face of extreme weather events.

These leaders are urging us to pass this legislation because it expands the government's role in researching and developing the water technologies of tomorrow, opening the door to economic opportunity and jobs across this country.

Finally, millions of Americans—too many Americans, millions of them—cannot trust the water when they turn on their taps. Most of us turned on our tap water this morning either at our homes or our bathrooms or wherever and maybe in our offices and we drank the water and we didn't think anything of it. We knew it was fine and it was safe. Too many people in this country—millions of them, in fact—don't have that benefit.

I think we have a moral responsibility to help make sure that everyone in our Nation—it doesn't matter what their ZIP Code is. It doesn't matter their race. It doesn't matter what their income is. We have a moral obligation to make sure they have access to clean, safe water.

The Golden Rule—treat other people the way we want to be treated—very much is part of this and guides, I think, all of us.

With this legislation, we can move forward on that effort and, in doing so, create jobs, foster innovation, and protect our public health all at once.

I am proud of our bill. I am proud of all the work that has gone into it and proud of the bipartisan process to produce it with our colleagues that led us here. I hope our colleagues agree that it is worthy of the same bipartisan support on the Senate floor as it received in committee.

Nothing is perfect. What do they say in the Constitution? What did the Framers say? In order to form a more perfect Union? Well, I have never been part of writing or co-writing a perfect bill. This was not perfect, and there are obviously some changes that—we can make it better—some changes that we

will discuss with our colleagues on the committee, off the committee, and with our friends in the House and the administration. But this is a good start. This is a very good start. And we look forward to the next step in this process, and I would ask everyone to please join us in voting yes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The majority leader.

Mr. SCHUMER. First, Mr. President, it was good when I walked in—it felt really good when I walked in a few hours ago as we were voting, and I saw Mr. CARPER, Senator CARPER, the chairman of the EPW Committee, sitting here and Senator CAPITO, the ranking member, sitting there, working together to make sure that this bill passed and working together to defeat some amendments that might have hurt the whole bill's chance of passing. That is how it used to be around here all the time, and it is good to see it. And I thank both the chair and the ranking member for doing that as well as the whole Senate as well, including Leader MCCONNELL. We are trying to work in a bipartisan way whenever we can, and this bill is a classic example.

First, its importance, of course, is paramount—and I will get to that in a minute—but, second, the fact that we can come together on an important bill that is a part of the Build Back Better plan is something that I think Members on both sides of the aisle can be very happy about, and Americans should be happy about as well.

It doesn't mean that we will be able to do the whole thing bipartisan, but we will do as much as we can—as much as we can.

And this bill is an important one. Clean water is vital to the American people and to their health, and for too long we have tolerated lead in the water of too many. When lead gets into the water of young people, it can certainly cause health problems in later years. All too often, it occurs in poorer communities and communities of color.

This bill, in a bipartisan way, says we are going to come together and get the lead out—get the lead out of our pipes, get the lead out of our faucets, get the lead out of our water. That is an important part of this bill.

And the second part of the bill is, you know, water is very, very important to bringing businesses. Upstate New York, we are trying to attract businesses. One of the first things a business will ask is: Do you have some land available that has water and sewer? When you can say yes, you have a much better chance of attracting businesses to

those communities that definitely need new jobs.

And, finally, of course, we all depend on water in our daily lives, and many of the systems are old. They are a century old. Many of our local governments no longer have the dollars to do this on their own. So having a bill that is robust, that helps them, is very, very important.

I would finally note that the bill that we are voting on today is very much—very similar to the proposal made by some of the Republican leaders when they put together a proposal to President Biden.

So, again, closing on the note I opened with, the happy bipartisanship that marks this bill is a very good thing, and I hope it can continue.

I yield the floor, and I ask unanimous consent that the rollcall vote begin now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### VOTE ON S. 914, AS AMENDED

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

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

Mr. SCHUMER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL), the Senator from Maryland (Mr. CARDIN), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), the Senator from South Dakota (Mr. ROUNDS), the Senator from Alabama (Mr. SHELBY), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 89, nays 2, as follows:

[Rollcall Vote No. 178 Leg.]

#### YEAS—89

Baldwin	Crapo	Kaine
Barrasso	Daines	Kelly
Bennet	Duckworth	Kennedy
Blackburn	Durbin	King
Blumenthal	Ernst	Klobuchar
Blunt	Feinstein	Lankford
Booker	Fischer	Leahy
Boozman	Gillibrand	Luján
Braun	Graham	Lummis
Brown	Grassley	Manchin
Burr	Hagerty	Markley
Capito	Hassan	Marshall
Carper	Hawley	McConnell
Casey	Heinrich	Menendez
Cassidy	Hickenlooper	Merkley
Collins	Hirono	Murkowski
Coons	Hoeven	Murphy
Cornyn	Hyde-Smith	Murray
Cortez Masto	Inhofe	Ossoff
Cotton	Johnson	Padilla

Peters	Schumer	Toomey
Portman	Scott (FL)	Tuberville
Reed	Scott (SC)	Warner
Risch	Shaheen	Warnock
Romney	Sinema	Warren
Rosen	Smith	Whitehouse
Rubio	Stabenow	Wicker
Sanders	Sullivan	Wyden
Sasse	Tester	Young
Schatz	Thune	

#### NAYS—2

Cruz Lee

#### NOT VOTING—9

Cantwell	Moran	Shelby
Cardin	Paul	Tillis
Cramer	Rounds	Van Hollen

The PRESIDING OFFICER (Ms. ROSEN). On this vote, the yeas are 89, the nays are 2.

The 60-vote threshold having been achieved, the bill is passed, as amended.

The bill (S. 914), as amended, was passed, as follows:

#### S. 914

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

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Drinking Water and Wastewater Infrastructure Act of 2021”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Administrator.

#### TITLE I—DRINKING WATER

Sec. 101. Technical assistance and grants for emergencies affecting public water systems.

Sec. 102. Drinking water State revolving loan funds.

Sec. 103. Source water petition program.

Sec. 104. Assistance for small and disadvantaged communities.

Sec. 105. Reducing lead in drinking water.

Sec. 106. Operational sustainability of small public water systems.

Sec. 107. Midsize and large drinking water system infrastructure resilience and sustainability program.

Sec. 108. Needs assessment for nationwide rural and urban low-income community water assistance.

Sec. 109. Rural and low-income water assistance pilot program.

Sec. 110. Lead contamination in school drinking water.

Sec. 111. Indian reservation drinking water program.

Sec. 112. Advanced drinking water technologies.

Sec. 113. Cybersecurity support for public water systems.

Sec. 114. State response to contaminants.

Sec. 115. Annual study on boil water advisories.

#### TITLE II—CLEAN WATER

Sec. 201. Research, investigations, training, and information.

Sec. 202. Wastewater efficiency grant pilot program.

Sec. 203. Pilot program for alternative water source projects.

Sec. 204. Sewer overflow and stormwater reuse municipal grants.

Sec. 205. Clean water infrastructure resilience and sustainability program.

Sec. 206. Small and medium publicly owned treatment works circuit rider program.

Sec. 207. Small publicly owned treatment works efficiency grant program.

- Sec. 208. Grants for construction and refurbishing of individual household decentralized wastewater systems for individuals with low or moderate income.
- Sec. 209. Connection to publicly owned treatment works.
- Sec. 210. Clean water State revolving funds.
- Sec. 211. Water infrastructure and workforce investment.
- Sec. 212. Grants to Alaska to improve sanitation in rural and Native villages.
- Sec. 213. Water data sharing pilot program.
- Sec. 214. Final rating opinion letters.
- Sec. 215. Water infrastructure financing reauthorization.
- Sec. 216. Small and disadvantaged community analysis.
- Sec. 217. Stormwater infrastructure technology.
- Sec. 218. Water Reuse Interagency Working Group.
- Sec. 219. Advanced clean water technologies study.
- Sec. 220. Clean watersheds needs survey.
- Sec. 221. Water Resources Research Act amendments.
- Sec. 222. Enhanced aquifer use and recharge.

## SEC. 2. DEFINITION OF ADMINISTRATOR.

In this Act, the term “Administrator” means the Administrator of the Environmental Protection Agency.

## TITLE I—DRINKING WATER

### SEC. 101. TECHNICAL ASSISTANCE AND GRANTS FOR EMERGENCIES AFFECTING PUBLIC WATER SYSTEMS.

Section 1442 of the Safe Drinking Water Act (42 U.S.C. 300j-1) is amended—

(1) in subsection (a), by adding at the end the following:

“(11) COMPLIANCE EVALUATION.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall—

“(i) evaluate, based on the compliance data found in the Safe Drinking Water Information System of the Administrator, the compliance of community water systems and wastewater systems with environmental, health, and safety requirements under this title, including water quality sampling, testing, and reporting requirements; and

“(ii) submit to Congress a report describing trends seen as a result of the evaluation under clause (i), including trends that demonstrate how the characteristics of community water systems and wastewater systems correlate to trends in compliance or non-compliance with the requirements described in that clause.

“(B) REQUIREMENT.—To the extent practicable, in carrying out subparagraph (A), the Administrator shall determine whether, in aggregate, community water systems and wastewater systems maintain asset management plans.”;

(2) in subsection (b), in the first sentence—

(A) by inserting “(including an emergency situation resulting from a cybersecurity event)” after “emergency situation”; and

(B) by inserting “, including a threat to public health resulting from contaminants, such as, but not limited to, heightened exposure to lead in drinking water” after “public health”;

(3) by striking subsection (d) and inserting the following:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) \$35,000,000 for each of fiscal years 2022 through 2026.”;

(4) in subsection (e), by striking paragraph (5) and inserting the following:

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the

Administrator to carry out this subsection \$15,000,000 for each of fiscal years 2022 through 2026.”;

(5) by redesignating subsection (f) as subsection (g); and

(6) by inserting after subsection (e) the following:

“(f) STATE-BASED NONPROFIT ORGANIZATIONS.—

“(1) IN GENERAL.—The Administrator may provide technical assistance consistent with the authority provided under subsection (e) to State-based nonprofit organizations that are governed by community water systems.

“(2) COMMUNICATION.—Each State-based nonprofit organization that receives funding under paragraph (1) shall, before using that funding to undertake activities to carry out this subsection, consult with the State in which the assistance is to be expended or otherwise made available.”.

### SEC. 102. DRINKING WATER STATE REVOLVING LOAN FUNDS.

(a) DRINKING WATER STATE REVOLVING FUNDS CAPITALIZATION GRANT REAUTHORIZATION.—Section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) is amended—

(1) in subsection (a)(4)(A), by striking “During fiscal years 2019 through 2023, funds” and inserting “Funds”;

(2) in subsection (m)(1) —

(A) in subparagraph (B), by striking “and”;

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(D) \$2,400,000,000 for fiscal year 2022;

“(E) \$2,750,000,000 for fiscal year 2023;

“(F) \$3,000,000,000 for fiscal year 2024; and

“(G) \$3,250,000,000 for each of fiscal years 2025 and 2026.”;

(3) in subsection (q), by striking “2016 through 2021” and inserting “2022 through 2026”.

(b) ASSISTANCE FOR DISADVANTAGED COMMUNITIES.—Section 1452(d) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)) is amended—

(1) in paragraph (1)—

(A) by striking “Notwithstanding any” and inserting the following:

“(A) IN GENERAL.—Notwithstanding any”;

(B) in subparagraph (A) (as so designated), by inserting “, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt” after “forgiveness of principal”; and

(C) by adding at the end the following:

“(B) EXCLUSION.—A loan from a State loan fund with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subsection.”; and

(2) in paragraph (2), by striking subparagraph (B) and inserting the following:

“(B) to the extent that there are sufficient applications for loans to communities described in paragraph (1), may not be less than 12 percent.”.

### SEC. 103. SOURCE WATER PETITION PROGRAM.

Section 1454 of the Safe Drinking Water Act (42 U.S.C. 300j-14) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A), in the matter preceding clause (i), by striking “political subdivision of a State,” and inserting “political subdivision of a State (including a county that is designated by the State to act on behalf of an unincorporated area within that county, with the agreement of that unincorporated area),”;

(B) in paragraph (4)(D)(i), by inserting “(including a county that is designated by the State to act on behalf of an unincorporated area within that county)” after “of the State”; and

(C) by adding at the end the following:

“(5) SAVINGS PROVISION.—Unless otherwise provided within the agreement, an agreement between an unincorporated area and a county for the county to submit a petition under paragraph (1)(A) on behalf of the unincorporated area shall not authorize the county to act on behalf of the unincorporated area in any matter not within a program under this section.”; and

(2) in subsection (e), in the first sentence, by striking “2021” and inserting “2026”.

### SEC. 104. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.

(a) EXISTING PROGRAMS.—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(D) the purchase of point-of-entry or point-of-use filters and filtration systems that are certified by a third party using science-based test methods for the removal of contaminants of concern;

“(E) investments necessary for providing accurate and current information about—

“(i) the need for filtration and filter safety, including proper use and maintenance practices; and

“(ii) the options for replacing lead service lines (as defined section 1459B(a)) and removing other sources of lead in water; and

“(F) entering into contracts, including contracts with nonprofit organizations that have water system technical expertise, to assist—

“(i) an eligible entity; or

“(ii) the State of an eligible entity, on behalf of that eligible entity.”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “An eligible entity” and inserting “Except for purposes of subsections (j) and (m), an eligible entity”;

(3) in subsection (g)(1), by striking “to pay not less than 45 percent” and inserting “except as provided in subsection (1)(5) and subject to subsection (h), to pay not less than 10 percent”;

(4) by striking subsection (k) and inserting the following:

“(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out subsections (a) through (j)—

“(1) \$70,000,000 for fiscal year 2022;

“(2) \$80,000,000 for fiscal year 2023;

“(3) \$100,000,000 for fiscal year 2024;

“(4) \$120,000,000 for fiscal year 2025; and

“(5) \$140,000,000 for fiscal year 2026.”; and

(5) in subsection (1)—

(A) in paragraph (2)—

(i) by striking “The Administrator may” and inserting “The Administrator shall”; and

(ii) by striking “fiscal years 2019 and 2020” and inserting “fiscal years 2022 through 2026”;

(B) in paragraph (5), by striking “\$4,000,000 for each of fiscal years 2019 and 2020” and inserting “\$25,000,000 for each of fiscal years 2022 through 2026”;

(C) by redesignating paragraph (5) as paragraph (6); and

(D) by inserting after paragraph (4) the following:

“(5) FEDERAL SHARE FOR SMALL, RURAL, AND DISADVANTAGED COMMUNITIES.—

“(A) IN GENERAL.—Subject to subparagraph (B), with respect to a program or project that serves an eligible entity and is carried out using a grant under this subsection, the Federal share of the cost of the program or project shall be 90 percent.

“(B) WAIVER.—The Administrator may increase the Federal share under subparagraph (A) to 100 percent if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.”

(b) CONNECTION TO PUBLIC WATER SYSTEMS.—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) is amended by adding at the end the following:

“(m) CONNECTION TO PUBLIC WATER SYSTEMS.—

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(i) an owner or operator of a public water system that assists or is seeking to assist eligible individuals with connecting the household of the eligible individual to the public water system; or

“(ii) a nonprofit entity that assists or is seeking to assist eligible individuals with the costs associated with connecting the household of the eligible individual to a public water system.

“(B) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ has the meaning given the term in section 603(j) of the Federal Water Pollution Control Act (33 U.S.C. 1383(j)).

“(C) PROGRAM.—The term ‘program’ means the competitive grant program established under paragraph (2).

“(2) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant program for the purpose of improving the general welfare under which the Administrator awards grants to eligible entities to provide funds to assist eligible individuals in covering the costs incurred by the eligible individual in connecting the household of the eligible individual to a public water system.

“(3) APPLICATION.—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) VOLUNTARY CONNECTION.—Before providing funds to an eligible individual for the costs described in paragraph (2), an eligible entity shall ensure and certify to the Administrator that—

“(A) the eligible individual is voluntarily seeking connection to the public water system;

“(B) if the eligible entity is not the owner or operator of the public water system to which the eligible individual seeks to connect, the public water system to which the eligible individual seeks to connect has agreed to the connection; and

“(C) the connection of the household of the eligible individual to the public water system meets all applicable local and State regulations, requirements, and codes.

“(5) REPORT.—Not later than 3 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

“(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program \$20,000,000 for each of fiscal years 2022 through 2026.”

(c) COMPETITIVE GRANT PILOT PROGRAM.—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) (as amended by subsection (b)) is amended by adding at the end the following:

“(n) STATE COMPETITIVE GRANTS FOR UNDERSERVED COMMUNITIES.—

“(1) IN GENERAL.—In addition to amounts authorized to be appropriated under sub-

section (k), there is authorized to be appropriated to carry out subsections (a) through (j) \$50,000,000 for each of fiscal years 2022 through 2026 in accordance with paragraph (2).

“(2) COMPETITIVE GRANTS.—

“(A) IN GENERAL.—Notwithstanding any other provision of this section, the Administrator shall distribute amounts made available under paragraph (1) to States through a competitive grant program.

“(B) APPLICATIONS.—To seek a grant under the competitive grant program under subparagraph (A), a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(C) CRITERIA.—In selecting recipients of grants under the competitive grant program under subparagraph (A), the Administrator shall establish criteria that give priority to States with a high proportion of underserved communities that meet the condition described in subsection (a)(2)(A).

“(3) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the competitive grant program under paragraph (2)(A), which shall include a description of the use and deployment of amounts made available under the competitive grant program.

“(4) SAVINGS PROVISION.—Nothing in this paragraph affects the distribution of amounts made available under subsection (k), including any methods used by the Administrator for distribution of amounts made available under that subsection as in effect on the day before the date of enactment of this subsection.”

#### SEC. 105. REDUCING LEAD IN DRINKING WATER.

Section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j-19b) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking subparagraph (D) and inserting the following:

“(D) a qualified nonprofit organization with experience in lead reduction, as determined by the Administrator; and”;

(B) in paragraph (2)(A)—

(i) in clause (i), by striking “publicly owned”; and

(ii) by striking clause (iii) and inserting the following:

“(iii) providing assistance to eligible entities to replace lead service lines, with priority for disadvantaged communities based on the affordability criteria established by the applicable State under section 1452(d)(3), low-income homeowners, and landlords or property owners providing housing to low-income renters.”; and

(C) in paragraph (3), by striking “an individual provided”;

(2) in subsection (b)—

(A) in paragraph (5)—

(i) in subparagraph (A), by striking “to provide assistance” and all that follows through the period at the end and inserting “to replace lead service lines, with first priority given to assisting disadvantaged communities based on the affordability criteria established by the applicable State under section 1452(d)(3), low-income homeowners, and landlords or property owners providing housing to low-income renters.”; and

(ii) in subparagraph (B), by striking “line” and inserting “lines”; and

(B) in paragraph (6)—

(i) in subparagraph (A), by striking “any publicly owned portion of”;

(ii) in subparagraph (C), in the matter preceding clause (i)—

(I) by striking “may” and inserting “shall”;

(II) by inserting “and may, for other homeowners,” after “low-income homeowner.”; and

(III) by striking “a cost that” and all that follows through the semicolon at the end of clause (ii) and inserting “no cost to the homeowner”;

(iii) in subparagraph (D), by striking “and” at the end;

(iv) in subparagraph (E), by striking “other options” and all that follows through the period at the end and inserting “feasible alternatives for reducing the concentration of lead in drinking water, such as corrosion control; and”;

(v) by adding at the end the following:

“(F) shall notify the State of any planned replacement of lead service lines under this program and coordinate, where practicable, with other relevant infrastructure projects.”;

(3) in subsection (d)—

(A) by inserting “(except for subsection (d))” after “this section”; and

(B) by striking “\$60,000,000 for each of fiscal years 2017 through 2021” and inserting “\$100,000,000 for each of fiscal years 2022 through 2026”;

(4) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(5) by inserting after subsection (c) the following:

“(d) LEAD INVENTORYING UTILIZATION GRANT PILOT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a municipality that is served by a community water system or a nontransient noncommunity water system in which not less than 30 percent of the service lines are known, or suspected, to contain lead, based on available data, information, or resources, including existing lead inventorying.

“(B) PILOT PROGRAM.—The term ‘pilot program’ means the pilot program established under paragraph (2).

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program under which the Administrator shall provide grants to eligible entities to carry out lead reduction projects that are demonstrated to exist or are suspected to exist, based on available data, information, or resources, including existing lead inventorying of those eligible entities.

“(3) SELECTION.—

“(A) APPLICATION.—To be eligible to receive a grant under the pilot program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) PRIORITIZATION.—In selecting recipients under the pilot program, the Administrator shall give priority to—

(i) an eligible entity that meets the affordability criteria of the applicable State established under section 1452(d)(3); and

(ii) an eligible entity that is located in an area other than a State that has established affordability criteria under section 1452(d)(3).

“(4) REPORT.—Not later than 2 years after the Administrator first awards a grant under the pilot program, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing—

“(A) the recipients of grants under the pilot program;

“(B) the existing lead inventorying that was available to recipients of grants under the pilot program; and

“(C) how useful and accurate the lead inventorying described in subparagraph (B)

was in locating lead service lines of the eligible entity.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program \$10,000,000, to remain available until expended.”.

**SEC. 106. OPERATIONAL SUSTAINABILITY OF SMALL PUBLIC WATER SYSTEMS.**

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

**“SEC. 1459E. OPERATIONAL SUSTAINABILITY OF SMALL PUBLIC WATER SYSTEMS.**

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a State;

“(B) a unit of local government;

“(C) a public corporation established by a unit of local government to provide water service;

“(D) a nonprofit corporation, public trust, or cooperative association that owns or operates a public water system;

“(E) an Indian Tribe that owns or operates a public water system;

“(F) a nonprofit organization that provides technical assistance to public water systems; and

“(G) a Tribal consortium.

“(2) OPERATIONAL SUSTAINABILITY.—The term ‘operational sustainability’ means the ability to improve the operation of a small system through the identification and prevention of potable water loss due to leaks, breaks, and other metering or infrastructure failures.

“(3) PROGRAM.—The term ‘program’ means the grant program established under subsection (b).

“(4) SMALL SYSTEM.—The term ‘small system’, for the purposes of this section, means a public water system that—

“(A) serves fewer than 10,000 people; and

“(B) is owned or operated by—

“(i) a unit of local government;

“(ii) a public corporation;

“(iii) a nonprofit corporation;

“(iv) a public trust;

“(v) a cooperative association; or

“(vi) an Indian Tribe.

“(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a program to award grants to eligible entities for the purpose of improving the operational sustainability of 1 or more small systems.

“(c) APPLICATIONS.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the project to be carried out using grant funds under the program;

“(2) documentation provided by the eligible entity describing the deficiencies or suspected deficiencies in operational sustainability of 1 or more small systems that are to be addressed through the proposed project;

“(3) a description of how the proposed project will improve the operational sustainability of 1 or more small systems;

“(4) a description of how the improvements described in paragraph (3) will be maintained beyond the life of the proposed project, including a plan to maintain and update any asset data collected as a result of the proposed project; and

“(5) any additional information the Administrator may require.

“(d) ADDITIONAL REQUIRED INFORMATION.—Before the award of funds for a grant under the program to a grant recipient, the grant recipient shall submit to the Administrator—

“(1) if the grant recipient is located in a State that has established a State drinking water treatment revolving loan fund under section 1452, a copy of a written agreement between the grant recipient and the State in which the grant recipient agrees to provide a copy of any data collected under the proposed project to the State agency administering the State drinking water treatment revolving loan fund (or a designee); or

“(2) if the grant recipient is located in an area other than a State that has established a State drinking water treatment revolving loan fund under section 1452, a copy of a written agreement between the grant recipient and the Administrator in which the eligible entity agrees to provide a copy of any data collected under the proposed project to the Administrator (or a designee).

“(e) USE OF FUNDS.—An eligible entity that receives a grant under the program shall use the grant funds to carry out projects that improve the operational sustainability of 1 or more small systems through—

“(1) the development of a detailed asset inventory, which may include drinking water sources, wells, storage, valves, treatment systems, distribution lines, hydrants, pumps, controls, and other essential infrastructure;

“(2) the development of an infrastructure asset map, including a map that uses technology such as—

“(A) geographic information system software; and

“(B) global positioning system software;

“(3) the deployment of leak detection technology;

“(4) the deployment of metering technology;

“(5) training in asset management strategies, techniques, and technologies for appropriate staff employed by—

“(A) the eligible entity; or

“(B) the small systems for which the grant was received;

“(6) the deployment of strategies, techniques, and technologies to enhance the operational sustainability and effective use of water resources through water reuse; and

“(7) the development or deployment of other strategies, techniques, or technologies that the Administrator may determine to be appropriate under the program.

“(f) COST SHARE.—

“(1) IN GENERAL.—Subject to paragraph (2), the Federal share of the cost of a project carried out using a grant under the program shall be 90 percent of the total cost of the project.

“(2) WAIVER.—The Administrator may increase the Federal share under paragraph (1) to 100 percent.

“(g) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2022 through 2026.”.

**SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.**

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 106) is amended by adding at the end the following:

**“SEC. 1459F. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.**

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a public water system that

serves a community with a population of 10,000 or more.

“(2) NATURAL HAZARD; RESILIENCE.—The terms ‘resilience’ and ‘natural hazard’ have the meanings given those terms in section 1433(h).

“(3) RESILIENCE AND SUSTAINABILITY PROGRAM.—The term ‘resilience and sustainability program’ means the Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program established under subsection (b).

“(b) ESTABLISHMENT.—The Administrator shall establish and carry out a program, to be known as the ‘Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program’, under which the Administrator, subject to the availability of appropriations for the resilience and sustainability program, shall award grants to eligible entities for the purpose of—

“(1) increasing resilience to natural hazards and extreme weather events; and

“(2) reducing cybersecurity vulnerabilities.

“(c) USE OF FUNDS.—An eligible entity may only use grant funds received under the resilience and sustainability program to assist in the planning, design, construction, implementation, operation, or maintenance of a program or project that increases resilience to natural hazards and extreme weather events, or reduces cybersecurity vulnerabilities, through—

“(1) the conservation of water or the enhancement of water-use efficiency;

“(2) the modification or relocation of existing drinking water system infrastructure made, or that is at risk of being, significantly impaired by natural hazards or extreme weather events, including risks to drinking water from flooding;

“(3) the design or construction of new or modified desalination facilities to serve existing communities;

“(4) the enhancement of water supply through the use of watershed management and source water protection;

“(5) the enhancement of energy efficiency or the use and generation of renewable energy in the conveyance or treatment of drinking water;

“(6) the development and implementation of measures—

“(A) to increase the resilience of the eligible entity to natural hazards and extreme weather events; or

“(B) to reduce cybersecurity vulnerabilities;

“(7) the conservation of water or the enhancement of a water supply through the implementation of water reuse measures; or

“(8) the formation of regional water partnerships to collaboratively address documented water shortages.

“(d) APPLICATION.—To seek a grant under the resilience and sustainability program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the program or project to be planned, designed, constructed, implemented, operated, or maintained by the eligible entity;

“(2) an identification of the natural hazard risks, extreme weather events, or potential cybersecurity vulnerabilities, as applicable, to be addressed by the proposed program or project;

“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk, potential cybersecurity vulnerability, or risk for extreme weather events to the area where the proposed program or project is to be located;

“(4) a description of any recent natural hazards, cybersecurity events, or extreme

weather events that have affected the community water system of the eligible entity;

“(5) a description of how the proposed program or project would improve the performance of the community water system of the eligible entity under the anticipated natural hazards, cybersecurity vulnerabilities, or extreme weather events; and

“(6) an explanation of how the proposed program or project is expected—

“(A) to enhance the resilience of the community water system of the eligible entity to the anticipated natural hazards or extreme weather events; or

“(B) to reduce cybersecurity vulnerabilities.

“(e) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the resilience and sustainability program, which shall include a description of the use and deployment of amounts made available to carry out the resilience and sustainability program.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the resilience and sustainability program \$50,000,000 for each of fiscal years 2022 through 2026.

“(2) USE OF FUNDS.—Of the amounts made available under paragraph (1) for grants to eligible entities under the resilience and sustainability program—

“(A) 50 percent shall be used to provide grants to eligible entities that serve a population of—

“(i) equal to or greater than 10,000; and

“(ii) fewer than 100,000; and

“(B) 50 percent shall be used to provide grants to eligible entities that serve a population equal to or greater than 100,000.

“(3) ADMINISTRATIVE COSTS.—Of the amounts made available under paragraph (1), not more than 2 percent may be used by the Administrator for the administrative costs of carrying out the resilience and sustainability program.”.

#### **SEC. 108. NEEDS ASSESSMENT FOR NATIONWIDE RURAL AND URBAN LOW-INCOME COMMUNITY WATER ASSISTANCE.**

(a) DEFINITIONS.—In this section and section 109:

(1) COMMUNITY WATER SYSTEM.—The term “community water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(2) LARGE WATER SERVICE PROVIDER.—The term “large water service provider” means a community water system, treatment works, or municipal separate storm sewer system that serves more than 100,000 people.

(3) MEDIUM WATER SERVICE PROVIDER.—The term “medium water service provider” means a community water system, treatment works, or municipal separate storm sewer system that serves more than 10,000 people and not more than 100,000 people.

(4) NEED.—The term “need”, with respect to a qualifying household, means the expenditure of a disproportionate amount of household income on access to public drinking water or wastewater services.

(5) QUALIFYING HOUSEHOLD.—The term “qualifying household” means a household that—

(A) includes an individual who is—

(i) the holder of an account for drinking water or wastewater service that is provided to that household by a large water service provider, a medium water service provider, or a rural water service provider; or

(ii) separately billed by a landlord that holds an account with a large water service provider, a medium water service provider, or a rural water service provider for the cost of drinking water or wastewater service pro-

vided to that household by the respective large water service provider, medium water service provider, or rural water service provider; and

(B) is determined—

(i) by a large water service provider, a medium water service provider, or a rural water service provider to be eligible for assistance through a low-income ratepayer assistance program;

(ii) by the Governor of the State in which the household is located to be low-income, based on the affordability criteria established by the State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(3));

(iii) by the Administrator to experience drinking water and wastewater service costs that exceed the metrics of affordability established in the most recent guidance of the Administrator entitled “Financial Capability Assessment Guidance”; or

(iv) in the case of a household serviced by a rural water service provider, by the State in which the household is located to have an annual income that does not exceed the greater of—

(I) an amount equal to 150 percent of the poverty level of that State; and

(II) an amount equal to 60 percent of the State median income for that State.

(6) RURAL WATER SERVICE PROVIDER.—The term “rural water service provider” means a community water system, treatment works, or municipal separate storm sewer system that serves not more than 10,000 people.

(7) TREATMENT WORKS.—The term “treatment works” has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

(b) STUDY; REPORT.—

(1) IN GENERAL.—The Administrator shall conduct, and submit to Congress a report describing the results of, a study that examines the prevalence throughout the United States of municipalities, public entities, or Tribal governments that—

(A) are serviced by rural water service providers, medium water service providers, or large water service providers that service a disproportionate percentage, as determined by the Administrator, of qualifying households with need; or

(B) as determined by the Administrator, have taken on an unsustainable level of debt due to customer nonpayment for the services provided by a large water service provider, a medium water service provider, or a rural water service provider.

(2) AFFORDABILITY INCLUSIONS.—The report under paragraph (1) shall include—

(A) a definition of the term “affordable access to water services”;;

(B) a description of the criteria used in defining “affordable access to water services” under subparagraph (A);

(C) a definition of the term “lack of affordable access to water services”;;

(D) a description of the methodology and criteria used in defining “lack of affordable access to water services” under subparagraph (C);

(E) a determination of the prevalence of a lack of affordable access to water services, as defined under subparagraph (C);

(F) the methodology and criteria used to determine the prevalence of a lack of affordable access to water services under subparagraph (E);

(G) any additional information with respect to the affordable access to water services, as defined under subparagraph (A), provided by rural water service providers, medium water service providers, and large water service providers;

(H) with respect to the development of the report, a consultation with all relevant

stakeholders, including rural advocacy associations;

(I) recommendations of the Administrator regarding the best methods to reduce the prevalence of a lack of affordable access to water services, as defined under subparagraph (C); and

(J) a description of the cost of each method described in subparagraph (I).

(3) AGREEMENTS.—The Administrator may enter into an agreement with another Federal agency to carry out the study under paragraph (1).

#### **SEC. 109. RURAL AND LOW-INCOME WATER ASSISTANCE PILOT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a municipality, Tribal government, or other entity that—

(i) owns or operates a community water system, treatment works, or municipal separate storm sewer system; or

(ii) as determined by the Administrator, has taken on an unsustainable level of debt due to customer nonpayment for the services provided by a community water system, treatment works, or municipal separate storm sewer system; and

(B) a State exercising primary enforcement responsibility over a rural water service provider under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as applicable.

(2) PILOT PROGRAM.—The term “pilot program” means the pilot program established by the Administrator under subsection (b)(1).

(3) WATER SERVICES NEEDS ASSESSMENT.—The term “water services needs assessment” means the report required under section 108(b)(1).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Administrator shall establish a pilot program to award grants to eligible entities to develop and implement programs to assist qualifying households with need in maintaining access to drinking water and wastewater treatment.

(2) REQUIREMENT.—In establishing the pilot program, the Administrator shall ensure that data from the water services needs assessment directly contributes to the structure of the pilot program by informing the types of assistance and criteria used for priority consideration with the demonstrated need from the study conducted under section 108(b)(1) and the water services needs assessment.

(3) USE OF FUNDS LIMITATIONS.—A grant under the pilot program—

(A) shall not be used to replace funds for any existing similar program; but

(B) may be used to supplement or enhance an existing program, including a program that receives assistance from other Federal grants.

(4) TERM.—The term of a grant awarded under the pilot program shall be subject to the availability of appropriations.

(5) TYPES OF ASSISTANCE.—In establishing the pilot program, the Administrator may include provisions for—

(A) direct financial assistance;

(B) a lifeline rate;

(C) bill discounting;

(D) special hardship provisions;

(E) a percentage-of-income payment plan; or

(F) debt relief for the eligible entity or the community water system owned by the eligible entity for debt that is due to customer nonpayment for the services provided by the eligible entity or the community water system that is determined by the Administrator to be in the interest of public health.



(6) REQUIREMENT.—The Administrator shall award not more than 40 grants under the pilot program, of which—

(A) not more than 8 shall be to eligible entities that own, operate, or exercise primary enforcement responsibility over a rural water service provider under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as applicable;

(B) not more than 8 shall be to eligible entities that own or operate a medium water service provider;

(C) not more than 8 shall be to eligible entities that own or operate a large water service provider that serves not more than 500,000 people;

(D) not more than 8 shall be to eligible entities that own or operate a large water service provider that serves more than 500,000 people; and

(E) not more than 8 shall be to eligible entities that own or operate a community water system, treatment works, or municipal separate storm sewer system that services a disadvantaged community (consistent with the affordability criteria established by the applicable State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(3)) or section 603(i)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1383(i)(2)), as applicable).

(7) CRITERIA.—In addition to any priority criteria established by the Administrator in response to the findings in the water services needs assessment, in awarding grants under the pilot program, the Administrator shall give priority consideration to eligible entities that—

(A) serve a disproportionate percentage, as determined by the Administrator, of qualifying households with need, as identified in the water services needs assessment;

(B) are subject to State or Federal enforcement actions relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.); or

(C) maintain or participate in an existing community assistance program with objectives similar to the objectives of the pilot program, as determined by the Administrator.

(8) REPORTING REQUIREMENTS.—

(A) IN GENERAL.—In addition to any other applicable Federal or agency-specific grant reporting requirements, as a condition of receiving a grant under the pilot program, an eligible entity (or a State, on behalf of an eligible entity) shall submit to the Administrator an annual report that summarizes, in a manner determined by the Administrator, the use of grant funds by the eligible entity, including—

(i) key features of the assistance provided by the eligible entity;

(ii) sources of funding used to supplement Federal funds; and

(iii) eligibility criteria.

(B) PUBLICATION.—The Administrator shall publish each report submitted under subparagraph (A).

(C) TECHNICAL ASSISTANCE.—The Administrator shall provide technical assistance to each eligible entity, and each State, on behalf of an eligible entity, that receives a grant under the pilot program to support implementation of the program.

(d) REPORT.—Not later than 2 years after the date on which grant funds are first disbursed to an eligible entity (or a State, on behalf of an eligible entity) under the program, and every year thereafter for the duration of the terms of the grants, the Administrator shall submit to Congress a report on the results of the pilot program.

## SEC. 110. LEAD CONTAMINATION IN SCHOOL DRINKING WATER.

Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j-24) is amended—

(1) in subsection (b)—

(A) in the first sentence, by inserting “public water systems and” after “to assist”; and

(B) in the third sentence, by inserting “public water systems,” after “schools,”; and

(2) in subsection (d)—

(A) in the subsection heading, by inserting “AND REDUCTION” after “LEAD TESTING”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “the Administrator” and all that follows through the period at the end and inserting the following: “the Administrator shall establish a voluntary school and child care program lead testing, compliance monitoring, and lead reduction grant program to make grants available to—

“(i) States to assist local educational agencies, public water systems that serve schools and child care programs under the jurisdiction of those local educational agencies, and qualified nonprofit organizations in voluntary testing or compliance monitoring for and remediation of lead contamination in drinking water at schools and child care programs under the jurisdiction of those local educational agencies; and

“(ii) tribal consortia to assist tribal education agencies (as defined in section 3 of the National Environmental Education Act (20 U.S.C. 5502)), public water systems that serve schools and child care programs under the jurisdiction of those tribal education agencies, and qualified nonprofit organizations in voluntary testing or compliance monitoring for and remediation of lead contamination in drinking water at schools and child care programs under the jurisdiction of those tribal education agencies.”; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting “or compliance monitoring for or remediation of lead contamination” after “voluntary testing”; and

(II) in clause (i), by striking “or” at the end;

(III) in clause (ii), by striking the period at the end and inserting a semicolon; and

(IV) by adding at the end the following:

“(iii) any public water system that is located in a State that does not participate in the voluntary grant program established under subparagraph (A) that—

“(I) assists schools or child care programs in lead testing;

“(II) assists schools or child care programs with compliance monitoring;

“(III) assists schools with carrying out projects to remediate lead contamination in drinking water; or

“(IV) provides technical assistance to schools or child care programs in carrying out lead testing; or

“(iv) a qualified nonprofit organization, as determined by the Administrator.”;

(C) in paragraphs (3), (5), (6), and (7), by striking “State or local educational agency” each place it appears and inserting “State, local educational agency, public water system, tribal consortium, or qualified nonprofit organization”;

(D) in paragraph (4)—

(i) by striking “States and local educational agencies” and inserting “States, local educational agencies, public water systems, tribal consortia, and qualified nonprofit organizations”; and

(ii) by inserting “or the remediation of” after “testing for”;

(E) in paragraph (6)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “State or local educational agency” and inserting “State, local educational agency, public water system, tribal consortium, or qualified nonprofit agency”; and

(II) by inserting “, public water system, tribal consortium, or qualified nonprofit organization” after “each local educational agency”;

(ii) in subparagraph (A)(ii)—

(I) by inserting “or tribal” after “applicable State”; and

(II) by striking “reducing lead” and inserting “voluntary testing or compliance monitoring for and remediation of lead contamination”; and

(iii) in subparagraph (B)(i), by inserting “applicable” before “local educational agency”;

(F) in paragraph (7), by striking “testing for” and inserting “testing or compliance monitoring for or remediation of”; and

(G) by striking paragraph (8) and inserting the following:

“(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

“(A) \$30,000,000 for fiscal year 2022;

“(B) \$35,000,000 for fiscal year 2023;

“(C) \$40,000,000 for fiscal year 2024;

“(D) \$45,000,000 for fiscal year 2025; and

“(E) \$50,000,000 for fiscal year 2026.”.

## SEC. 111. INDIAN RESERVATION DRINKING WATER PROGRAM.

Section 2001 of the America's Water Infrastructure Act of 2018 (42 U.S.C. 300j-3c note; Public Law 115-270) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Subject to the availability of appropriations, the Administrator of the Environmental Protection Agency” and inserting “The Administrator of the Environmental Protection Agency (referred to in this section as the ‘Administrator’)”; and

(B) by striking “to implement” in the matter preceding paragraph (1) and all that follows through the period at the end of paragraph (2) and inserting “to implement eligible projects described in subsection (b).”;

(2) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) that will—

“(A) improve water quality, water pressure, or water services through means such as connecting to, expanding, repairing, improving, or obtaining water from a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)); or

“(B) improve water quality or sanitation or wastewater services at a treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)).”;

(3) by redesignating subsection (d) as subsection (g);

(4) by striking subsection (c) and inserting the following:

“(c) REQUIRED PROJECTS.—

“(1) IN GENERAL.—If sufficient projects exist, of the funds made available to carry out this section, the Administrator shall use 50 percent to carry out—

“(A) 10 eligible projects described in subsection (b) that are within the Upper Missouri River Basin;

“(B) 10 eligible projects described in subsection (b) that are within the Upper Rio Grande Basin;

“(C) 10 eligible projects described in subsection (b) that are within the Columbia River Basin;

“(D) 10 eligible projects described in subsection (b) that are within the Lower Colorado River Basin; and



“(E) 10 eligible projects described in subsection (b) that are within the Arkansas-White-Red River Basin.

“(2) REQUIREMENT.—In carrying out paragraph (1)(A), the Administrator shall select not fewer than 2 eligible projects for a reservation that serves more than 1 federally recognized Indian Tribe.

“(d) PRIORITY.—In selecting projects to carry out under this section, the Administrator shall give priority to projects that—

“(1) respond to emergency situations occurring due to or resulting in a lack of access to clean drinking water that threatens the health of Tribal populations;

“(2) would serve a Tribal population that would qualify as a disadvantaged community based on the affordability criteria established by the applicable State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j–12(d)(3)); or

“(3) would address the underlying factors contributing to—

“(A) an enforcement action commenced pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.) against the applicable public water system (as defined in section 1401 of that Act (42 U.S.C. 300f)) as of the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021; or

“(B) an enforcement action commenced pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) against the applicable treatment works (as defined in section 212 of that Act (33 U.S.C. 1292)) as of the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021.

“(e) FEDERAL SHARE.—The Federal share of the cost of a project carried out under this section shall be 100 percent.

“(f) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program established under subsection (a), which shall include a description of the use and deployment of amounts made available under that program.”; and

(5) in subsection (g) (as so redesignated)—  
(A) by striking “There is” and inserting “There are”;

(B) by striking “subsection (a) \$20,000,000” and inserting the following: “subsection (a)—  
“(1) \$20,000,000”;

(C) in paragraph (1) (as so designated), by striking “2022.” and inserting “2021; and”;

(D) by adding at the end the following:  
“(2) \$50,000,000 for each of fiscal years 2022 through 2026.”.

#### SEC. 112. ADVANCED DRINKING WATER TECHNOLOGIES.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 107) is amended by adding at the end the following:

#### “SEC. 1459G. ADVANCED DRINKING WATER TECHNOLOGIES.

“(a) STUDY.—

“(1) IN GENERAL.—Subject to the availability of appropriations, not later than 1 year after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity vulnerabilities, that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of drinking water provided by a public water system.

“(2) REPORT.—The Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the

House of Representatives a report that describes the results of the study under paragraph (1).

“(b) ADVANCED DRINKING WATER TECHNOLOGY GRANT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means the owner or operator of a public water system that—

“(i) serves—

“(I) a population of not more than 100,000 people; or

“(II) a community described in section 1459A(c)(2);

“(ii) has plans to identify or has identified opportunities in the operations of the public water system to employ new, existing, or emerging, yet proven, technologies, including technology that could address cybersecurity vulnerabilities, as determined by the Administrator, that enhance treatment, monitoring, affordability, efficiency, or safety of the drinking water provided by the public water system, including technologies not identified in the study conducted under subsection (a)(1); and

“(iii) has expressed an interest in the opportunities in the operation of the public water system to employ new, existing, or emerging, yet proven, technologies, including technology that could address cybersecurity vulnerabilities, as determined by the Administrator, that enhance treatment, monitoring, affordability, efficiency, or safety of the drinking water provided by the public water system, including technologies not identified in the study conducted under subsection (a)(1).

“(B) PROGRAM.—The term ‘program’ means the competitive grant program established under paragraph (2).

“(C) UNDERSERVED COMMUNITY.—The term ‘underserved community’ means a political subdivision of a State that, as determined by the Administrator, has an inadequate system for obtaining drinking water.

“(2) ESTABLISHMENT.—The Administrator shall establish a competitive grant program under which the Administrator shall award grants to eligible entities for the purpose of identifying, deploying, or identifying and deploying technologies described in paragraph (1)(A)(ii).

“(3) REQUIREMENTS.—

“(A) APPLICATIONS.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) FEDERAL SHARE.—

“(i) IN GENERAL.—Subject to clause (ii), the Federal share of the cost of a project carried out using a grant under the program shall not exceed 90 percent of the total cost of the project.

“(ii) WAIVER.—The Administrator may increase the Federal share under clause (i) to 100 percent if the Administrator determines that an eligible entity is unable to pay, or would experience significant financial hardship if required to pay, the non-Federal share.

“(4) REPORT.—Not later than 2 years after the date on which the Administrator first awards a grant under the program, and annually thereafter, the Administrator shall submit to Congress a report describing—

“(A) each recipient of a grant under the program during the previous 1-year period; and

“(B) a summary of the activities carried out using grants awarded under the program.

“(5) FUNDING.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program \$10,000,000 for each of

fiscal years 2022 through 2026, to remain available until expended.

“(B) ADMINISTRATIVE COSTS.—Not more than 2 percent of the amount made available for a fiscal year under subparagraph (A) to carry out the program may be used by the Administrator for the administrative costs of carrying out the program.”.

#### SEC. 113. CYBERSECURITY SUPPORT FOR PUBLIC WATER SYSTEMS.

Part B of the Safe Drinking Water Act (42 U.S.C. 300g et seq.) is amended by adding at the end the following:

#### “SEC. 1420A. CYBERSECURITY SUPPORT FOR PUBLIC WATER SYSTEMS.

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate Congressional committees’ means—

“(A) the Committee on Environment and Public Works of the Senate;

“(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(C) the Committee on Energy and Commerce of the House of Representatives; and

“(D) the Committee on Homeland Security of the House of Representatives.

“(2) DIRECTOR.—The term ‘Director’ means the Director of the Cybersecurity and Infrastructure Security Agency.

“(3) INCIDENT.—The term ‘incident’ has the meaning given the term in section 3552 of title 44, United States Code.

“(4) PRIORITIZATION FRAMEWORK.—The term ‘Prioritization Framework’ means the prioritization framework developed by the Administrator under subsection (b)(1)(A).

“(5) SUPPORT PLAN.—The term ‘Support Plan’ means the Technical Cybersecurity Support Plan developed by the Administrator under subsection (b)(2)(A).

“(b) IDENTIFICATION OF AND SUPPORT FOR PUBLIC WATER SYSTEMS.—

“(1) PRIORITIZATION FRAMEWORK.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the Director, shall develop a prioritization framework to identify public water systems (including sources of water for those public water systems) that, if degraded or rendered inoperable due to an incident, would lead to significant impacts on the health and safety of the public.

“(B) CONSIDERATIONS.—In developing the Prioritization Framework, to the extent practicable, the Administrator shall incorporate consideration of—

“(i) whether cybersecurity vulnerabilities for a public water system have been identified under section 1433;

“(ii) the capacity of a public water system to remediate a cybersecurity vulnerability without additional Federal support;

“(iii) whether a public water system serves a defense installation or critical national security asset; and

“(iv) whether a public water system, if degraded or rendered inoperable due to an incident, would cause a cascading failure of other critical infrastructure.

“(2) TECHNICAL CYBERSECURITY SUPPORT PLAN.—

“(A) IN GENERAL.—Not later than 270 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the Director and using existing authorities of the Administrator and the Director for providing voluntary support to public water systems and the Prioritization Framework, shall develop a Technical Cybersecurity Support Plan for public water systems.

“(B) REQUIREMENTS.—The Support Plan—

“(i) shall establish a methodology for identifying specific public water systems for

which cybersecurity support should be prioritized;

“(ii) shall establish timelines for making voluntary technical support for cybersecurity available to specific public water systems;

“(iii) may include public water systems identified by the Administrator, in coordination with the Director, as needing technical support for cybersecurity;

“(iv) shall include specific capabilities of the Administrator and the Director that may be utilized to provide support to public water systems under the Support Plan, including—

“(I) site vulnerability and risk assessments;

“(II) penetration tests; and

“(III) any additional support determined to be appropriate by the Administrator; and

“(v) shall only include plans for providing voluntary support to public water systems.

“(3) CONSULTATION REQUIRED.—In developing the Prioritization Framework pursuant to paragraph (1) and the Support Plan pursuant to paragraph (2), the Administrator shall consult with such Federal or non-Federal entities as determined to be appropriate by the Administrator.

“(4) REPORTS REQUIRED.—

“(A) PRIORITIZATION FRAMEWORK.—Not later than 190 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the appropriate Congressional committees a report describing the Prioritization Framework.

“(B) TECHNICAL CYBERSECURITY SUPPORT PLAN.—Not later than 280 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the appropriate Congressional committees—

“(i) the Support Plan; and

“(ii) a list describing any public water systems identified by the Administrator, in coordination with the Director, as needing technical support for cybersecurity during the development of the Support Plan.

“(c) RULES OF CONSTRUCTION.—Nothing in this section—

“(1) alters the existing authorities of the Administrator; or

“(2) compels a public water system to accept technical support offered by the Administrator.”.

#### SEC. 114. STATE RESPONSE TO CONTAMINANTS.

Section 1459A(j)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-19a(j)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “an underserved community” and inserting “a community described in subsection (c)(2)”; and

(2) in subparagraph (A)(i), by striking “such underserved” and inserting “that”.

#### SEC. 115. ANNUAL STUDY ON BOIL WATER ADVISORIES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Administrator shall conduct a study on the prevalence of boil water advisories issued in the United States.

(b) REPORT.—

(1) IN GENERAL.—The Administrator shall submit to Congress a report describing the results of the most recent study conducted under subsection (a) as part of the annual budget request transmitted to Congress under section 1105(a) of title 31, United States Code.

(2) REQUIREMENT.—In the annual report required under paragraph (1), the Administrator shall include a description of the reasons for which boil water advisories were issued during the year covered by the report.

### TITLE II—CLEAN WATER

#### SEC. 201. RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION.

(a) REAUTHORIZATION.—Section 104(u) of the Federal Water Pollution Control Act (33 U.S.C. 1254(u)) is amended—

(1) by striking “and (7)” and inserting “(7)”; and

(2) in paragraph (7)—

(A) by striking “2023” and inserting “2021”; and

(B) by striking the period at the end and inserting “; and (8) not to exceed \$75,000,000 for each of fiscal years 2022 through 2026 for carrying out subsections (b)(3), (b)(8), and (g), of which not less than \$50,000,000 each fiscal year shall be used to carry out subsection (b)(8).”.

(b) COMMUNICATION.—Each nonprofit organization that receives funding under paragraph (8) of section 104(b) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)) shall, before using that funding to undertake activities to carry out that paragraph, consult with the State in which the assistance is to be expended or otherwise made available.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report that describes the implementation of the grants authorized under subsections (b)(3), (b)(8), and (g) of section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254), which shall include a description of the grant recipients and grant amounts made available to carry out those subsections.

#### SEC. 202. WASTEWATER EFFICIENCY GRANT PILOT PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

##### “SEC. 222. WASTEWATER EFFICIENCY GRANT PILOT PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a wastewater efficiency grant pilot program (referred to in this section as the ‘pilot program’) to award grants to owners or operators of publicly owned treatment works to carry out projects that create or improve waste-to-energy systems.

“(b) SELECTION.—

“(1) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an owner or operator of a treatment works shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(2) NUMBER OF RECIPIENTS.—The Administrator shall select not more than 15 recipients of grants under the pilot program from applications submitted under paragraph (1).

“(c) USE OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), a recipient of a grant under the pilot program may use grant funds for—

“(A) sludge collection; and

“(B) installation of anaerobic digesters;

“(C) methane capture; and

“(D) methane transfer;

“(E) facility upgrades and retrofits necessary to create or improve waste-to-energy systems; and

“(F) other new and emerging, but proven, technologies that transform waste to energy.

“(2) LIMITATION.—A grant to a recipient under the pilot program shall be not more than \$4,000,000.

“(d) REPORTS.—

“(1) REPORT TO THE ADMINISTRATOR.—Not later than 2 years after receiving a grant under the pilot program and each year thereafter for which amounts are made available for the pilot program under subsection (e), the recipient of the grant shall submit to the

Administrator a report describing the impact of that project on the communities within 3 miles of the treatment works.

“(2) REPORT TO CONGRESS.—Not later than 1 year after first awarding grants under the pilot program and each year thereafter for which amounts are made available for the pilot program under subsection (e), the Administrator shall submit to Congress a report describing—

“(A) the applications received by the Administrator for grants under the pilot program; and

“(B) the projects for which grants were awarded under the pilot program.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the pilot program \$20,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

#### SEC. 203. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

Section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300) is amended—

(1) in subsection (b), in the heading, by striking “IN GENERAL” and inserting “ESTABLISHMENT”;

(2) in subsection (d)—

(A) in paragraph (1), by inserting “construction” before “funds”; and

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) by striking subsection (e);

(4) in subsection (i)—

(A) in the matter preceding paragraph (1), by striking “, the following definitions apply”; and

(B) in paragraph (1), in the first sentence, by striking “water or wastewater or by treating wastewater” and inserting “water, wastewater, or stormwater or by treating wastewater or stormwater for groundwater recharge, potable reuse, or other purposes”;

(5) in subsection (j)—

(A) in the first sentence, by striking “There is” and inserting the following:

“(1) IN GENERAL.—There is”;

(B) in paragraph (1) (as so designated), by striking “a total of \$75,000,000 for fiscal years 2002 through 2004. Such sums shall” and inserting “\$25,000,000 for each of fiscal years 2022 through 2026, to”; and

(C) by adding at the end the following:

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”; and

(6) by redesignating subsections (b), (c), (d), (i), and (j) as subsections (c), (d), (e), (b), and (i), respectively, and moving those subsections so as to appear in alphabetical order.

#### SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE MUNICIPAL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “and” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

“(B) notification systems to inform the public of combined sewer or sanitary overflows that result in sewage being released into rivers and other waters; and”;

(2) in subsection (d)—

(A) in the second sentence, by striking “The non-Federal share of the cost” and inserting the following:

“(3) TYPES OF NON-FEDERAL SHARE.—The applicable non-Federal share of the cost under this subsection”;

(B) in the first sentence, by striking “The Federal” and inserting the following:

“(1) IN GENERAL.—The Federal”; and

(C) by inserting after paragraph (1) (as so designated) the following:

“(2) RURAL AND FINANCIALLY DISTRESSED COMMUNITIES.—To the maximum extent practicable, the Administrator shall work with States to prevent the non-Federal share requirements under this subsection from being passed on to rural communities and financially distressed communities (as those terms are defined in subsection (f)(2)(B)(i)).”;

(3) in subsection (f)—

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

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$280,000,000 for each of fiscal years 2022 through 2026.”; and

(B) in paragraph (2)—

(i) by striking “To the extent” and inserting the following:

“(A) GREEN PROJECTS.—To the extent”; and

(ii) by adding at the end the following:

“(B) RURAL OR FINANCIALLY DISTRESSED COMMUNITY ALLOCATION.—

“(i) DEFINITIONS.—In this subparagraph:

“(I) FINANCIALLY DISTRESSED COMMUNITY.—The term ‘financially distressed community’ has the meaning given the term in subsection (c)(1).

“(II) RURAL COMMUNITY.—The term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

“(ii) ALLOCATION.—

“(I) IN GENERAL.—To the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 25 percent of the amount of the grants made to the State under subsection (a) in a fiscal year to carry out projects in rural communities or financially distressed communities for the purpose of planning, design, and construction of—

“(aa) treatment works to intercept, transport, control, treat, or reuse municipal sewer overflows, sanitary sewer overflows, or stormwater; or

“(bb) any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water eligible for assistance under section 603(c).

“(II) RURAL COMMUNITIES.—Of the funds allocated under subclause (I) for the purposes described in that subclause, to the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 60 percent to carry out projects in rural communities.”; and

(4) in subsection (i)—

(A) in the second sentence, by striking “The recommended funding levels” and inserting the following:

“(B) REQUIREMENT.—The funding levels recommended under subparagraph (A)(i)”;

(B) in the first sentence, by striking “Not later” and inserting the following:

“(1) PERIODIC REPORTS.—

“(A) IN GENERAL.—Not later”;

(C) in paragraph (1)(A) (as so designated)—

(i) by striking the period at the end and inserting “; and”;

(ii) by striking “containing recommended” and inserting the following: “containing—

“(i) recommended”; and

(iii) by adding at the end the following:

“(ii) a description of the extent to which States pass costs associated with the non-Federal share requirements under subsection (d) to local communities, with a focus on

rural communities and financially distressed communities (as those terms are defined in subsection (f)(2)(B)(i)).”;

(D) by adding at the end the following:

“(2) USE OF FUNDS.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the implementation of the grant program under this section, which shall include a description of the grant recipients, sources of funds for non-Federal share requirements under subsection (d), and grant amounts made available under the program.”.

#### **SEC. 205. CLEAN WATER INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 202) is amended by adding at the end the following:

#### **“SEC. 223. CLEAN WATER INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.**

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a municipality; or

“(B) an intermunicipal, interstate, or State agency.

“(2) NATURAL HAZARD.—The term ‘natural hazard’ means a hazard caused by natural forces, including extreme weather events, sea-level rise, and extreme drought conditions.

“(3) PROGRAM.—The term ‘program’ means the clean water infrastructure resilience and sustainability program established under subsection (b).

“(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a clean water infrastructure resilience and sustainability program under which the Administrator shall award grants to eligible entities for the purpose of increasing the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities.

“(c) USE OF FUNDS.—An eligible entity that receives a grant under the program shall use the grant funds for planning, designing, or constructing projects (on a system-wide or area-wide basis) that increase the resilience of a publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities through—

“(1) the conservation of water;

“(2) the enhancement of water use efficiency;

“(3) the enhancement of wastewater and stormwater management by increasing watershed preservation and protection, including through the use of—

“(A) natural and engineered green infrastructure; and

“(B) reclamation and reuse of wastewater and stormwater, such as aquifer recharge zones;

“(4) the modification or relocation of an existing publicly owned treatment works, conveyance, or discharge system component that is at risk of being significantly impaired or damaged by a natural hazard;

“(5) the development and implementation of projects to increase the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities, as applicable; or

“(6) the enhancement of energy efficiency or the use and generation of recovered or renewable energy in the management, treatment, or conveyance of wastewater or stormwater.

“(d) APPLICATION.—To be eligible to receive a grant under the program, an eligible

entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the project to be planned, designed, or constructed using funds under the program;

“(2) an identification of the natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerability, as applicable, to be addressed by the proposed project;

“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerability, as applicable, of the area where the proposed project is to be located;

“(4) a description of any recent natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerabilities that have affected the publicly owned treatment works;

“(5) a description of how the proposed project would improve the performance of the publicly owned treatment works under an anticipated natural hazard or natural hazard risk of the area where the proposed project is to be located or a potential cybersecurity vulnerability, as applicable; and

“(6) an explanation of how the proposed project is expected to enhance the resilience of the publicly owned treatment works to a natural hazard risk of the area where the proposed project is to be located or a potential cybersecurity vulnerability, as applicable.

“(e) GRANT AMOUNT AND OTHER FEDERAL REQUIREMENTS.—

“(1) COST SHARE.—Except as provided in paragraph (2), a grant under the program shall not exceed 75 percent of the total cost of the proposed project.

“(2) EXCEPTION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a grant under the program shall not exceed 90 percent of the total cost of the proposed project if the project serves a community that—

“(i) has a population of fewer than 10,000 individuals; or

“(ii) meets the affordability criteria established by the State in which the community is located under section 603(i)(2).

“(B) WAIVER.—At the discretion of the Administrator, a grant for a project described in subparagraph (A) may cover 100 percent of the total cost of the proposed project.

“(3) REQUIREMENTS.—The requirements of section 608 shall apply to a project funded with a grant under the program.

“(f) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include an accounting of all grants awarded under the program, including a description of each grant recipient and each project funded using a grant under the program.

“(g) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2022 through 2026.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

#### **SEC. 206. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as

amended by section 205) is amended by adding at the end the following:

**“SEC. 224. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.**

“(a) **ESTABLISHMENT.**—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this section, the Administrator shall establish a circuit rider program (referred to in this section as the ‘circuit rider program’) under which the Administrator shall award grants to qualified nonprofit entities, as determined by the Administrator, to provide assistance to owners and operators of small and medium publicly owned treatment works to carry out the activities described in section 602(b)(13).

“(b) **LIMITATION.**—A grant provided under the circuit rider program shall be in an amount that is not more than \$75,000.

“(c) **PRIORITIZATION.**—In selecting recipients of grants under the circuit rider program, the Administrator shall give priority to qualified nonprofit entities, as determined by the Administrator, that would serve a community that—

“(1) has a history, for not less than the 10 years prior to the award of the grant, of unresolved wastewater issues, stormwater issues, or a combination of wastewater and stormwater issues;

“(2) is considered financially distressed;

“(3) faces the cumulative burden of stormwater and wastewater overflow issues; or

“(4) has previously failed to access Federal technical assistance due to cost-sharing requirements.

“(d) **COMMUNICATION.**—Each qualified nonprofit entity that receives funding under this section shall, before using that funding to undertake activities to carry out this section, consult with the State in which the assistance is to be expended or otherwise made available.

“(e) **REPORT.**—Not later than 2 years after the date on which the Administrator establishes the circuit rider program, and every 2 years thereafter, the Administrator shall submit to Congress a report describing—

“(1) each recipient of a grant under the circuit rider program; and

“(2) a summary of the activities carried out under the circuit rider program.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$10,000,000 for the period of fiscal years 2022 through 2026.

“(2) **LIMITATION ON USE OF FUNDS.**—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

**SEC. 207. SMALL PUBLICLY OWNED TREATMENT WORKS EFFICIENCY GRANT PROGRAM.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 206) is amended by adding at the end the following:

**“SEC. 225. SMALL PUBLICLY OWNED TREATMENT WORKS EFFICIENCY GRANT PROGRAM.**

“(a) **ESTABLISHMENT.**—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this section, the Administrator shall establish an efficiency grant program (referred to in this section as the ‘efficiency grant program’) under which the Administrator shall award grants to eligible entities for the replacement or repair of equipment that improves water or energy efficiency of small publicly owned treatment works, as identified in an efficiency audit.

“(b) **ELIGIBLE ENTITIES.**—The Administrator may award a grant under the efficiency grant program to—

“(1) an owner or operator of a small publicly owned treatment works that serves—

“(A) a population of not more than 10,000 people; or

“(B) a disadvantaged community; or

“(2) a nonprofit organization that seeks to assist a small publicly owned treatment works described in paragraph (1) to carry out the activities described in subsection (a).

“(c) **REPORT.**—Not later than 2 years after the date on which the Administrator establishes the efficiency grant program, and every 2 years thereafter, the Administrator shall submit to Congress a report describing—

“(1) each recipient of a grant under the efficiency grant program; and

“(2) a summary of the activities carried out under the efficiency grant program.

“(d) **USE OF FUNDS.**—

“(1) **SMALL SYSTEMS.**—Of the amounts made available for grants under this section, to the extent that there are sufficient applications, not less than 15 percent shall be used for grants to publicly owned treatment works that serve fewer than 3,300 people.

“(2) **LIMITATION ON USE OF FUNDS.**—Of the amounts made available for grants under this section, not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

**SEC. 208. GRANTS FOR CONSTRUCTION AND RE-FURBISHING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 207) is amended by adding at the end the following:

**“SEC. 226. GRANTS FOR CONSTRUCTION AND RE-FURBISHING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.**

“(a) **DEFINITION OF ELIGIBLE INDIVIDUAL.**—In this section, the term ‘eligible individual’ means a member of a low-income or moderate-income household, the members of which have a combined income (for the most recent 12-month period for which information is available) equal to not more than 50 percent of the median nonmetropolitan household income for the State or territory in which the household is located, according to the most recent decennial census.

“(b) **GRANT PROGRAM.**—

“(1) **IN GENERAL.**—Subject to the availability of appropriations, the Administrator shall establish a program under which the Administrator shall provide grants to private nonprofit organizations for the purpose of improving general welfare by providing assistance to eligible individuals—

“(A) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system; or

“(B) for the installation of a larger decentralized wastewater system designed to provide treatment for 2 or more households in which eligible individuals reside, if—

“(i) site conditions at the households are unsuitable for the installation of an individually owned decentralized wastewater system;

“(ii) multiple examples of unsuitable site conditions exist in close geographic proximity to each other; and

“(iii) a larger decentralized wastewater system could be cost-effectively installed.

“(2) **APPLICATION.**—To be eligible to receive a grant under this subsection, a private nonprofit organization shall submit to the Administrator an application at such time, in such manner, and containing such informa-

tion as the Administrator determines to be appropriate.

“(3) **PRIORITY.**—In awarding grants under this subsection, the Administrator shall give priority to applicants that have substantial expertise and experience in promoting the safe and effective use of individual household decentralized wastewater systems.

“(4) **ADMINISTRATIVE EXPENSES.**—A private nonprofit organization may use amounts provided under this subsection to pay the administrative expenses associated with the provision of the services described in paragraph (1), as the Administrator determines to be appropriate.

“(c) **GRANTS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), a private nonprofit organization shall use a grant provided under subsection (b) for the services described in paragraph (1) of that subsection.

“(2) **APPLICATION.**—To be eligible to receive the services described in subsection (b)(1), an eligible individual shall submit to the private nonprofit organization serving the area in which the individual household decentralized wastewater system of the eligible individuals is, or is proposed to be, located an application at such time, in such manner, and containing such information as the private nonprofit organization determines to be appropriate.

“(3) **PRIORITY.**—In awarding grants under this subsection, a private nonprofit organization shall give priority to any eligible individual who does not have access to a sanitary sewage disposal system.

“(d) **REPORT.**—Not later than 2 years after the date of enactment of this section, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the recipients of grants under the program under this section and the results of the program under this section.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated to the Administrator to carry out this section \$50,000,000 for each of fiscal years 2022 through 2026.

“(2) **LIMITATION ON USE OF FUNDS.**—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

**SEC. 209. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 208) is amended by adding at the end the following:

**“SEC. 227. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.**

“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(A) an owner or operator of a publicly owned treatment works that assists or is seeking to assist low-income or moderate-income individuals with connecting the household of the individual to the publicly owned treatment works; or

“(B) a nonprofit entity that assists low-income or moderate-income individuals with the costs associated with connecting the household of the individual to a publicly owned treatment works.

“(2) **PROGRAM.**—The term ‘program’ means the competitive grant program established under subsection (b).

“(3) **QUALIFIED INDIVIDUAL.**—The term ‘qualified individual’ has the meaning given the term ‘eligible individual’ in section 603(j).

“(b) **ESTABLISHMENT.**—Subject to the availability of appropriations, the Administrator

shall establish a competitive grant program with the purpose of improving general welfare, under which the Administrator awards grants to eligible entities to provide funds to assist qualified individuals in covering the costs incurred by the qualified individual in connecting the household of the qualified individual to a publicly owned treatment works.

“(c) APPLICATION.—

“(1) IN GENERAL.—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may by regulation require.

“(2) REQUIREMENT.—Not later than 90 days after the date on which the Administrator receives an application from an eligible entity under paragraph (1), the Administrator shall notify the eligible entity of whether the Administrator will award a grant to the eligible entity under the program.

“(d) SELECTION CRITERIA.—In selecting recipients of grants under the program, the Administrator shall use the following criteria:

“(1) Whether the eligible entity seeking a grant provides services to, or works directly with, qualified individuals.

“(2) Whether the eligible entity seeking a grant—

“(A) has an existing program to assist in covering the costs incurred in connecting a household to a publicly owned treatment works; or

“(B) seeks to create a program described in subparagraph (A).

“(e) REQUIREMENTS.—

“(1) VOLUNTARY CONNECTION.—Before providing funds to a qualified individual for the costs described in subsection (b), an eligible entity shall ensure that—

“(A) the qualified individual has connected to the publicly owned treatment works voluntarily; and

“(B) if the eligible entity is not the owner or operator of the publicly owned treatment works to which the qualified individual has connected, the publicly owned treatment works to which the qualified individual has connected has agreed to the connection.

“(2) REIMBURSEMENTS FROM PUBLICLY OWNED TREATMENT WORKS.—An eligible entity that is an owner or operator of a publicly owned treatment works may reimburse a qualified individual that has already incurred the costs described in subsection (b) by—

“(A) reducing the amount otherwise owed by the qualified individual to the owner or operator for wastewater or other services provided by the owner or operator; or

“(B) providing a direct payment to the qualified individual.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the program \$40,000,000 for each of fiscal years 2022 through 2026.

“(2) LIMITATIONS ON USE OF FUNDS.—

“(A) SMALL SYSTEMS.—Of the amounts made available for grants under paragraph (1), to the extent that there are sufficient applications, not less than 15 percent shall be used to make grants to—

“(i) eligible entities described in subsection (a)(1)(A) that are owners and operators of publicly owned treatment works that serve fewer than 3,300 people; and

“(ii) eligible entities described in subsection (a)(1)(B) that provide the assistance described in that subsection in areas that are served by publicly owned treatment works that serve fewer than 3,300 people.

“(B) ADMINISTRATIVE COSTS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may

be used to pay the administrative costs of the Administrator.”.

**SEC. 210. CLEAN WATER STATE REVOLVING FUNDS.**

(a) USE OF FUNDS.—

(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d), in the matter preceding paragraph (1), by inserting “and provided in subsection (k)” after “State law”; and

(B) in subsection (i)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “, including forgiveness of principal and negative interest loans” and inserting “(including forgiveness of principal, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt)”; and

(ii) in paragraph (3), by striking subparagraph (B) and inserting the following:

“(B) TOTAL AMOUNT OF SUBSIDIZATION.—

“(i) IN GENERAL.—For each fiscal year, of the amount of the capitalization grant received by the State under this title, the total amount of additional subsidization made available by a State under paragraph (1)—

“(I) may not exceed 30 percent; and

“(II) to the extent that there are sufficient applications for assistance to communities described in that paragraph, may not be less than 10 percent.

“(ii) EXCLUSION.—A loan from the water pollution control revolving fund of a State with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subparagraph.”; and

(C) by adding at the end the following:

“(k) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually awarded to each State under this title for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.”.

(2) TECHNICAL AMENDMENT.—Section 104(w) of the Federal Water Pollution Control Act (33 U.S.C. 1254(w)) is amended by striking “treatment works” and inserting “treatment works”.

(b) CAPITALIZATION GRANT REAUTHORIZATION.—Section 607 of the Federal Water Pollution Control Act (33 U.S.C. 1387) is amended to read as follows:

**“SEC. 607. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out the purposes of this title—

“(1) \$2,400,000,000 for fiscal year 2022;

“(2) \$2,750,000,000 for fiscal year 2023;

“(3) \$3,000,000,000 for fiscal year 2024; and

“(4) \$3,250,000,000 for each of fiscal years 2025 and 2026.”.

**SEC. 211. WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.**

Section 4304 of the America's Water Infrastructure Act of 2018 (42 U.S.C. 300j-19e) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), by inserting “Tribal,” after “State,”; and

(B) in subparagraph (B), by striking “community-based organizations” and all that follows through the period at the end and inserting the following: “community-based organizations and public works departments or agencies to align water and wastewater utility workforce recruitment efforts, training programs, retention efforts, and community resources with water and wastewater utilities—

“(i) to accelerate career pipelines;

“(ii) to ensure the sustainability of the water and wastewater utility workforce; and

“(iii) to provide access to workforce opportunities.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) in subparagraph (A), by striking “; and” at the end and inserting “, which may include—”

(iii) in the matter preceding subparagraph (A), by striking “program—” and all that follows through “to assist” in subparagraph (A) and inserting “program to assist”; and

(iv) by adding at the end the following:

“(A) expanding the use and availability of activities and resources that relate to the recruitment, including the promotion of diversity within that recruitment, of individuals to careers in the water and wastewater utility sector;

“(B) expanding the availability of training opportunities for—

“(i) individuals entering into the water and wastewater utility sector; and

“(ii) individuals seeking to advance careers within the water and wastewater utility sector; and

“(C) expanding the use and availability of activities and strategies, including the development of innovative activities and strategies, that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector.”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “institutions—” and inserting “institutions, or public works departments and agencies—”; and

(ii) in subparagraph (A)—

(I) by striking clauses (ii) and (iii);

(II) in clause (i), by adding “or” at the end;

(III) by redesignating clause (i) as clause (ii);

(IV) by inserting before clause (ii) (as so redesignated) the following:

“(i) in the development of educational or recruitment materials and activities, including those materials and activities that specifically promote diversity within recruitment, for the water and wastewater utility workforce”; and

(V) by adding at the end the following:

“(iii) developing activities and strategies that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector; and”;

(C) in paragraph (3)—

(i) in subparagraph (D)(ii), by inserting “or certification” after “training”; and

(ii) in subparagraph (E), by striking “ensure that incumbent water and waste water utilities workers” and inserting “are designed to retain incumbent water and wastewater utility workforce workers by ensuring that those workers”; and

(D) by striking paragraph (4) and inserting the following:

“(4) WORKING GROUP; REPORT.—

“(A) IN GENERAL.—The Administrator shall establish and coordinate a Federal inter-agency working group to address recruitment, training, and retention challenges in the water and wastewater utility workforce, which shall include representatives from—

“(i) the Department of Education;

“(ii) the Department of Labor;

“(iii) the Department of Agriculture;

“(iv) the Department of Veterans Affairs; and

“(v) other Federal agencies, as determined to be appropriate by the Administrator.

“(B) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the working group established under subparagraph (A), shall submit to Congress a report

describing potential solutions to recruitment, training, and retention challenges in the water and wastewater utility workforce.

“(C) CONSULTATION.—In carrying out the duties of the working group established under subparagraph (A), the working group shall consult with State operator certification programs.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2022 through 2026.”;

(3) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively; and

(4) by inserting before subsection (b) (as so redesignated) the following:

“(a) DEFINITION OF PUBLIC WORKS DEPARTMENT OR AGENCY.—In this section, the term ‘public works department or agency’ means a political subdivision of a local, county, or regional government that designs, builds, operates, and maintains water infrastructure, sewage and refuse disposal systems, and other public water systems and facilities.”.

#### SEC. 212. GRANTS TO ALASKA TO IMPROVE SANITATION IN RURAL AND NATIVE VILLAGES.

Section 303 of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1263a) is amended—

(1) in subsection (b), by striking “50 percent” and inserting “75 percent”; and

(2) in subsection (e), by striking “this section” and all that follows through the period at the end and inserting the following: “this section—

“(1) \$40,000,000 for each of fiscal years 2022 through 2024;

“(2) \$50,000,000 for fiscal year 2025; and

“(3) \$60,000,000 for fiscal year 2026.”.

#### SEC. 213. WATER DATA SHARING PILOT PROGRAM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant pilot program (referred to in this section as the “pilot program”) under which the Administrator may award grants to eligible entities under subsection (b) to establish systems that improve the sharing of information concerning water quality, water infrastructure needs, and water technology, including cybersecurity technology, between States or among counties and other units of local government within a State, which may include—

(A) establishing a website or data hub to exchange water data, including data on water quality or water technology, including new and emerging, but proven, water technology; and

(B) intercounty communications initiatives related to water data.

(2) REQUIREMENTS.—

(A) DATA SHARING.—The Internet of Water principles developed by the Nicholas Institute for Environmental Policy Solutions shall, to the extent practicable, guide any water data sharing efforts under the pilot program.

(B) USE OF EXISTING DATA.—The recipient of a grant under the pilot program to establish a website or data hub described in paragraph (1)(A) shall, to the extent practicable, leverage existing data sharing infrastructure.

(b) ELIGIBLE ENTITIES.—An entity eligible for a grant under the pilot program is—

(1) a State, county, or other unit of local government that—

(A) has a coastal watershed with significant pollution levels;

(B) has a water system with significant pollution levels; or

(C) has significant individual water infrastructure deficits; or

(2) a regional consortium established under subsection (d).

(c) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an eligible entity under subsection (b) shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(d) REGIONAL CONSORTIA.—

(1) ESTABLISHMENT.—States may establish regional consortia in accordance with this subsection.

(2) REQUIREMENTS.—A regional consortium established under paragraph (1) shall—

(A) include not fewer than 2 States that have entered into a memorandum of understanding—

(i) to exchange water data, including data on water quality; or

(ii) to share information, protocols, and procedures with respect to projects that evaluate, demonstrate, or install new and emerging, but proven, water technology;

(B) carry out projects—

(i) to exchange water data, including data on water quality; or

(ii) that evaluate, demonstrate, or install new and emerging, but proven, water technology; and

(C) develop a regional intended use plan, in accordance with paragraph (3), to identify projects to carry out, including projects using grants received under this section.

(3) REGIONAL INTENDED USE PLAN.—A regional intended use plan of a regional consortium established under paragraph (1)—

(A) shall identify projects that the regional consortium intends to carry out, including projects that meet the requirements of paragraph (2)(B); and

(B) may include—

(i) projects included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium; and

(ii) projects not included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report that describes the implementation of the pilot program, which shall include—

(1) a description of the use and deployment of amounts made available under the pilot program; and

(2) an accounting of all grants awarded under the program, including a description of each grant recipient and each project funded using a grant under the pilot program.

(f) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program \$15,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

(2) REQUIREMENT.—Of the funds made available under paragraph (1), not more than 35 percent may be used to provide grants to regional consortia established under subsection (d).

#### SEC. 214. FINAL RATING OPINION LETTERS.

Section 5028(a)(1)(D)(ii) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(a)(1)(D)(ii)) is amended by striking “final rating opinion letters from at least 2 rating agencies” and inserting “a final rating opinion letter from at least 1 rating agency”.

#### SEC. 215. WATER INFRASTRUCTURE FINANCING REAUTHORIZATION.

(a) IN GENERAL.—Section 5033 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3912) is amended—

(1) in subsection (a), by adding at the end the following:

“(3) FISCAL YEARS 2022 THROUGH 2026.—There is authorized to be appropriated to the Administrator to carry out this subtitle \$50,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.”;

(2) in subsection (b)(2)—

(A) in the paragraph heading, by striking “2020 AND 2021” and inserting “AFTER 2019”; and

(B) by striking “2020 and 2021” and inserting “2022 through 2026”; and

(3) in subsection (e)(1), by striking “2020 and 2021” and inserting “2022 through 2026”.

(b) OUTREACH PLAN.—The Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) is amended by adding at the end the following:

#### “SEC. 5036. OUTREACH PLAN.

“(a) DEFINITION OF RURAL COMMUNITY.—In this section, the term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

“(b) OUTREACH REQUIRED.—Not later than 180 days after the date of enactment of this section, the Administrator, in consultation with relevant Federal agencies, shall develop and begin implementation of an outreach plan to promote financial assistance available under this subtitle to small communities and rural communities.”.

#### SEC. 216. SMALL AND DISADVANTAGED COMMUNITY ANALYSIS.

(a) ANALYSIS.—Not later than 2 years after the date of enactment of this Act, using environmental justice data of the Environmental Protection Agency, including data from the environmental justice mapping and screening tool of the Environmental Protection Agency, the Administrator shall carry out an analysis under which the Administrator shall assess the programs under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) to identify historical distributions of funds to small and disadvantaged communities and new opportunities and methods to improve on the distribution of funds under those programs to low-income communities, rural communities, minority communities, and communities of indigenous peoples, in accordance with Executive Order 12898 (42 U.S.C. 4321 note; 60 Fed. Reg. 6381; relating to Federal actions to address environmental justice in minority populations and low-income populations).

(b) REQUIREMENT.—The analysis under subsection (a) shall include an analysis, to the extent practicable, of communities in the United States that do not have access to drinking water or wastewater services.

(c) REPORT.—On completion of the analysis under subsection (a), the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives a report describing—

(1) the results of the analysis; and

(2) the criteria the Administrator used in carrying out the analysis.

#### SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “center” means a center of excellence for stormwater control infrastructure established under subsection (b)(1).



(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) a State, Tribal, or local government; or

(B) a local, regional, or other public entity that manages stormwater or wastewater resources or other related water infrastructure.

(3) **ELIGIBLE INSTITUTION.**—The term “eligible institution” means an institution of higher education, a research institution, or a nonprofit organization—

(A) that has demonstrated excellence in researching and developing new and emerging stormwater control infrastructure technologies; and

(B) with respect to a nonprofit organization, the core mission of which includes water management, as determined by the Administrator.

(b) **CENTERS OF EXCELLENCE FOR STORMWATER CONTROL INFRASTRUCTURE TECHNOLOGIES.**—

(1) **ESTABLISHMENT OF CENTERS.**—

(A) **IN GENERAL.**—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible institutions to establish and maintain not less than 3, and not more than 5, centers of excellence for new and emerging stormwater control infrastructure technologies, to be located in various regions throughout the United States.

(B) **GENERAL OPERATION.**—Each center shall—

(i) conduct research on new and emerging stormwater control infrastructure technologies that are relevant to the geographical region in which the center is located, including stormwater and sewer overflow reduction, other approaches to water resource enhancement, alternative funding approaches, and other environmental, economic, and social benefits, with the goal of improving the effectiveness, cost efficiency, and protection of public safety and water quality;

(ii) maintain a listing of—

(I) stormwater control infrastructure needs; and

(II) an analysis of new and emerging stormwater control infrastructure technologies that are available;

(iii) analyze whether additional financial programs for the implementation of new and emerging, but proven, stormwater control infrastructure technologies would be useful;

(iv) provide information regarding research conducted under clause (i) to the national electronic clearinghouse center for publication on the Internet website established under paragraph (3)(B)(i) to provide to the Federal Government and State, Tribal, and local governments and the private sector information regarding new and emerging, but proven, stormwater control infrastructure technologies;

(v) provide technical assistance to State, Tribal, and local governments to assist with the design, construction, operation, and maintenance of stormwater control infrastructure projects that use innovative technologies;

(vi) collaborate with institutions of higher education and private and public organizations, including community-based public-private partnerships and other stakeholders, in the geographical region in which the center is located; and

(vii) coordinate with the other centers to avoid duplication of efforts.

(2) **APPLICATION.**—To be eligible to receive a grant under this subsection, an eligible institution shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require.

(3) **NATIONAL ELECTRONIC CLEARINGHOUSE CENTER.**—Of the centers established under paragraph (1)(A), 1 shall—

(A) be designated as the “national electronic clearinghouse center”; and

(B) in addition to the other functions of that center—

(i) develop, operate, and maintain an Internet website and a public database that contains information relating to new and emerging, but proven, stormwater control infrastructure technologies; and

(ii) post to the website information from all centers.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **IN GENERAL.**—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2022 through 2026.

(B) **LIMITATION ON USE OF FUNDS.**—Of the amounts made available for grants under subparagraph (A), not more than 2 percent may be used to pay the administrative costs of the Administrator.

(C) **STORMWATER CONTROL INFRASTRUCTURE PROJECT GRANTS.**—

(1) **GRANT AUTHORITY.**—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies in accordance with this subsection.

(2) **STORMWATER CONTROL INFRASTRUCTURE PROJECTS.**—

(A) **PLANNING AND DEVELOPMENT GRANTS.**—The Administrator may make planning and development grants under this subsection for the following projects:

(i) Planning and designing stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies, including engineering surveys, landscape plans, maps, long-term operations and maintenance plans, and implementation plans.

(ii) Identifying and developing standards necessary to accommodate stormwater control infrastructure projects, including those projects that incorporate new and emerging, but proven, stormwater control technologies.

(iii) Identifying and developing fee structures to provide financial support for design, installation, and operations and maintenance of stormwater control infrastructure, including new and emerging, but proven, stormwater control infrastructure technologies.

(iv) Developing approaches for community-based public-private partnerships for the financing and construction of stormwater control infrastructure technologies, including feasibility studies, stakeholder outreach, and needs assessments.

(v) Developing and delivering training and educational materials regarding new and emerging, but proven, stormwater control infrastructure technologies for distribution to—

(I) individuals and entities with applicable technical knowledge; and

(II) the public.

(B) **IMPLEMENTATION GRANTS.**—The Administrator may make implementation grants under this subsection for the following projects:

(i) Installing new and emerging, but proven, stormwater control infrastructure technologies.

(ii) Protecting or restoring interconnected networks of natural areas that protect water quality.

(iii) Monitoring and evaluating the environmental, economic, or social benefits of stormwater control infrastructure technologies that incorporate new and emerging, but proven, stormwater control technology.

(iv) Implementing a best practices standard for stormwater control infrastructure programs.

(3) **APPLICATION.**—Except as otherwise provided in this section, to be eligible to receive a grant under this subsection, an eligible entity shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require, including, as applicable—

(A) a description of the stormwater control infrastructure project that incorporates new and emerging, but proven, technologies;

(B) a plan for monitoring the impacts and pollutant load reductions associated with the stormwater control infrastructure project on the water quality and quantity;

(C) an evaluation of other environmental, economic, and social benefits of the stormwater control infrastructure project; and

(D) a plan for the long-term operation and maintenance of the stormwater control infrastructure project and a tracking system, such as asset management practices.

(4) **PRIORITY.**—In making grants under this subsection, the Administrator shall give priority to applications submitted on behalf of—

(A) a community that—

(i) has municipal combined storm and sanitary sewers in the collection system of the community; or

(ii) is a small, rural, or disadvantaged community, as determined by the Administrator; or

(B) an eligible entity that will use not less than 15 percent of the grant to provide service to a small, rural, or disadvantaged community, as determined by the Administrator.

(5) **MAXIMUM AMOUNTS.**—

(A) **PLANNING AND DEVELOPMENT GRANTS.**—

(i) **SINGLE GRANT.**—The amount of a single planning and development grant provided under this subsection shall be not more than \$200,000.

(ii) **AGGREGATE AMOUNT.**—The total amount of all planning and development grants provided under this subsection for a fiscal year shall be not more than 1/3 of the total amount made available to carry out this subsection.

(B) **IMPLEMENTATION GRANTS.**—

(i) **SINGLE GRANT.**—The amount of a single implementation grant provided under this subsection shall be not more than \$2,000,000.

(ii) **AGGREGATE AMOUNT.**—The total amount of all implementation grants provided under this subsection for a fiscal year shall be not more than 2/3 of the total amount made available to carry out this subsection.

(6) **FEDERAL SHARE.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (C), the Federal share of a grant provided under this subsection shall not exceed 80 percent of the total project cost.

(B) **CREDIT FOR IMPLEMENTATION GRANTS.**—The Administrator shall credit toward the non-Federal share of the cost of an implementation project carried out under this subsection the cost of planning, design, and construction work completed for the project using funds other than funds provided under this section.

(C) **EXCEPTION.**—The Administrator may waive the Federal share limitation under subparagraph (A) for an eligible entity that has adequately demonstrated financial need.

(d) **REPORT TO CONGRESS.**—Not later than 2 years after the date on which the Administrator first awards a grant under this section, the Administrator shall submit to Congress a report that includes, with respect to the period covered by the report—

(1) a description of all grants provided under this section;



(2) a detailed description of—  
(A) the projects supported by those grants; and

(B) the outcomes of those projects;  
(3) a description of the improvements in technology, environmental benefits, resources conserved, efficiencies, and other benefits of the projects funded under this section;

(4) recommendations for improvements to promote and support new and emerging, but proven, stormwater control infrastructure, including research into new and emerging technologies, for the centers, grants, and activities under this section; and

(5) a description of existing challenges concerning the use of new and emerging, but proven, stormwater control infrastructure.

**(e) AUTHORIZATION OF APPROPRIATIONS.—**

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section (except for subsection (b)) \$10,000,000 for each of fiscal years 2022 through 2026.

(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.

**SEC. 218. WATER REUSE INTERAGENCY WORKING GROUP.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a Water Reuse Interagency Working Group (referred to in this section as the “Working Group”).

(b) PURPOSE.—The purpose of the Working Group is to develop and coordinate actions, tools, and resources to advance water reuse across the United States, including through the implementation of the February 2020 National Water Reuse Action Plan, which creates opportunities for water reuse in the mission areas of each of the Federal agencies included in the Working Group under subsection (c) (referred to in this section as the “Action Plan”).

(c) CHAIRPERSON; MEMBERSHIP.—The Working Group shall be—

(1) chaired by the Administrator; and  
(2) comprised of senior representatives from such Federal agencies as the Administrator determines to be appropriate.

(d) DUTIES OF THE WORKING GROUP.—In carrying out this section, the Working Group shall—

(1) with respect to water reuse, leverage the expertise of industry, the research community, nongovernmental organizations, and government;

(2) seek to foster water reuse as an important component of integrated water resources management;

(3) conduct an assessment of new opportunities to advance water reuse and annually update the Action Plan with new actions, as necessary, to pursue those opportunities;

(4) seek to coordinate Federal programs and policies to support the adoption of water reuse;

(5) consider how each Federal agency can explore and identify opportunities to support water reuse through the programs and activities of that Federal agency; and

(6) consult, on a regular basis, with representatives of relevant industries, the research community, and nongovernmental organizations.

(e) REPORT.—Not less frequently than once every 2 years, the Administrator shall submit to Congress a report on the activities and findings of the Working Group.

**(f) SUNSET.—**

(1) IN GENERAL.—Subject to paragraph (2), the Working Group shall terminate on the date that is 6 years after the date of enactment of this Act.

(2) EXTENSION.—The Administrator may extend the date of termination of the Working Group under paragraph (1).

**SEC. 219. ADVANCED CLEAN WATER TECHNOLOGIES STUDY.**

(a) IN GENERAL.—Subject to the availability of appropriations, not later than 2 years after the date of enactment of this Act, the Administrator shall carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity vulnerabilities, that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of wastewater services provided by a treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)).

(b) REPORT.—The Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the results of the study under subsection (a).

**SEC. 220. CLEAN WATERSHEDS NEEDS SURVEY.**

Title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) is amended by adding at the end the following:

**“SEC. 609. CLEAN WATERSHEDS NEEDS SURVEY.**

“(a) REQUIREMENT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, and not less frequently than once every 4 years thereafter, the Administrator shall—

“(1) conduct and complete an assessment of capital improvement needs for all projects that are eligible under section 603(c) for assistance from State water pollution control revolving funds; and

“(2) submit to Congress a report describing the results of the assessment completed under paragraph (1).

“(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the initial needs survey under subsection (a) \$5,000,000, to remain available until expended.”.

**SEC. 221. WATER RESOURCES RESEARCH ACT AMENDMENTS.**

(a) CLARIFICATION OF RESEARCH ACTIVITIES.—Section 104(b)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(b)(1)) is amended—

(1) in subparagraph (B)(ii), by striking “water-related phenomena” and inserting “water resources”; and

(2) in subparagraph (D), by striking the period at the end and inserting “; and”.

(b) COMPLIANCE REPORT.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended by striking subsection (c) and inserting the following:

**“(c) GRANTS.—**

“(1) IN GENERAL.—From the sums appropriated pursuant to subsection (f), the Secretary shall make grants to each institute to be matched on a basis of no less than 1 non-Federal dollar for every 1 Federal dollar.

“(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.”.

(c) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended by striking subsection (e) and inserting the following:

**“(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—**

“(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of

each institute at least once every 5 years to determine—

“(A) the quality and relevance of the water resources research of the institute;

“(B) the effectiveness of the institute at producing measured results and applied water supply research; and

“(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

“(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2022 through 2025”.

(e) ADDITIONAL APPROPRIATIONS WHERE RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.—Section 104(g)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(g)(1)) is amended in the first sentence by striking “\$6,000,000 for each of fiscal years 2007 through 2011” and inserting “\$3,000,000 for each of fiscal years 2022 through 2025”.

**SEC. 222. ENHANCED AQUIFER USE AND RECHARGE.**

Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

**“SEC. 124. ENHANCED AQUIFER USE AND RECHARGE.**

“(a) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall provide funding to carry out groundwater research on enhanced aquifer use and recharge in support of sole-source aquifers, of which—

“(1) not less than 50 percent shall be used to provide 1 grant to a State, unit of local government, or Indian Tribe to carry out activities that would directly support that research; and

“(2) the remainder shall be provided to 1 appropriate research center.

“(b) COORDINATION.—As a condition of accepting funds under subsection (a), the State, unit of local government, or Indian Tribe and the appropriate research center that receive funds under that subsection shall establish a formal research relationship for the purpose of coordinating efforts under this section.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out this section \$5,000,000 for each of fiscal years 2022 through 2026.”.

The PRESIDING OFFICER. The Senator from Illinois.

**EXECUTIVE SESSION**

**EXECUTIVE CALENDAR**

Ms. DUCKWORTH. Madam President, I ask unanimous consent that the Senate proceed to executive session and resume consideration of Executive Calendar No. 65, Cynthia Minette Marten, to be Deputy Secretary of Education.

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

**TRIBUTE TO KAITLIN FAHEY**

Ms. DUCKWORTH. Madam President, first it was 5 minutes. Then it was 10.

Then, 15. I had no idea where she was, and, at the time, barely even knew who she was. All I knew was that on her first day, as not just a volunteer but a full-time employee, our latest hire was ridiculously late to pick me up to drive me to the next campaign stop. Not a great look for her first task on the job.

Twenty minutes passed. Then, 25. Then, 30. She still wasn't there.

Her name was Kaitlin "Something," I remembered. Well, whenever Kaitlin "Something" deigned to show up—if Kaitlin "Something" deigned to show up at all—she would get a lesson in working for a former military officer who believed in the sanctity of clocking in at 0855 hours if your commanding officer told you to report at 0900 hours.

Thirty-five minutes went by. Then, 40.

It was only after 45 minutes had passed that I saw her car coming around the bend. And while I could not have noted at the time, Kaitlin "Something" was about to become one of the most important people in my life. But on that day, she made me miss an event because we were too late.

In the 15 years since that day that she showed up so incredibly late, Kaitlin Fahey has gone from being an intern to being in charge of interns, to, well, being in charge of me as my scheduler and then as my chief of staff.

She has become a trusted political adviser, a confidant, a close friend, and an honorary member of my family—someone I knew I could turn to for a gut check and for the most brutally honest advice, the person who can both calm me down and rev me up and who can switch between the two on a dime.

From greasy fast food stops along campaign routes to the hallowed halls of the Capitol Building that I am speaking in today, Kaitlin has never left my corner. She has always pushed for what was good and right, for what was best not just for me but for the people I represented—never, ever accepting the word "no" when a "yes" might be better to help even one family in one far-flung town of our home State of Illinois.

Day after day, year after year, in role after role, she worked tirelessly, not on my behalf but on behalf of every Illinoisan, every American, proving along the way that you don't need to wear a nation's uniform to serve our country; that you can serve America without ever going to basic training or picking up a rifle; that you can serve America, and change her forever and for the better, simply by caring deeply and working tirelessly to make tomorrow a little bit better, a little fairer than today.

There are a million stories I could tell about the work that Kaitlin has done and all that she has accomplished, but I will hold myself to just one: when she helped change Senate rules to allow babies onto the floor for votes so that new parents could fulfill their duties to both their children and the Constitution, showing moms and dads in

every pocket of this country that they shouldn't need to choose between having jobs and having kids.

You can see why I call her "The Hammer" and why she is one of the only people in the world who scares the living daylights out of me, but in the best way possible. And you can also see why I have been so lucky to have her in my corner all these years, to have her as a partner in office pranks, and to have her as a sister, who I could count on to simply sit in silence on the other end of the phone and cry with me after my miscarriage.

This month was Kaitlin's last as my chief of staff. So, today, I just want to say thank you to her.

Thank you to Kaitlin's wonderful family also—Scott, Ronan, and Brenna—for lending us your wife and your mom.

And thank you, Kaitlin, for every moment of the last 15 years. Thank you for imparting your humor and for humoring me, for showing that warmth and strength can be one in the same, for not quitting when I tried to get you to wear a wedding dress made out of camouflage material, or when I got the office to take part in "Talk like a Pirate Day" and do every memo in "Pirate." Thank you for being the kind of person who would jump out of a car and run out into the middle of the street to help save a lost dog—which she actually just did this past election day.

Thank you for keeping me in line and for building our team from the ground up, running our office—first in the House and then in the Senate—with grace, precision, and brilliance; prioritizing empathy and compassion, common sense, and common decency; wearing a million hats all at once yet always making sure our staff felt valued, heard, and ever able to serve the people of Illinois. Thank you for being my "Hammer."

I don't thank you for not letting me get a Margarita machine for the office, however. But I also thank you for being my friend, for showing up to drive me in your car that day, albeit 45 minutes late. You were worth waiting for every one of those minutes. I love you.

I yield back.

The PRESIDING OFFICER. The Senator from Oklahoma.

BIDEN ADMINISTRATION

Mr. LANKFORD. Mr. President, I have had the privilege to represent the great State of Oklahoma and the people of Oklahoma, to be able to sit in multiple Presidential addresses in the House of Representatives Chamber.

At that joint address that happened last night, I didn't have the privilege to actually get a chance to sit in on. As, clearly, anyone who watched the speech saw that there were 200 people in a room designed for 1,600 people, with the spacing and all of the things that were happening there. In some ways it seemed normal, and some ways it seemed ridiculous with the room of

200 vaccinated people all spaced out. But that is a different story for a different moment.

For that speech last night, as I listened, I thought about the other speeches that I have listened to as well. Many of these speeches are similar. The President comes and casts a vision. Says these are things that they want to be able to do, talk through different programs, talk through different tax issues, talk through where we are as a country, cast a vision. I get all of those things.

Last night, and every night, when one of those speeches occurs, there is usually something unique or different about the speech. It is a little different direction for where they want to go. Not all those programs will get implemented. I had people already contacting my office, panicked in some ways, saying: Are all those things going to be done? And I can smile at them and say: No, all those things won't be done, because it never is. It is a vision that is cast by the President that they have to convince the American people and Congress to be able to engage with as well.

But last night was epic in the sense of spending. I was even surprised at the amount that we are talking about at this point, and it seems to be just so flippant and normal at this point.

When you do the math of what just happened with the American Rescue Plan, that was just under \$2 trillion of spending. Last night, one of the proposals was also about \$2 trillion, and another one was about \$2.5 trillion. So take those together—just over \$6 trillion in proposed and spent government debt just in those three recommended.

What people aren't adding to this is that starting in June, in July, it is appropriations time. Our best understanding—we haven't received the budget from the White House yet—is that proposal will be about \$4.5 trillion. So adding together what happened in the first 100 days and what is about to happen in the next 100 days that we already see coming, is a proposal to spend, this year, \$11 trillion—\$11 trillion. That far exceeds what was even spent during the pandemic time period, when we all determined that this is a rainy day that we definitely need to be able to help stabilize our economy—\$11 trillion.

The size of government, the number of times that I heard, "If there is a problem, government here in Washington, DC, can solve it"—it was epic.

Now, initially, at the beginning of the speech, there was a lot of talk about COVID, as well there should be. Our Nation is coming through this. But I was surprised how little conversation there was about the vaccines and the process, Operation Warp Speed, and the partnership between government and private industry that was done last year to be able to bring all these vaccines to place.

You see, all the vaccines were developed and ordered last year. All the needles and the alcohol wipes and the materials—the PPP that would be needed—were all ordered last year. This year was just a matter of getting shots in arms, which I am incredibly grateful we have had so many Americans that have stepped up and driven up, come and put their arm out there and said I want to be part of this solution for getting rid of COVID in our country.

Everyone knew that as we got shots in arms, we would see the numbers come down—at least we hoped. And we did. The numbers are coming down, and the economy is coming back up. That is the other thing that everyone predicted, as well—that as soon as some of the shutdowns happened, we would begin to see the economy begin to rise again, and, thankfully, we are.

It was interesting to be able to hear the President last night take credit for all that, which I assume every President sitting in that spot would. But I am grateful to President Trump and the leadership that happened in HHS and the work of career folks and the folks who are in science and private industry and pharmaceuticals and what they have done over the last year because it is remarkable what we actually have walked through and what we have seen.

What was not mentioned last night when talking about the economy is unemployment insurance. It is something I brought to this body before. When I traveled around my State the week before Easter and the week after Easter when we were not voting those 2 weeks—as I traveled around, every employer I talked to said the same thing: We are hiring, but we don't have people applying, or people who are applying are coming in and just applying and filling out a form, and when they offer them the job, they are saying: I don't want the job. I just need to be able to bring the completed form back to the unemployment office so I can continue to get my check.

I talked to employees who were frustrated because the person who used to work next to them is not showing up for work anymore because they are home getting unemployment benefits because the unemployment benefits in my State right now far exceed what the normal wage is. People aren't showing up. That is a problem in our economy.

My fear is that is a problem that is going to continue all the way until September because the unemployment benefits that were extended were extended all the way through the first week of September. Even though we pushed back and said this is a bad idea, the Democratic colleagues and the President said: No, let's keep moving forward.

There are lots of parts of the Green New Deal that were presented last night, but they didn't use the term "Green New Deal." It was bits and pieces of elements of the Green New

Deal separated in different sets of the ideas. The term "Green New Deal" has become very, very unpopular with folks as they find out what it is. Taking pieces of the Green New Deal, separating them in different spots, and trying to pass them doesn't change anything either.

I was surprised how little the President really talked about what is going on in the crisis at the border. He did mention it, and I was pleased to see that. Many people in my State really see that as a very serious issue that needs to be resolved. Our open borders right now and the literally hundreds of thousands of people who have crossed our border illegally just this calendar year, just in the last 100 days, is record levels.

I talked to the Border Patrol folks, and they talked about how in March alone, they had 172,000 encounters. It is a record number. But now in April, they are hitting or exceeding that record, just in April, again because the numbers continue to skyrocket to numbers we have not seen. The number of unaccompanied minors is at a 20-year high. We have not seen these numbers in decades.

It is a significant issue for us as a country. It is one that started on January 20 with the change in policy and issues.

We have more than 5,000 individuals who have been picked up by Border Patrol just this year who have a criminal record in the United States.

We have 15,000 individuals whom Border Patrol has just released into the country with no notice to appear at all, just a statement as they come through. The line was so long that Border Patrol leadership was telling them, from Washington, DC, that if the line gets too long, just release people into the country and tell them to check in with immigration folks in whatever part of the country they go to. Just check in. Literally, if they are coming across the border and the line is too long, just let them go and tell them to check themselves in when they get to wherever they are going in the country—15,000 people like that just this year.

We have 150,000 people whom Border Patrol has reported that they saw crossing the border, but they literally didn't have the manpower to even get to them, what they call "got aways"—150,000 this year who won't show up in anyone's numbers of people entering the country illegally.

These numbers are truly epic numbers.

Last night, the President's proposal was to allow us to do more in Central America and eventually this will get better. I would tell you from being down at the border three times just this year and interacting with folks, I would encourage anyone from the administration to go to the border and actually see what is going on and actually talk to law enforcement there. From being down in that area, their concern is that this is a very long-term

issue because the administration doesn't seem to see it as a crisis or something that has to be fixed immediately; it can be fixed eventually, with hundreds of thousands of people coming across the border now every month.

In the last official report from Customs and Border Protection and Border Patrol, there were over 100 different countries represented by the individuals crossing the border just this year—over 100 countries. It is not just folks from Central America. Literally, people from all over the world are paying the cartels the money it takes to get through Mexico and traveling into our country and checking in or skipping across the border, and they disappear into our economy. I see that as an issue. I wish the administration would see that as an issue.

A conversation that came up last night was about voting. It is an important conversation for us. We are a representative republic. Voting is extremely important to us as a nation; that every vote counts and that every vote has the integrity that it needs. But with S. 1 and on the House side, what they call H.R. 1, I am stunned at the contents of that bill.

When President Biden said: Just pass that bill and put it on my desk, I thought, there is absolutely no way I would pass a bill like that; nor would the people at home even want me to pass a bill like that.

That is a bill that is intentionally designed to make voting easy and cheating easy. We want to make voting easy and cheating hard. That is the way we have done elections for a very long time. Why would we want to shift from that? I am all for making voting as easy as we can. My State has early voting. It has mail-in voting and all the characteristics you want to have to protect the integrity of the vote so when it is over, everyone can look at it and say: My person won or lost, but I trust the integrity of the vote. It has all those elements.

We worked very hard to make sure every community in every area has access to voting and doesn't have long lines and make sure we get to mail out ballots and all those things to be able to not only give the opportunity for people to vote but to protect the integrity of the vote.

S. 1 and H.R. 1 does things like same-day registration but also removes voter ID. You partner those two together, and that is a recipe for double-voting and fraud. You can't have those two together.

It mandates a third-party collection of ballots that could be done in any State. Individual political groups could literally go door-to-door and say: Have you voted yet? If you haven't, come out on the porch right now. I will stand with you, and we can vote together, and then I will turn your ballot in for you.

That violates everything we have done in voting about secret ballots and about the integrity of the ballot, and

only the folks in the post office would handle it or the folks in the polling place would handle it. Now, this is a third party whom no one has any connection to nor accountability to who can randomly grab ballots and collect them. How do we not think there won't be fraud in that system?

It also takes away all voter IDs in every State, including my State, where there is not even a complaint about voter IDs on either side of the aisle because it is an incredibly fair system. It doesn't require a driver's license. It can require any piece of paper or any way to be able to show you are who you are. We have a straightforward system to be able to protect not only the integrity of the ballot but to make sure every person is not only allowed to vote but is encouraged to vote. Why would we take that away from places where it is already working and there hasn't been a complaint just because someone in Washington, DC, says we shouldn't do it?

Centralized control of voting in Washington, DC, seemed to be part of the theme of the night last night, where it was, everything would work better if it only came to DC. I tell you, I have met a lot of smart people in DC, but I can also tell you that I know a lot of smart people in Oklahoma who love their neighbors, who want to see the right thing done, who care about people in their community and in their State. And this sudden belief that if we are going to get things done right, we have to bring it to Washington, DC, and allow the folks in Washington, DC, to be able to run it, I will tell you, the folks in my State would shake their heads and say: We are doing OK. Let us take care of our neighbors at home, and don't make us sign a paper every time we want to do something and send it off to somebody we never met in Washington, DC.

This growing in size of our Federal Government is not a goal for me. Being efficient, protecting the rights of every American, protecting our national security—those are goals. They don't require federalizing everything.

I can tell you a couple of areas where last night really had some shining moments for me, though. President Biden, twice in his speech, literally reached out to Republicans and said: I understand Republicans have another idea on this. Let's sit down and talk.

That was a good moment. Quite frankly, for the last—let's say of a 100-day Presidency so far, for 90 days of that, we have gotten the Heisman from the President and his team, saying: We have got this; we don't need you. Then in the last really 10 days or so, the White House has started reaching out some. And to be able to hear President Biden last night say: We understand Republicans have a different idea; let's sit down and visit—that almost sounds like governing. That would be a great shift for us, to be able to sit down and talk these things through.

Republicans aren't opposed to infrastructure. How absurd to be able to

make infrastructure a partisan issue. We have always done infrastructure together. It is not like any of us are opposed to highways and to waterways and to clean drinking water and to broadband. There are key aspects that are core to infrastructure. Let's continue to be able to do those. Let's do them efficiently and wisely. That is all that we would ask.

I am pleased the President actually reached out and said: Let's start sitting down to be able to talk these things through, because that will allow us to be able to work together toward a better solution.

The second big moment for me last night was listening to my friend and colleague TIM SCOTT speak about his family, speak about a vision for the country, to be able to challenge the country and to be able to challenge this body to be able to do what he called commonsense finding common ground. It is a great idea.

We have different perspectives across the aisle in this building. That doesn't mean we can't sit down as Americans and be able to work them out. As TIM SCOTT reminded us, part of the story of America is a story of redemption. We can do that together.

TIM also challenged this Nation to stop politicizing race, to stop saying over and over again that because we disagree, it is because we are racist. TIM spoke to the Nation and said there are real issues of race out there, and you cheapen it when you politicize every issue and say it is because you are racist.

Let's actually sit down and disagree on issues as Americans, and let's resolve those things together. We have common ground, and we have areas of real disagreement. I had lots of areas where I disagree with President Biden, but I am willing to sit down and lay out a set of ideas that I think are a much better option. Let's talk it out. That is what we do. But let's resolve these issues in the days ahead.

And no, you are right, I am not going to give on the Second Amendment. I am not going to give on issues of life and the value of every child. I am not going to give on—I think the debt and deficit is a very important issue. I am not going to give on encouraging the value of work for every single person and every single family. There are areas I am not going to give on, but we should at least sit down and treat each other with dignity and respect, and let's talk it out.

I yield the floor.

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

UNANIMOUS CONSENT REQUEST—S. 593

Ms. MURKOWSKI. Madam President, as in legislative session, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 593 and the Senate proceed to its immediate consideration. I ask unanimous consent that the Murkowski amendment at the desk be

agreed to; the bill, as amended, 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?

Ms. MURKOWSKI. Madam President, we talked a lot about the pandemic and all that it has brought. I would like to take just a few moments here, at the outset, before I ask for full consideration, to share with colleagues, very briefly, what we have faced in the State of Alaska with regard to our State's economy. We have probably taken a greater hit than any State in the country.

We saw a 32-percent drop in revenue last year, 10 percent higher than any other State in the Nation. We are starting to see a light at the end of the tunnel, and that is good, but we are also facing the prospect of another devastating tourist season.

Back home, right now, people are not talking about the season for 2021 coming up. The motto is "Get through to '22." That is an awful way to be approaching our situation so they have asked for help. They realize that anything that we can do to try to salvage even a few weeks of the tourist season is going to be important to us.

So Senator SULLIVAN and I have been working on behalf of hundreds of small businesses that rely on this essential income just so they can scrape by for another year. A lot of people don't think about cruise ships as being an essential activity during a pandemic but, let me tell you, in our State, where so much of our economy is based on tourism, it is an imperative. It is jobs; it is livelihoods; and it really is what allows our small communities to keep their doors open.

In 2019, before the pandemic was upon us, we were looking at 1.33 million tourists who came to the State of Alaska by way of cruise ship. That is pretty significant. In 2020, there were 48 passengers. That is 48 passengers. That is not 48,000. So, in other words, you had an economy that was looking pretty strong and pretty good, and it absolutely went into a free fall.

Normally, the tourism industry generates more than \$214 million in State and municipal revenue, more than \$1.4 billion in payroll, \$2.2 billion in visitor spending, and the prospect was doing nothing but going up until we were hit in 2020. The vastly diminished cruise season contributed to statewide unemployment rising from 6.2 percent to 11 percent. Southeast Alaska had greater unemployment, which increased from 4.7 to 11.3—17 percent of all jobs in the region impacted.

This kind of unemployment and this kind of stress is an extraordinary challenge. So Alaskans are trying to figure out is there a way to salvage there, and there are two points here.

We are ready to welcome visitors back in the State. We are leading the country in vaccination rates. Half of

all Alaskans have had their first dose. So 43 percent are fully vaccinated, but we have got two issues that we are facing here; first is, the Centers for Disease Control has their no sail order for the cruise industry in place. We actually got some very encouraging news just last evening. CDC has acknowledged these changing circumstances with regard to vaccination. They updated their guidance for how to safely resume cruising, so that is good. That is a positive.

But we have got a second issue, and that second issue is that Canada has a ban on allowing passenger vessels to depart from or transit through their waters. We are dealing with a law that is controlling so much of this because, in the United States, we only allow domestically built, owned, and crewed vessels to operate on solely domestic trips. This is the Passenger Vessel Services Act, the PVSA.

So we have got a situation that without a stop in Canada, a cruise to Alaska is a domestic ship. Canada has effectively been available to cruise companies that offer voyages to Alaska—not built in the United States, not crewed by U.S. citizens, not permitted to sail in Alaska without making a stop in a foreign country because otherwise this violates the PVSA. So what we are trying to do, we are trying to work with the Canadians to resolve this issue. It has been tough making headway because Canada is in a different spot when it comes to their vaccines.

We have turned to a legislative fix, a temporary legislative fix. There are a lot of different opinions on PVSA and the Jones Act. I am not here to debate them today, but what I am trying to offer, along with Senator SULLIVAN, is a temporary fix that will allow the cruise ships to travel between Washington State and Alaska because what we are trying to do here—I am not trying to save the cruise companies; I am trying to save communities that are so dependent on these vessels that bring these passengers up.

For them, it is critical. If we can't get some level of relief, and we can't get folks north, they are not going to—they have been on hold now since last year. So 14 months until we get into 2022, on top of what we have already seen, these businesses won't be there.

What we are doing is we temporarily deemed that a voyage to Alaska from Washington State without a stop in Canada is, by law, a foreign voyage. So PVSA is not going to hold us back. I have worked with Senator CANTWELL, and I have worked with Senator BLUMENTHAL to address some of the issues that they have raised, and I thank them both for their efforts to work with me.

We have incorporated, in this amendment, three simple requirements—two of which the industry already adheres to—requiring defibrillators on ships, making sure that the passengers' bill of rights is publicly available, and we asked the Secretary to consider a rule-

making on how to safely return human remains in the tragic event that someone passes away on a cruise. These are simple, commonsense changes that ensure cruises are safe for passengers and the crew.

Along with Senator SULLIVAN and Congressman YOUNG, I would ask the Senate to consider and pass the Alaska Tourism Recovery Act so that cruises can gain some semblance—some semblance—of opportunity in Alaska, as they have for so long.

So, again, I will restate my motion here asking unanimous consent that Murkowski amendment No. 593 be called up and agreed to.

The PRESIDING OFFICER. Is there objection to the request?

Mr. BLUMENTHAL. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Madam President, reserving the right to object, Senators MURKOWSKI and SULLIVAN have ably represented the very serious plight of the people of Alaska. I am very sympathetic to the economic and humanitarian situation that prompts this effort, the Alaska Tourism Recovery Act.

But I must say that the cruise line industry has a very inconsistent—that is a nice way of putting it—and deeply inadequate record on consumer protection and worker safety. We worked out a number of amendments that are incorporated into this measure. They are basic protections during the pandemic and a negotiated compromise, and I thank my colleagues from Alaska for doing it in a way that really is a win-win for everyone, and that is the measure that is before us now.

So I will offer no objection. I understand that our colleague Senator LEE has an objection—I am not sure what they are at this point, but if he does, I look forward to working over the recess with my Alaska colleagues to see if we can reach agreement with Senator LEE and resolve his objection.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, reserving the right to object, it would be a gross understatement to say that Alaska tourism and, indeed, tourism around the country is suffering and has been throughout the pandemic.

The cruise industry, which accounts for more than 50 percent of all tourists visiting Alaska every year, has been particularly decimated not only due to the pandemic but also because of an arcane law passed by Congress back in 1886.

This law, known as the Passenger Vessel Services Act, or PVSA, states that no ship that is foreign built, foreign owned, foreign flagged, or foreign crewed may transport passengers between two U.S. ports or places. So instead of operating continuously in U.S. waters, ships and cruise operators departing from the United States are forced to make stops in foreign ports in

order to remain in compliance with this 130-year-old law.

In other words, we are literally shipping our tourism and our economic activity abroad to other countries and, in the process, we are destroying countless opportunities for our own coastal cities, States, and towns.

Now, you don't have to take my word for it. You can google this and see it for yourself. Cruises from the United States, if they leave from the United States, must make stops in Canada, Mexico, or Pacific Island States in order to avoid incurring the wrath and the heavy penalties of the Passenger Vessel Services Act. Instead of welcoming tourists and the dollars they spend into American ports, we drive them to Canada, to Mexico, and to Pacific Island States.

Does this law even succeed on its own protectionist terms? Does this law protect American shipbuilders? It decidedly does not. It decidedly does neither, in fact. Just to be clear, this is a point of differentiation here. I have made no secret about the fact that I don't like the Jones Act. The Jones Act is a separate beast from this. They are both beasts. I dislike both of them intensely. I would repeal both of them today if I had the chance. I understand, at least, with respect to the Jones Act, what the arguments are as to why we would want to keep them intact. I strongly disagree with them, and I believe U.S. consumers pay for them dearly, especially in places like Puerto Rico and in places like Hawaii, in parts of New England, and in other places where they have more limited access to the goods that they might otherwise have access to in the absence of the Jones Act.

There is a big difference between the PVSA and the Jones Act. At least with respect to the Jones Act, there are other considerations, and those considerations do not exist with respect to the PVSA.

Now, it is important to keep in mind, again, the difference between the Jones Act and the PVSA, which is that with the PVSA, we are dealing specifically with passenger vehicles, passenger vessels. I am directing my remarks today to those passenger vessels in the large passenger vessel category; that is, those with at least 800 passenger berths or more.

With respect to those, this is very significant because the United States has not built a single large cruise ship in over 60 years—not one, not a single one. With respect to large passenger vessels, this law is literally protecting no one.

At least with respect to the Jones Act, people can point out: Well, perhaps it is helping to nurture the U.S. shipbuilding industry. Again, I think that argument overlooks the fact that we are laying that burden on the backs of poor middle-class Americans in places like Puerto Rico and Hawaii and New England and Alaska and other

parts of the country. But at least I understand that, when there is an industry at issue there. It is an industry that is being greedy, and it is an industry that, really, is engaging in crony capitalism. But I understand the argument.

With respect to the PVSA, we are not protecting anything because we do not make large passenger vessels in this country and haven't for over half a century. And so by taking away opportunities for American jobs in dockside maintenance and repair, in ports and coastal cities, in hotels and restaurants, and in the travel support sector, this law, the PVSA, as applied to large passenger vessels, harms American workers, and it redirects the demand elsewhere.

It also harms consumers who have fewer options—fewer cruises that they can take, higher prices for those cruises that are offered. And as we have seen during the pandemic, it has left us subject to the will and whim of foreign powers.

Make no mistake, the PVSA is not “America first.” This is the encapsulation of “special interests first” or even, you might say, “Canada first.” Perhaps this is the reason that the Canadian Government lobbies Congress to keep the PVSA in place. Think about that for a minute.

This unfortunate situation has been exacerbated by the pandemic, during which Canada has closed its ports to cruise ships, making it, effectively, impossible for Alaskan cruises to carry on. But the only reason why Canada wields this tremendous authority over us is because of our own law—our own law that they are lobbying us to keep in place because they benefit from it, but they are shutting it down, making it impossible for Alaskan cruises for the time being.

Without the necessary foreign port call, cruises simply cannot travel to Alaska. Without relief, the Alaskan tourism industry will evaporate, harming Alaskan dock workers, repairmen, those in the hospitality services, and more.

Just the same, think about all the jobs that aren't created that could otherwise exist, that could exist tomorrow if we just got rid of this 130-year-old law that serves no purpose—the jobs, the vacation opportunities, especially in port States, not just Alaska but Florida, Louisiana, Texas, New York, and many, many others, places where cruise ships already depart but are severely hobbled as to their itineraries because of this law, the PVSA, that serves no one—no one, perhaps, except these foreign powers.

The CDC's outdated no-sail order has made these matters so much worse, and we have to address those as well.

Alaska already lost last summer's season. That is tragic. I can't imagine Congress would force them to lose yet another season now. Yet that might already be the case, you see, because unless they start moving those ships up

there right now, there can't be any cruise ship season for Alaska this summer.

Now, my two colleagues from Alaska, thankfully, introduced a bill to help correct the issue by exempting certain Alaskan cruise lines from the PVSA for the duration of Canada's border closure, a bill that I was happy to support in order to provide short-term relief for Alaska, even if it didn't provide the reform needed for the long term, as we desperately need.

Unfortunately, the bill that is now before us has deviated from that purpose. It now has poison pill provisions that add duplicative, unnecessary, and unrelated regulations that will harm, not help, the cruise industry.

Look, I remain ready, willing, and eager to negotiate the terms of this, but we have to provide relief. It is not just about an industry. It is not just about any one State. It is about the access the American people have through their businesses or their own travel interests. We should be able to do this. It makes no sense to anyone. No one could plan a road trip and say that we can't go to a neighboring State unless we can touch back to a foreign country in the meantime. Nobody would fly to an adjacent State or across the country if, in the process, they had to fly to a third-party country merely in order to comply with some arcane Federal law—no one, except, of course, the very wealthy, who could still afford it. Most Americans can't.

And the Americans who can least afford this law—this law that serves no one, perhaps, except the foreign interests I mentioned, including, but not limited to Canada—the people who really suffer for that, are America's workers. Shame on us if we don't fix that.

Look, I remain hopeful, optimistic, and ever-willing to negotiate this. I have lots of amendments to offer up. In deference to my colleagues from Alaska, I am going to hold off on counterproposing those right now. But I am filing them, and they are ready to go. I hope we can negotiate our way through this. If we can't, shame on us. The PVSA is bad. It is bad news. We need to let it go.

For these reasons, I object.

The PRESIDING OFFICER (Ms. WARREN). The objection is heard.

The Senator from Alaska.

Mr. SULLIVAN. Madam President, Madam President, my colleague Senator MURKOWSKI did a good job of explaining some of the economic challenges—actually, the dramatic economic challenges—facing our State: small businesses, families, workers by the thousands who are really hurting right now because we lost the tourism season last year due to the pandemic and are on the verge, possibly, of losing another one, which could be devastating. That is the purpose of our legislation, to focus on lifting the challenge and bringing relief so that we can bring tourism back to Alaska. We are open for business.

You know, we have been able, in Alaska, to weather the health impacts of this virus in a way that we are proud of in Alaska, with one of the lowest death rates per capita—any death, of course, is horrible—but one of the lowest death rates, one of the highest testing rates per capita with regard to this vaccine, the highest vaccination rates per capita, which is a minimiracle if you look at how big our State is. But the economic impacts have been devastating, as Senator MURKOWSKI laid out. Our commercial fishing industry, our oil and gas industry, our tourism industry—these sectors of the Alaska economy, which are critical, have lost thousands of jobs.

So this bill, the Alaska Tourism Recovery Act, is something that is very narrowly focused. It is very narrowly focused. It is to give our State a fighting chance this summer with regard to our tourism sector.

Now, I very much appreciate Senator BLUMENTHAL and Senator LEE, with regard to their passion and focus on the issues that they have raised tonight. Some of the safety regulations on cruise ships, the PVSA Act—these are issues that they feel very passionate about, and I appreciate that.

As they know, what we are trying to do here, Senator MURKOWSKI and I, is not tackle those issues so much as to tackle the issue directly before Alaskans, and that is how to salvage a summer tourism season.

So despite what you have witnessed here on the Senate floor, I want to say I appreciate their willingness to continue to work with us. The clock is ticking, but we do have Senator BLUMENTHAL's and Senator LEE's strong commitments to work with us to resolve these issues—both the ones that they care about and, certainly, the ones that matter to Alaskans—very soon.

To our fellow Alaskans, my message is, don't give up right now. Here on the Senate floor, despite what you have seen, there has actually been momentum and movement, and I am confident we can get there, and even with the CDC—even with the CDC.

Some of you might recall that I was here on the floor last week with Senator SCOTT of Florida, trying to move our legislation relating to the CDC's role here. We are starting to see progress with them. So we are going to continue to fight and continue to try to move this.

Do not give up, Alaska, on our summer tourism. We haven't. To the contrary, we have made progress. We are not there yet.

Finally, to our Canadian friends, we are going to continue to work with all of you as well. You can be part of the solution to help Alaska, to help Canada, in a cooperative spirit, as you are seeing here on the Senate floor from all of you on a number of these issues. It would be very much appreciated.

I anticipate and look forward to reaching out to my colleague and



friend, the Minister of Transportation, and others in the Canadian Government to try to make sure we can get this spirit of cooperation that will benefit both our State, our country, and your country.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I just want to make clear after Senator LEE's statement, No. 1, that I appreciate my colleagues from Alaska being as cooperative as they have been.

These issues are a matter of vital consumer protection and worker safety. We are talking here about defibrillators and a requirement that there be certain minimum numbers on these ships. We are talking about bodies, tragically, having to be returned if there is a death on one of these ships. We are talking about some rights for consumers that the industry itself has approved and that we are just incorporating into this amendment and enabling the Department of Transportation to enforce. So I want to make clear that these are reasonable and, in fact, in my view, very minimal protections—a first-step, another step.

I appreciate the agreement that we have been able to reach with our colleagues from Alaska on them, and I am disappointed that our colleague from Utah has objected. But I will do my best to work with them in trying to resolve Senator LEE's objection.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, to just wrap up this discussion, I really appreciate the comments from my colleague Senator SULLIVAN because I think you have really keyed in on where we are today.

The Alaska Tourism Restoration Act is such a narrowly defined in scope initiative to, again, create this very brief period of time to allow for what is left or what will remain of a tourist season to proceed. But we are faced with bigger issues, and these issues clearly evoke great passion and debate, whether it is consumer protection or to Senator LEE's concerns that he has raised overall about Jones Act and PVSA.

So those are significant issues that will be debated in committees as we move forward and further debated on the floor. But I think, at this point in time, the recognition from our colleagues from Connecticut and from Utah that this effort that we are trying to make in Alaska to redeem a small segment of our tourist season—those who come to us by cruise ship—that just perhaps the strength of cooperation you see here today will be that level of encouragement for the ships to start coming north in anticipation of clearer and more beneficial guidance, working with CDC.

It has been a lot of pieces to knit together. It hasn't been particularly easy or pretty, but I would like to think that the folks in southeastern Alaska and throughout the State will see the

benefits of this in the weeks and months ahead.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

JOINT SESSION OF CONGRESS

Mr. CORNYN. Madam President, last night, the American people heard from President Biden in his first address to a joint session of Congress. The American people heard him speak about many of the same themes he touched on in his inauguration: unifying the country, healing the soul of our Nation, healing the divisions that divide us. It sounds great, but those who have paid attention to the President's actions know that his rhetoric and his actions don't line up.

The only legislative achievement so far for President Biden has been an eye-popping \$1.9 trillion piece of spending that was branded as COVID-19 relief. It was so controversial that our Democratic colleagues didn't bother to use the standard legislative procedure. Instead, they used the budget reconciliation process so they could make it a law without a single Republican vote—hardly coming together and unifying the country.

As expected, President Biden had the audacity to brand this legislation as the reason why we have made such progress in fighting COVID-19. He touted the fact that America has provided more than 220 million COVID vaccinations during his first 100 days in office. But he didn't mention the fact that less than 1 percent of the funding in his signature legislation actually supported vaccinations—less than 1 percent. Less than 10 percent was directly related to COVID-19 at all.

If there were any doubts that this liberal spending binge was about to end, President Biden cleared that up last night too. He talked about his more than \$2.6 trillion American Jobs Plan, which relies on a very generous interpretation of the word “infrastructure,” or should I say Orwellian. He discussed the \$1.8 trillion American Families Plan, which includes everything from universal preschool to free community college, to mandatory paid leave policies and tax provisions.

You know, you have to love politicians when they talk about giving away free stuff. The folks back home know better. Somebody has to pay for it. As my friend Senator TIM SCOTT said in the Republican response last night, these policies could put Washington even more in the middle of Americans' lives, from cradle to college.

These three proposals total more than \$6 trillion—an amount so large, it is hard for any of us to wrap our head around it. That is on top of the money that was spent last year in a bipartisan effort to defeat COVID-19. The proposals equate to a spending rate of \$60 billion a day during the President's first 100 days in office.

Six trillion dollars is one-quarter of our gross domestic product. If you con-

vert our country's World War II spending into today's dollars, the three Biden spending proposals are even more expensive than what it cost us to arm and defeat Imperial Japan and Nazi Germany.

But I want to be clear. These aren't wartime expenses. These aren't even necessary expenses, in many cases. These proposals have absolutely nothing to do with our current fight against COVID-19. Two hundred billion dollars to build or retrofit “sustainable” places to live; \$225 billion for paid family leave; \$178 billion on electric vehicle chargers—more socialism for rich people; \$400 billion for home-based care. This money adds up pretty quickly.

I am not saying our country should cut off all of our spending altogether. There are necessary expenses and investments that need to be made. But this is not the time for a spending binge. We need to make smart financial decisions that will serve the next generation, not drive them further and further into debt.

The biggest question here, though, as with any type of government spending, is, How are you going to pay for it? For the Biden administration, the answer is simple: higher taxes. In fact, the President has proposed the largest tax hikes in more than half a century.

Now, economics 101 would teach you that tax increases aren't a clear and easy way to boost revenue, especially when your economy is already on a fragile footing. President Obama observed as much when we were recovering from the great recession of 2008, that raising taxes during a recovery from a recession is a bad idea. Raising trillions of dollars in new taxes will not set us up for a strong recovery; it will simply throw even more wrenches into our sluggish economic engine.

Prior to the COVID-19 pandemic, the American economy was on a roll. The economy was booming. Unemployment was at a 50-year low. Companies were coming back on shore, moving their headquarters to the United States, in part because of the Tax Cuts and Jobs Act. The 2017 Tax Cuts and Jobs Act set the stage for this recovery.

Instead of building upon what we did in 2017, the administration now wants to repeal those tax provisions in the Tax Cuts and Jobs Act and double down on the old, tired talking points that America can simply tax and spend and regulate itself into prosperity.

Massive tax hikes are not the way to stabilize a shaky recovery, and I worry how much damage these increases will do if our Democratic colleagues insist on doing more partisan, party-line legislating.

The President did nothing to ease my concern about another looming problem, and that is the crisis on our border. For months, the President and members of his administration have denied what is a clear and growing crisis on the border. I hoped he might finally acknowledge the reality of the



situation in his prime-time address and commit to working together with us to solve it, but no such luck. Instead, he talked about the need to provide a solution for DACA recipients and under-take broader immigration reform.

I want to be clear here. I agree that Congress should take action to give DACA recipients the legal certainty and stability they deserve. This is a priority for folks on both sides of the aisle, and I hope we will finally be able to get a bill on the President's desk to help these young people who have done nothing wrong. More broadly, there is no denying our immigration system is in need of reform. It is outdated and inefficient and simply doesn't meet the needs of our country today. But we are not ready for those types of conversations until we solve the immediate crisis at the border.

Last month alone, more than 172,000 migrants crossed our southern border, and 100,000 crossed in February. Nearly 19,000 of those individuals who came across last month were unaccompanied children.

We have seen migration in the past, surges, but never anything like this and never during a pandemic. There are serious risks to our law enforcement officials, our nongovernmental associations, and, of course, to the migrants themselves.

Something needs to be done now before the crisis grows even larger. If you are cooking dinner for your family and the food in the oven catches on fire, are you going to keep stirring the pot on the stove? Are you going to set the table or call your kids to come downstairs for dinner? No. You are going to put the fire out first. That is what we need to do now. Before we can even have those necessary conversations about immigration reform, we need to put the fire out and put it out now.

Once we have taken action on the border crisis, I hope we can have serious, bipartisan discussions about immigration reform and finally provide DACA recipients the certainty they deserve, but that can't happen until the crisis on the border is addressed.

Like I said, I am disappointed that the President didn't address this in his speech last evening. I was hoping he would be willing to work with a bipartisan group of Senators and Congressmen who are eager to take action.

Last week, Senator SINEMA from Arizona and I introduced the Bipartisan Border Solutions Act, a straightforward and commonsense way to address this crisis. The bill already has the support of Members from both parties and in both Chambers, as well as a number of respected organizations. We would be glad to gain the support of the administration as well. But you can't solve a problem until you first acknowledge that you have a problem, and we have a problem with the crisis on the border.

This is not going to get any better. We know that much of this migration is seasonal, and so the high numbers—

more than 300,000 that we have seen so far this year—are going to translate into even more numbers next month and next month and next. So the time to deal with this is now, but, like I said, until the administration acknowledges that there is a problem and that we need to work on it together, it is going to get nothing but worse.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, as I begin my remarks today, I first want to express my appreciation to Senator TIM SCOTT for the address that he gave last night following the joint address to Congress by the President.

I so appreciated the remarks that he made, how he reminded us of the importance of common sense and using that common sense to find common ground as we look to address the issues that affect our Nation, the issues that affect Tennesseans. That is such a timely reminder. I likewise appreciated his comments about the importance of reconciliation, one to another, and the importance of redemption as we, each and every one, go about our work each day, as we seek to help our Nation become a more perfect Union. Timely reminders—well done and greatly appreciated by many Tennesseans and individuals who have reached out to say: I was so touched by listening to TIM SCOTT and his remarks.

Many of our Tennesseans have also expressed their concern with some of the provisions that were there in President Biden's address.

They felt as if this was something that kind of doubled down on decades of failed policies that were seeking to prioritize dependence on a welfare State overlooking at families and communities but pushing that dependence on a welfare state.

There really wasn't anything groundbreaking that was there in the remarks, apart from the pricetag, which is eye-popping, and really will take your breath away when you stop and think about it. And for a long time, my Democratic colleagues have championed programs that treat people like individual clients instead of families and communities.

So, here we are, and we are staring down the Biden doctrine, and it is a commitment to spending trillions and trillions of dollars—trillions of dollars. We are talking about \$6 trillion since January 20. This is astounding. And those dollars are being spent to incentivize dependence on the Federal Government to supplant the nuclear family with the Federal Government and to centralize control here in Washington, DC.

If you don't believe me, just take a little peek at what the Biden administration has done during their first 100 days. They started with a \$1.9 trillion blue-State payday that bailed Democrat-run cities out of the fiscal holes that they had made for themselves.

Earlier this month, they introduced a \$2.3 trillion—yes, trillion with a “t”—trillion-dollar infrastructure boondoggle that would force families and businesses to rely on a government handout to comply with the mandates pulled directly from the Green New Deal.

They even rolled out a total election overhaul that blatantly violates the Constitution by removing all control from the States and placing it right here in Washington, DC—removing from your local election commission, removing from your State legislature, and sending the authority to handle these elections to Washington, DC.

And last night, during his address to a joint session of Congress, President Biden offered a few details on his American Families Plan, which, by all estimates—you got it, another big pricetag—\$1.8 trillion.

The numbers really are staggering. Not counting the cost of S. 1, these efforts will cost the American people a combined \$6 trillion. And we haven't even factored in annual appropriations, which will add over \$1 trillion to that grand total.

Let's put these numbers in context. We saw the national debt jump from \$10.6 trillion. Now, that is the number where it was when President George Bush left office, \$10.6 trillion. That is all the debt—every penny of Federal debt—that had accumulated from George Washington to George Bush.

So \$10.6 trillion, that is the debt total when President Obama took office. And then with the Obama-Biden administration, that debt nearly doubled. When President Obama left office—that is right, you are looking over that 8-year period of time of right at doubling that debt.

In his first 2 years in office, deficits increased so much that Admiral Mullen—then-Chairman of the Joint Chiefs of Staff in 2010—declared the national debt to be the Nation's top national security threat, our Nation's debt. President Biden is on track to smash those records.

Bear in mind these numbers: George Washington to George Bush, \$10.6 trillion. It nearly doubles as you have the Obama-Biden administration, and now since January 20, we are talking about \$6 trillion.

If your local city commission were spending money at this rate, you would be at city hall banging down the doors. But my Democratic colleagues are all on board, even though what they have actually put on paper is nothing but a series of wish lists they have wanted to start checking off since 2010.

But those lists have a very important purpose. They curated them with so-called free programs and big promises that will serve two purposes: first, to persuade people to cede authority over their lives, families, businesses; and, second, to totally centralize power here in Washington, DC.

It is truly stunning, truly stunning what my Democratic colleagues have

allowed themselves to propose. Last night, the President of the United States directly addressed the American people and said: Don't think, just give us control.

When he unveiled the American Families Plan, he spent a great deal of time on all of the wish list programs he hopes will eventually be sent to his desk for his signature but not a lot of time on how he plans to pay for these programs.

I think it is important to state for the record that every program President Biden asked us to endorse has a cost. The Committee for a Responsible Federal Budget estimates that the American Families Plan alone—this one program—will result in a deficit impact of \$300 billion over a decade—massive costs.

President Biden claimed he can pay for all of this with taxes. He said:

It's time for corporate America and the wealthiest 1% to pay their fair share.

And then he said that 55 of the Nation's biggest corporations made \$40 billion in profits that can and should be taxed.

But here is the problem: Even if they were taxed 100 percent of their \$40 billion in profits, that would pay for less than 1 percent of this administration's proposed \$7 trillion in total spending. And yet how did the President describe these programs? Universal pre-K, universal, free community college—free.

Look at this pricetag. Families won't have to spend a dime, won't have to spend a dime on childcare. The American Families Plan will put money in your pocket.

Now, as I said, universal, free—you won't have to spend a dime; it is going to put money in your pocket. It is taken care of. Don't think. Just take the deal. Do your part.

Where does this money come from? Every single penny that comes into the Federal Treasury comes from the pocket of a U.S. taxpayer. That is where this money comes from. And the debt, that is going to be there for our children and our grandchildren that have to sort it out long after these programs have outlived their usefulness, long after many of us are gone.

We used to talk about spending millions and billions, and now it is trillions. And, to me, I think about my grandkids, and I think about the fact that they haven't earned a paycheck yet. But you know what? With all of this spending this year, they now have \$80,000 of U.S. Federal debt that is their responsibility.

And I think it is instructive for us to look at who is it that actually holds this debt. The biggest holder of our debt—someone goes to market and buys our debt, China. You also have OPEC, the cartel, in the top holders of our debt.

My colleagues, this is an issue—not millions, not billions. This is something—this needs our best efforts and our best attention.

Since his inauguration, President Biden spent a lot of time talking about

unity. At the same time, he talks about eliminating the filibuster and passing legislation to entrench Democratic incumbents at the expense of voters. It is a power grab.

He supported using the budget reconciliation process to ram his \$1.9 billion spending package through, and it appears he may do so again to pass the rest of the multitrillion-dollar agenda.

Last night's speech could have been an opportunity for him to seek common ground with congressional Republicans. Much of the success of our country has had with the COVID vaccination is due, in large part, to Operation Warp Speed and previous administrations, as well as bipartisan efforts in Congress. There was no mention of that.

When the country was thrown into the COVID pandemic, Congress and President Trump passed the CARES Act, bipartisan, and four other major bipartisan COVID relief bills—no mention of that.

If we are going to heal, the Biden administration must recognize the achievements of administrations past and the serious contributions that congressional Republicans are ready and willing to make.

For months now, I have come to the floor to ask my Democratic colleagues to take a breath, to take away the wish lists, and to focus on what the American people need—focus on their needs.

The American people—when I am talking to Tennesseans, you know what they would like? They would like a little bit more money left at the end of their month and not too much month left at the end of their money.

They want the hope that comes from opportunity, not the tangles of an eternal safety net. They are independent. They want a system that will, indeed, help them build their lives back better, as our President would like to say, but all that the White House has to offer is a plan that will flatten and rebuild the country and the broken image of failed policies that people have tried, and they just didn't work.

What they did do: destroyed our healthcare system, pushed tuition at public colleges and universities out of reach for low-income students, and they currently levy massive tax penalties against working-class families who depend on each other and not the Federal Government.

The Biden administration has set some lofty goals for itself. And I have to admit, the end results look pretty tempting on paper; that is, if you don't look too close.

There is a reason why the President has offered so few details about how his ideas would work in practice, and it is because he knows, without a doubt, that if this shows the true cost of signing on the dotted line that the people would not be with him in this effort.

Throughout the pandemic, the American people kept each other safe and took care of their friends and neigh-

bors. When I talk to Tennesseans about church, I can tell what they really have as their values: faith, family, freedom, hope, opportunity. They understand that defending one of those virtues means defending them all for everybody. But they also understand the danger in allowing the government to step in and replace family and community with a bloated welfare state. They know it is dangerous to replace potential with sameness and to supplant community with collectivism.

That is exactly what the Biden administration put on the table last night in very vague, poll-tested language that really said nothing but threatened unprecedented levels of government control. But I suppose from their perspective, you don't need details when all you are really asking your fellow countrymen to do is to submit; just take the deal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. KAIN. Madam President, I ask unanimous consent that the Senate proceed to legislative session and 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 SCOTT MAGERS

Mr. McCONNELL. Madam President, one family in Southcentral Kentucky has waited more than 70 years to give their hero a proper tribute. Last year, the Defense POW/MIA Accounting Agency, DPAA, identified the remains of Navy Seaman 2nd Class Howard "Scott" Magers from Barren County. Over Memorial Day weekend, a grateful nation will honor this Kentuckian's sacrifice as he finally comes home. I would like to take a moment today to add my personal gratitude for Scott's service and his family's sacrifice.

Those who knew Scott remembered a soft-spoken young man with a kind heart and a winning smile. In January 1941, he enlisted in the Navy at the age of 17. Like millions of other men and women of the "greatest generation," Scott put his own ambitions on pause to defend the country he loved. After completing his training and making one trip home to Kentucky before his 18th birthday, Scott was stationed aboard the USS *Oklahoma* at Pearl Harbor on December 7, 1941.

On that Sunday morning, the Japanese forces rained bombs down on unsuspecting American sailors. Torpedoes pummeled the *Oklahoma*, tearing open her hull and igniting an inferno inside. Within minutes, the massive ship capsized, and more than 400 of its crew plunged into the water below.

In the chaos, more than 2,400 American servicemembers lost their lives. The tragic events of that morning elicited a forceful response as the United States entered the Second World War. Over the next 4 years, heroes were forged on the battlefield and at home as our country defeated the forces of tyranny in defense of the American way of life.

Like thousands of families, the Magers could only wonder and pray over Scott's fate. Although he would never make it home, he had sent a telegraph before the bombing to his loved ones in Kentucky. In a message delivered on Christmas Eve, Scott shared his love and his holiday cheer. His loved ones held tight to this last compassionate connection to Scott that reflected his best qualities.

In the following years, the Navy attempted to identify the remains of those killed on the *Oklahoma*. Unfortunately, the vast majority couldn't be accounted for and were buried together in 46 plots at the National Memorial Cemetery of the Pacific, also known as the Punchbowl.

In 2015, the DPAA exhumed the USS *Oklahoma* Unknowns. Using DNA as dental, and other identifying records, they were finally able to identify Scott's remains and give his family the opportunity for proper burial in Kentucky.

Over 1,300 Kentucky servicemembers remain unaccounted for by the DPAA. We have never forgotten these patriots, and we will continue searching to bring them home. I am grateful for the ongoing efforts of the DPAA to bring closure to more families like this one.

On behalf of my Senate colleagues, I would like to send our sincere condolences to Scott's family and express our thanks for his brave service to our Nation. We are proud this Kentucky hero will receive the honor he earned.

#### VOTE EXPLANATION

Mr. VAN HOLLEN. Madam President, today I missed the vote on passage of S. 914, as amended, in order to attend an event related to vaccine distribution in Baltimore City with Vice President KAMALA HARRIS. Had I been in attendance, I would have voted yes on this important, bipartisan bill.

#### SAFEGUARDING AMERICAN INNOVATION ACT

Mr. PETERS. Madam President, I would like to thank my colleague from Ohio for working together on a bipartisan package of legislation that will increase our economic competitiveness and strengthen our national security. As chairman and ranking member of the Homeland Security and Governmental Affairs Committee, we are preparing legislation that will help our country respond to major cyber incidents, solidify our global leadership on artificial intelligence, incentivize domestic production of personal protec-

tive equipment to increase our ability to respond to pandemics, and strengthen "Buy American" laws to make sure Federal dollars support American workers and small businesses.

I would like to briefly discuss one of the bills we are working on—my colleague's Safeguarding American Innovation Act, which takes on the threat of foreign governments stealing American taxpayer-funded research and intellectual property developed at U.S. colleges and universities. This is a serious, complex problem, and we need to make sure we get the response right. This is why we plan to advance this bill out of committee and continue working through additional changes before this bill is incorporated to the Endless Frontier Act on the Senate floor.

We intend to move a number of bills out of our committee, including the Safeguarding American Innovation Act after the recess and include them in bipartisan competitiveness legislation. If this broader package is considered on the Senate floor during the first week of the next work period, we will focus on preparing a bipartisan package from our committee's jurisdiction to be added during floor consideration.

I know my colleagues and the administration have concerns about potential overlapping authorities, visa restrictions, and the reporting requirements for foreign gifts to colleges and universities, among other issues. I believe we must work through these in a bipartisan manner. As a result of Senator PORTMAN's important work and others in Congress, there has been positive movement already to address these issues by both the U.S. Government and institutions of higher education, which have been educating their staff and faculty about their serious responsibilities to disclose any foreign research support they receive. I will yield to Senator PORTMAN to discuss the process we have agreed to undertake in the coming weeks and thank him again for engaging in this collaborative process.

Mr. PORTMAN. Thank you. I am committed to advancing our committee's competitiveness legislation in the manner laid out by my colleague from Michigan. I appreciate the work we have put into this package to date. As we prepare to dramatically increase investment in our research institutions and emerging technologies, the Safeguarding American Innovation Act must be a part of any competitiveness legislation. We must protect the intellectual property behind the revolutionary discoveries and advances being made across our Nation. This whole-of-government approach to get the Federal Government's house in order addresses a far-ranging problem and implicates the jurisdiction of other committees including the HELP Committee and the Foreign Relations Committee. I appreciate that the chairs and ranking members of those committees want to continue negotiations on this bill. I understand some changes to this

legislation will be needed before it passes the Senate floor. That said, this legislation is the result of several years of bipartisan investigatory work by Senator CARPER and myself during our time as chair and ranking member of the Permanent Subcommittee on Investigations.

I am committed to working with committees of jurisdiction, the majority leader, Chairman PETERS, and the administration to reach an agreement on this text in the coming weeks before it will be added to the Endless Frontier Act. I am also committed to continuing to engage with key stakeholders including our institutions of higher education. I am ready to put in the work and find a path forward here. The threat is real, and we need to address it now. I look forward to working with my colleague from Michigan to pass this legislation, along with other important measures before our committee, as soon as possible.

While I am a cosponsor of Endless Frontier Act and believe it provides an important increase in funding to the National Science Foundation, if we don't take the basic steps outlined in the Safeguarding American Innovation Act, these funds may contribute to China's rise instead of improving the competitiveness of the United States, as intended.

Mr. PETERS. Thank you, Senator PORTMAN. You have my commitment to work closely together on this multi-committee process. I believe we can find common ground with our colleagues and an agreement with the administration and Leader SCHUMER in the coming weeks. Thank you for your partnership on these important issues. I look forward to advancing an important, bipartisan Homeland Security and Governmental Affairs Committee package and ensuring our priorities are included in the final bill passed by the Senate.

Mr. SCHUMER. Let me take a moment at the end to make a few points. First, the issue of China's predatory actions against American intellectual property is one that we must address as part of the competition bill. Second, my friends from Ohio and Delaware, Senators PORTMAN and CARPER, are to be commended for their work on this issue in the Permanent Subcommittee on Investigations. Third, I have committed to work with Chairman PETERS, Ranking Member PORTMAN, and other relevant committee chairs and ranking members to reach an agreement on the text of the Safeguarding American Innovation Act so that it can be included in the Endless Frontier legislation.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO ABIGAIL CHILDS

• Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Abigail for her hard work as an intern in my

Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Abigail is a native of Casper. She is a senior at the University of Wyoming, where she studies political science and gender and women's studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Abigail for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey. ●

#### TRIBUTE TO ARIANNA DELGADO

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Arianna for her hard work as an intern in the Senate Republican conference. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Arianna is a native of Maryland. She is a senior at the University of Maryland, College Park, where she studies government and politics. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Arianna for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey. ●

#### TRIBUTE TO NOLAN MAYHEW

● Mr. BARRASSO. Madam President, I would like to take the opportunity to express my appreciation to Nolan for his hard work as an intern in the Energy and Natural Resources Committee. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Nolan is a native of Colorado Springs. He is a graduate of the United States Air Force Academy, where he studied English literature. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Nolan for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey. ●

#### TRIBUTE TO SARAH MERLIN

● Mr. BARRASSO. Madam President, I would like to take the opportunity to

express my appreciation to Sarahi for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Sarahi is a native of Casper and a student at Casper College. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Sarahi for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey. ●

#### TRIBUTE TO EMILY KIM AE SUN HUNTER

● Ms. HASSAN. Madam President, I am proud to recognize Emily Kim Ae Sun Hunter of Chester as April's Granite Stater of the Month. In response to the surge in hate crimes against Asian Americans and Pacific Islanders, AAPI, Emily is organizing a peaceful gathering in downtown Portsmouth to demonstrate support for New Hampshire's AAPI community.

Emily was born in Seoul, South Korea. When she and twin sister were 5 months old, they were adopted by a couple in New Hampshire. Growing up in a predominantly White community, Emily and her sister quickly learned what it was like to be the only people of color in a room. The sisters were also the target of hate, which left a lasting impression on both of the girls.

Emily—now a mentor for Asian-American women at her company and a strong voice in the AAPI community—was shocked and horrified, as so many Americans were, by the mass shooting in Atlanta, GA, that left eight people dead, including six women of Asian descent.

In response, Emily decided to take action by organizing a peaceful gathering to show support for the AAPI community and help share resources to combat discrimination. Emily, who has never organized an event like this before, has also taken to social media and raised more than \$6,500 for AAPI organizations across the country.

Emily's dedication to uplifting members of the AAPI community and encouraging others to do the same embodies the best of the Granite State. Amid a challenging time for the AAPI community, Emily has shown true strength by elevating her message of inclusivity and acceptance. I am honored to name her as a Granite Stater of the Month as we join together to stand with the AAPI community and condemn the un-American attacks that we have seen. ●

#### TRIBUTE TO NICK ARCHER

● Mr. KING. Madam President, I rise today to pay tribute to an exceptional

man in my home State of Maine, Nick Archer. I have been so fortunate to have been surrounded by outstanding people both as my time as Governor of Maine, as a private citizen of Maine, and now as U.S. Senator. Some of those people have been woven into my world through all facets of my career, and Nick Archer is one of those individuals.

Nick recently retired from the Maine Department of Environmental Protection after nearly 35 years of employment. But to Nick—and thankfully for all of us Mainers—his position at Maine DEP was more than a job. His interest in protecting the environment spans over four decades and extends into so many of his passions in life. Not being one to shy away from difficulty, Nick understood the history and the importance of industry, agriculture, and forestry in Maine but also realized the environment needed to be protected for the vibrant future of Maine's land and waterways. He worked throughout his career to build partnerships and build on communications between the two and was known for his common sense and matter-of-fact approach. Nick's approach was always in the spirit of compromise but firmly rooted in the protection of our great resources. Solution focused—he set expectations high for integrity, innovation, and ingenuity and enjoyed thinking outside the box.

As if his career wasn't impactful enough, Nick also gave his time to so many community service activities. An avid outdoorsman, he was in leadership roles at both the local and State levels in Fish and Game Clubs and Sportsman's Alliance of Maine. If there was a need at a fishing derby or any outdoor activity involving youth engagement, Nick Archer was the first to sign up and donate both time and money. He is a cheerleader for a myriad of causes from veterans organizations to local Rotary clubs. I am thankful Nick is staying in the great State of Maine for his next chapter and spending time with his favorite people, his family.

In Maine, we are blessed with people who have exceptional work ethic and a piece of their heart in their communities and those people often do not want any recognition. I am sure Nick is one of those people, but having known him, having his assistance to my office staffers, and knowing his truly altruistic nature, I will take the risk and am so proud to honor him and his dedicated service and commitment to the State of Maine and to the communities it encompasses. ●

#### REMEMBERING DR. MALCOLM DORMAN

● Mr. SCOTT of Florida. Madam President, I rise today to commemorate the life and legacy of Dr. Malcolm Dorman.

I had the privilege of knowing Dr. Dorman for nearly four decades. He was a dear friend, whose kindness and compassion was felt by all around him. He loved his family and friends deeply

and would do anything for them. He was a man of great faith, served his synagogue faithfully, and steadfastly supported many Jewish causes. In 1995 he was awarded the Man of the Year Award by Prime Minister Benjamin Netanyahu, and in 2006, he was awarded the Distinguished Guardian of Israel Award by Shimon Peres, former Prime Minister of the State of Israel and Nobel Peace Prize Winner.

Dr. Dorman was a spectacular surgeon who saved many lives and exuded compassion and love for his patients. For 25 years, he served as the chairman of the Department of Cardiovascular Surgery and cochairman of the Department of Cardiovascular Medicine at the Miami Heart Institute. He then moved to the JFK Medical Center in Atlantis, FL, where he was the medical director of cardiac surgery and established and directed the Valvular Heart Institute. Along with the countless patients he helped heal, Dr. Dorman invested in the growth of students as a member of the Florida Atlantic University Board of Trustees and FAU's Charles E. Schmidt College of Medicine Advisory Board. He selflessly gave his time and effort to serve others and help them grow into all that they could be.

Ann and I are praying for all of Dr. Dorman's family, friends, and loved ones. He exemplified what it means to love and to serve and was a dependable friend I looked up to. We mourn this very heavy loss, but we are blessed to have known Dr. Dorman and to call him a friend.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### PRIVILEGED NOMINATION REFERRED TO COMMITTEE

On request by Senator JON TESTER, under the authority of S. Res. 116, 112th Congress, the following nomination was referred to the Committee on Veterans Affairs: Patricia L. Ross, of Ohio, to be an Assistant Secretary of Veterans Affairs (Congressional and Legislative Affairs), vice Brooks D. Tucker.

#### 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-838. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flupyradradifurone; Pesticide Tolerances for Emergency Exemptions" (FRL No. 10020-49-OCSPP) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-839. A communication from the Director, Regulations Management Division, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Energy for America Program" (RIN0570-AA98) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-840. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Qualified Mortgage Definition Under the Truth in Lending Act (Regulation Z): General QM Loan Definition; Delay of Mandatory Compliance Date" (RIN3170-AA98) received in the Office of the President of the Senate on April 27, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-841. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, a report entitled "2020 Fair Lending Report of the Bureau of Consumer Financial Protection"; to the Committee on Banking, Housing, and Urban Affairs.

EC-842. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Arkansas; Arkansas Regional Haze and Visibility Transport State Implementation Plan Revisions; Correction" (FRL No. 10022-74-Region 6) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Environment and Public Works.

EC-843. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; Public Participation in the Permit Program" (FRL No. 10022-84-Region 5) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Environment and Public Works.

EC-844. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; California; Feather River Air Quality Management District" (FRL No. 10022-35-Region 9) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Environment and Public Works.

EC-845. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; New Hampshire; Sulfur Content Limitations for Fuels" (FRL No. 10022-62-Region 1) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Environment and Public Works.

EC-846. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Ohio; NSR Program Administrative Rules" (FRL No. 10022-85-Region 5) received in the Office of the

President of the Senate on April 26, 2021; to the Committee on Environment and Public Works.

EC-847. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulatory Guide (RG) 1.178, 'Plant-Specific, Risk Informed Decision-making For In-service Inspection of Piping'" received in the Office of the President of the Senate on April 26, 2021; to the Committee on Environment and Public Works.

EC-848. A communication from the President of the United States, transmitting, pursuant to law, a report of the apportionment population for each state as of April 1, 2020, and the number of Representatives to which each State would be entitled; to the Committee on Homeland Security and Governmental Affairs.

EC-849. A communication from the Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-850. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the Commission's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-851. A communication from the Acting Director, Office of Civil Rights, Department of Commerce, transmitting, pursuant to law, the Department's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-852. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Commission's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-853. A communication from the Chairman, Federal Mine Safety and Health Review Commission, transmitting, pursuant to law, the Commission's fiscal year 2020 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-854. A communication from the Acting Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the Bureau's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-855. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2020 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-856. A communication from the Director, Office of Civil Rights, Department of Interior, transmitting, pursuant to law, the

Uniform Resource Locator (URL) for the Department's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-857. A communication from the Acting First Vice President and Vice Chairman of the Export-Import Bank, transmitting, pursuant to law, the Bank's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-858. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of a waiver of Section 907 of the Freedom Support Act with respect to assistance to the Government of Azerbaijan; to the Committee on Foreign Relations.

EC-859. A communication from the Assistant Director for Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, National Counterterrorism Center, Office of the Director of National Intelligence, received in the Office of the President of the Senate on April 27, 2021; to the Select Committee on Intelligence.

EC-860. A communication from the Assistant Director for Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Office of the Director of National Intelligence, received in the Office of the President of the Senate on April 27, 2021; to the Select Committee on Intelligence.

EC-861. A communication from the Regulations Unit Chief, U.S. Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Procedures and Standards for Declining Surety Immigration Bonds and Administrative Appeal Requirement for Breaches" (RIN1653-AA67) received in the Office of the President of the Senate on April 27, 2021; to the Committee on the Judiciary.

EC-862. A communication from the Yeoman Second Class Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Potomac River, Between Charles County, Maryland and King George County, Virginia" (RIN1625-AA00) (Docket No. USCG-2021-0156) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Commerce, Science, and Transportation.

EC-863. A communication from the Yeoman Second Class Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Great Lakes Pilotage Rates - 2021 Annual Review and Revisions to Methodology" (RIN1625-AA00) (Docket No. USCG-2020-0457) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Commerce, Science, and Transportation.

EC-864. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Little Manatee River, Ruskin, Hillsborough County, Florida" (Docket No. USCG-2020-0573) received in the Office of the President of the Senate on April 26, 2021; to the Committee on Commerce, Science, and Transportation.

## 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. WYDEN (for himself, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, and Mr. WHITEHOUSE):

S. 1443. A bill to amend the Internal Revenue Code of 1986 to permit treatment of student loan payments as elective deferrals for purposes of employer matching contributions, and for other purposes; to the Committee on Finance.

By Mr. WYDEN:

S. 1444. A bill to amend the Federal Trade Commission Act to establish requirements and responsibilities for entities that use, store, or share personal information, to protect personal information, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Ms. SMITH, and Ms. ERNST):

S. 1445. A bill to revise counseling requirements for certain borrowers of student loans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mr. TESTER):

S. 1446. A bill to require the Secretary of Veterans Affairs to submit to Congress a plan for obligating and expending Coronavirus pandemic funding made available to the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MANCHIN (for himself, Mr. CASEY, Mr. WARNER, Mr. KAINE, and Mr. BROWN):

S. 1447. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to extend the period during which certain reclamation fees are required to be paid; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Ms. SMITH, and Ms. ERNST):

S. 1448. A bill to amend the Higher Education Act of 1965 to make technical improvements to the Net Price Calculator system so that prospective students may have a more accurate understanding of the true cost of college; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself and Mr. PETERS):

S. 1449. A bill to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes; to the Committee on Finance.

By Mr. BARRASSO (for himself and Mr. TESTER):

S. 1450. A bill to amend title XVIII of the Social Security Act to provide for expanded coverage of services furnished by genetic counselors under part B of the Medicare program, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. COONS):

S. 1451. A bill to amend the Foreign Assistance Act of 1961 to implement policies to end preventable maternal, newborn, and child deaths globally; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself, Ms. SMITH, and Ms. ERNST):

S. 1452. A bill to require a standard financial aid offer form, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. YOUNG (for himself and Ms. BALDWIN):

S. 1453. A bill to reauthorize title VI of the Higher Education Act of 1965 in order to im-

prove and encourage innovation in international education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mr. RUBIO, Mr. COTTON, Mr. CRUZ, and Mr. SCOTT of Florida):

S. 1454. A bill to require the United States Executive Director of the International Bank for Reconstruction and Development to oppose assistance by the Bank for any country that exceeds the graduation threshold of the Bank and is of concern with respect to religious freedom; to the Committee on Foreign Relations.

By Mr. MANCHIN (for himself, Mr. CASEY, Mr. WARNER, Mr. KAINE, and Mr. BROWN):

S. 1455. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. PAUL):

S. 1456. A bill to direct the Secretary of Health and Human Services to enter into a 10-year arrangement with the National Academy of Sciences to conduct and update biennially a study on the effects of State legalized marijuana programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. WARREN, Mr. WHITEHOUSE, Ms. BALDWIN, and Mr. BOOKER):

S. 1457. A bill to establish programs to address addiction and overdoses caused by illicit fentanyl and other opioids, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Ms. STABENOW, Mr. CASEY, Mr. ROUNDS, and Ms. SMITH):

S. 1458. A bill to amend the Federal Crop Insurance Act to encourage the planting of cover crops following prevented planting, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 1459. A bill to provide for the protection of and investment in certain Federal land in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOKER (for himself, Mr. MARKEY, Mr. KING, Mr. WYDEN, Mr. BLUMENTHAL, Mr. SANDERS, and Mrs. GILLIBRAND):

S. 1460. A bill to amend the Telecommunications Act of 1996 to preserve and protect the ability of State and local governments, public-private partnerships, and cooperatives to provide broadband services; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. MARKEY, Ms. SMITH, Mr. PADILLA, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. WYDEN, Ms. DUCKWORTH, Mr. SANDERS, Mr. VAN HOLLEN, and Ms. ROSEN):

S. 1461. A bill to establish a program to award grants to entities that provide transportation connectors from critically underserved urban communities and rural communities to green spaces; to the Committee on Commerce, Science, and Transportation.

By Mr. CASSIDY (for himself and Ms. SMITH):



S. 1462. A bill to amend the Federal Food, Drug, and Cosmetic Act to simplify the generic drug application process; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself and Ms. SMITH):

S. 1463. A bill to amend the Federal Food, Drug, and Cosmetic Act to modernize therapeutic equivalence rating determinations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT of South Carolina (for himself and Mr. MANCHIN):

S. 1464. A bill to amend the Higher Education Act of 1965 to direct the Secretary of Education to develop a plain language disclosure form for borrowers of Federal student loans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself and Mr. BLUNT):

S. 1465. A bill to establish a competitive grant program for highway-rail grade crossing improvement projects; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Ms. ROSEN, and Mr. ROMNEY):

S. 1466. A bill to authorize the Director of the United States Geological Survey to establish a regional program to assess, monitor, and benefit the hydrology of saline lakes in the Great Basin and the migratory birds and other wildlife dependent on those habitats, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TESTER (for himself and Mr. SULLIVAN):

S. 1467. A bill to direct the Secretary of Veterans Affairs to carry out a series of clinical trials on the effects of cannabis on certain health outcomes of veterans with chronic pain and post-traumatic stress disorder, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself and Mr. MORAN):

S. 1468. A bill to direct the Secretary of Veterans Affairs to expand the Rural Access Network for Growth Enhancement Program of the Department of Veterans Affairs and to direct the Comptroller General of the United States to conduct a study to assess certain mental health care resources of the Department of Veterans Affairs available to veterans who live in rural areas; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN (for herself, Mr. PORTMAN, and Ms. BALDWIN):

S. 1469. A bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself, Ms. KLOBUCHAR, Mr. WYDEN, Mr. BROWN, Ms. DUCKWORTH, Mr. BLUMENTHAL, and Mr. MERKLEY):

S. 1470. A bill to amend the Help America Vote Act of 2002 to increase voting accessibility for individuals with disabilities and older individuals, and for other purposes; to the Committee on Rules and Administration.

By Mr. HEINRICH (for himself, Ms. MURKOWSKI, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. LUJÁN, Mr. DAINES, Mr. SINEMA, Mr. ROUNDS, Ms. ROSEN, Mr. LANKFORD, Ms. BALDWIN, and Mr. SULLIVAN):

S. 1471. A bill to enhance protections of Native American tangible cultural heritage, and for other purposes; to the Committee on Indian Affairs.

By Mr. WICKER (for himself, Mr. THUNE, and Mrs. BLACKBURN):

S. 1472. A bill to require the Federal Communications Commission and the National

Telecommunications and Information Administration to update the Memorandum of Understanding on Spectrum Coordination, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself, Mr. LEAHY, Mr. KAINE, Mr. COONS, Mrs. FEINSTEIN, Mrs. MURRAY, and Mr. SCHATZ):

S. 1473. A bill to enhance the consideration of human rights in arms exports; to the Committee on Foreign Relations.

By Mr. REED (for himself, Ms. WARREN, Mr. BROWN, Mr. VAN HOLLEN, and Mrs. GILLIBRAND):

S. 1474. A bill to reaffirm the importance of workers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. THUNE (for himself and Ms. SINEMA):

S. 1475. A bill to amend the Clean Air Act to prohibit the issuance of permits under title V of that Act for certain emissions from agricultural production; to the Committee on Environment and Public Works.

By Mr. PORTMAN (for himself, Mr. CASEY, Mr. SCOTT of South Carolina, and Ms. CORTEZ MASTO):

S. 1476. A bill to amend title XIX of the Social Security Act to enable greater participation by seniors and Medicare beneficiaries in State Medicaid programs for working people with disabilities; to the Committee on Finance.

By Mr. SCOTT of Florida:

S. 1477. A bill to impose notice and consent requirements on internet platforms that use algorithms to manipulate the availability of content on the platform; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. CARDIN):

S. 1478. A bill to protect and promote the freedom of the press globally; to the Committee on Foreign Relations.

By Mr. WHITEHOUSE (for himself, Mr. SCHUMER, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. HASSAN, and Mr. PETERS):

S. 1479. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for taxpayers who remove lead-based hazards; to the Committee on Finance.

By Mrs. HASSAN (for herself, Mr. RUBIO, Mr. KAINE, Mr. CRAMER, Mr. REED, Ms. MURKOWSKI, and Ms. DUCKWORTH):

S. 1480. A bill to direct the Secretary of Education to deem each month for which certain Federal student loans are in deferment during a period of active duty service as months counted toward public service loan forgiveness; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN (for himself, Mr. YOUNG, and Ms. CANTWELL):

S. 1481. A bill to provide duty-free treatment for certain goods from designated Reconstruction Opportunity Zones in Pakistan and Afghanistan, and for other purposes; to the Committee on Finance.

By Mr. BRAUN:

S. 1482. A bill to increase Government accountability for administrative actions by reinvigorating administrative Pay-As-You-Go; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN (for himself and Mr. BLUNT):

S. 1483. A bill to amend part B of title IV of the Social Security Act to require States to review child fatalities from maltreatment, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself and Mr. BLUNT):

S. 1484. A bill to improve the management of forage fish; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself and Mr. PORTMAN):

S. 1485. A bill to amend the Internal Revenue Code of 1986 to include fuel cells using electromechanical processes for purposes of the energy tax credit; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. CASSIDY, Mrs. SHAHEEN, Mrs. CAPITO, Ms. SMITH, and Ms. MURKOWSKI):

S. 1486. A bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PETERS (for himself, Mr. CORNYN, and Ms. STABENOW):

S. 1487. A bill to ensure that certain incidents involving a covered employee that are reported to the title IX coordinator at an eligible institution of higher education have been reviewed by the president of the institution and not less than 1 additional member of the institution's board of trustees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself, Mrs. BLACKBURN, Mr. DURBIN, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Mrs. FEINSTEIN, Ms. ROSEN, Mrs. MURRAY, Ms. BALDWIN, Mr. WARNER, Ms. KLOBUCHAR, Mr. LUJÁN, Mrs. GILLIBRAND, Mr. CRAMER, and Ms. HIRONO):

S. 1488. A bill to amend title 37, United States Code, to establish a basic needs allowance for low-income regular members of the Armed Forces; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. WYDEN, Mr. TOOMEY, Mr. BROWN, Ms. CORTEZ MASTO, Mr. WHITEHOUSE, and Mr. CARPER):

S. 1489. A bill to amend the Inspector General Act of 1978 to establish an Inspector General of the Office of the United States Trade Representative, and for other purposes; to the Committee on Finance.

By Mr. PETERS (for himself and Mr. CORNYN):

S. 1490. A bill to require the Secretary of Housing and Urban Development to discount FHA single-family mortgage insurance premium payments for first-time homebuyers who complete a financial literacy housing counseling program; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SMITH (for herself, Ms. MURKOWSKI, Mr. KING, Ms. ERNST, Mrs. GILLIBRAND, Ms. STABENOW, and Mr. LUJÁN):

S. 1491. A bill to amend the Public Health Service Act to improve obstetric care in rural areas; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH (for herself, Ms. KLOBUCHAR, and Mrs. MURRAY):

S. 1492. A bill to direct the Administrator of the Small Business Administration to establish a forgivable loan program for remote recreational businesses, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. TESTER:

S. 1493. A bill to sustain economic development and recreational use of National Forest System land in the State of Montana, to add certain land to the National Wilderness Preservation System, to designate new areas for recreation, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MORAN:

S. 1494. A bill to protect the privacy of consumers; to the Committee on Commerce, Science, and Transportation.



By Mr. Kaine (for himself and Mr. GRAHAM):

S. 1495. A bill to promote international press freedom, and for other purposes; to the Committee on the Judiciary.

By Mr. Kaine (for himself and Ms. BALDWIN):

S. 1496. A bill to require the Secretary of Health and Human Services to fund demonstration projects to improve recruitment and retention of child welfare workers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. Kaine (for himself and Ms. BALDWIN):

S. 1497. A bill to amend the Child Abuse Prevention and Treatment Act to ensure protections for lesbian, gay, bisexual, transgender, and queer youth and their families; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself and Mr. PORTMAN):

S. 1498. A bill to require the Director of the Office of Science and Technology Policy to establish the Emerging Technology Standards-Setting Task Force, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNER (for himself, Mr. BLUNT, Mr. BLUMENTHAL, Mr. CORNYN, Ms. KLOBUCHAR, Mr. GRAHAM, and Mr. COONS):

S. 1499. A bill to facilitate efficient investments and financing of infrastructure projects and new, long-term job creation through the establishment of an Infrastructure Financing Authority, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 1500. A bill to permit Amtrak to bring civil actions in Federal district court to enforce the right set forth in section 24308(c) of title 49, United States Code, which gives intercity and commuter rail passenger transportation preference over freight transportation in using a rail line, junction, or crossing; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. REED, Ms. HIRONO, Mr. BLUMENTHAL, Ms. DUCKWORTH, Mr. BROWN, Mr. WHITEHOUSE, Ms. WARREN, Mrs. FEINSTEIN, Mr. LEAHY, Mr. VAN HOLLEN, and Mr. SANDERS):

S. 1501. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself, Mr. GRASSLEY, Mr. LEAHY, Mr. YOUNG, and Mr. TILLIS):

S. 1502. A bill to make Federal law enforcement officer peer support communications confidential, and for other purposes; to the Committee on the Judiciary.

By Mr. CRUZ (for himself and Mr. DAINES):

S. 1503. A bill to require the Secretary of State to submit a report to Congress describing certain violations by Mexican authorities of the U.S.-Mexico Legal Assistance Treaty, and for other purposes; to the Committee on Foreign Relations.

By Mr. KENNEDY:

S. 1504. A bill to require the Securities and Exchange Commission to issue rules requiring enhanced disclosures for blank check companies during initial public offering and pre-merger stages, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KENNEDY:

S. 1505. A bill to require the Commandant of the Coast Guard to modify regulations relating to vessel response plans to include notifications with respect to search and rescue

missions; to the Committee on Commerce, Science, and Transportation.

By Mr. MARKEY (for himself and Mr. WYDEN):

S. 1506. A bill to require the Assistant Secretary of Commerce for Communications and Information to carry out a grant and revolving loan program to provide funding for projects to increase the resiliency and energy efficiency of communications networks, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN:

S. 1507. A bill to require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARSHALL (for himself, Ms. SMITH, and Mr. CASSIDY):

S. 1508. A bill to provide for the use of emergency use authorization data and real world evidence gathered during an emergency to support premarket applications for drugs, biological products, and devices, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 1509. A bill to expand access to capital in underserved markets by providing resources for the Small Business Administration to approve additional Non-Federally Regulated Lenders to make business loans guaranteed by the Small Business Administration to small business concerns in low-income and moderate-income neighborhoods; to the Committee on Small Business and Entrepreneurship.

By Mr. PETERS (for himself and Mr. BURR):

S. 1510. A bill to establish a task force to identify potential countervailable subsidies, dumping, and circumvention with respect to trade; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mrs. GILLIBRAND, Mrs. BLACKBURN, Mr. WHITEHOUSE, Mr. CRAPO, Ms. KLOBUCHAR, Mr. DAINES, Mr. TILLIS, Mr. TESTER, Ms. HIRONO, and Mr. BLUMENTHAL):

S. 1511. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustain in the line of duty, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHATZ (for himself, Mr. WICKER, Mr. CARDIN, Mr. THUNE, Mr. WARNER, Mrs. HYDE-SMITH, Mr. TESTER, Mr. PORTMAN, Mr. HEINRICH, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. DAINES, Mr. MURPHY, Mr. SCOTT of South Carolina, Mr. KING, Mr. TILLIS, Mr. CARPER, Mr. CRAMER, Ms. SMITH, Mr. SASSE, Mr. VAN HOLLEN, Ms. COLLINS, Ms. HASSAN, Mr. BARRASSO, Mrs. SHAHEEN, Mr. BOOZMAN, Ms. KLOBUCHAR, Mrs. CAPITO, Mr. BLUMENTHAL, Mr. INHOFE, Mr. Kaine, Mr. COTTON, Mr. LEAHY, Ms. ERNST, Ms. SINEMA, Mr. MORAN, Mr. SANDERS, Mr. SULLIVAN, Mr. COONS, Mr. HOEVEN, Mr. WARNOCK, Mr. BLUNT, Mr. BENNETT, Mr. RUBIO, Mr. KELLY, Mr. LANKFORD, Mr. BOOKER, Mr. GRAHAM, Ms. ROSEN, and Mr. CASSIDY):

S. 1512. A bill to amend title XVIII of the Social Security Act to expand access to telehealth services, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Ms. BALDWIN, and Mr. PETERS):

S. 1513. A bill to provide incentives for businesses to keep jobs in America, and for other purposes; to the Committee on Finance.

By Mr. HEINRICH (for himself, Mr. CORNYN, and Ms. SINEMA):

S. 1514. A bill to expedite detainee transport to border patrol processing facilities; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HEINRICH (for himself, Mr. CORNYN, and Ms. SINEMA):

S. 1515. A bill to provide a pay incentive for border patrol agents to complete emergency medical technician and paramedic training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. CORTEZ MASTO:

S. 1516. A bill to amend titles 23 and 49, United States Code, to encourage travel and tourism, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MERKLEY (for himself, Mr. BOOKER, Mr. MARKEY, and Mr. WYDEN):

S. 1517. A bill to prohibit the use of funds for the operation or construction of family detention centers, and for other purposes; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself and Ms. BALDWIN):

S. 1518. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to authorize appropriations for the United States-Israel Binational Agricultural Research and Development Fund; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHATZ:

S. 1519. A bill to provide assistance to the hotel industry, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself, Mr. GRASSLEY, Ms. ERNST, Mr. BLUMENTHAL, Mr. CRUZ, Mrs. SHAHEEN, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. KING, Mr. BRAUN, Mr. DURBIN, Ms. DUCKWORTH, Mr. BENNETT, Mr. PAUL, Mr. COONS, Mr. KELLY, Mrs. FEINSTEIN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Ms. WARREN, Mr. WYDEN, Mr. PADILLA, Mr. MENENDEZ, Ms. HASSAN, Ms. LUMMIS, Mr. PETERS, Mr. CASEY, Mrs. CAPITO, Mr. WARNOCK, Mr. Kaine, Mr. TUBERVILLE, Ms. SMITH, Mr. HEINRICH, Ms. CORTEZ MASTO, Mr. BROWN, Mr. HICKENLOOPER, Mr. WARNER, Ms. COLLINS, Mr. BOOKER, Mr. TESTER, Mr. MERKLEY, and Mr. OSSOFF):

S. 1520. A bill to reform the disposition of charges and convening of courts-martial for certain offenses under the Uniform Code of Military Justice and increase the prevention of sexual assaults and other crimes in the military; to the Committee on Armed Services.

By Mr. Kaine (for himself, Mr. MORAN, Mr. WARNER, Mr. CASSIDY, Mr. CASEY, Mr. RUBIO, and Mr. MANCHIN):

S. 1521. A bill to require certain civil penalties to be transferred to a fund through which amounts are made available for the Gabriella Miller Kids First Pediatric Research Program at the National Institutes of Health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Mr. HAGERTY, Mr. COTTON, Mrs. CAPITO, Mr. THUNE, Mr. GRASSLEY, Mr. SHELBY, Mr. CRUZ, Mr. CRAPO, Mr. RUBIO, Mr. HAWLEY, Ms. ERNST, Mr. MORAN, Mrs. HYDE-SMITH, Mr. BARRASSO, Mrs. BLACKBURN, Mr. CASSIDY, Mr. TILLIS, Ms. LUMMIS, Mr. GRAHAM, Mr. CRAMER, Mr. SCOTT of Florida, Mr. RISCH, Mr. INHOFE, Mr. BRAUN, Mrs. FISCHER, Mr. BOOZMAN, Mr. DAINES, Mr. WICKER, Mr. MCCONNELL, and Mr. HOEVEN):

S. 1522. A bill to allow reciprocity for the carrying of certain concealed firearms; to the Committee on the Judiciary.

By Mr. BRAUN (for himself and Mrs. HYDE-SMITH):

S. 1523. A bill to amend title XI of the Social Security Act and title XXVII of the Public Health Service Act to establish requirements with respect to prescription drug benefits; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BRAUN (for himself, Mr. GRASSLEY, Ms. ERNST, Mr. BARRASSO, and Mr. TILLIS):

S. 1524. A bill to amend the Public Health Service Act to provide for hospital and insurer price transparency; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. WARREN, Mr. WYDEN, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. SANDERS, and Mr. MERKLEY):

S. 1525. A bill to establish a Federal agenda to transform, heal, and renew the United States by investing in a vibrant economy, to provide funds to certain Federal investment programs that meet related labor, equity, and environmental standards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE:

S. 1526. A bill to authorize the use of off-highway vehicles in certain areas of the Capitol Reef National Park, Utah; to the Committee on Energy and Natural Resources.

By Mr. LEE:

S. 1527. A bill to amend title 54, United States Code, to provide that State law shall apply to the use of motor vehicles on roads within a System unit; to the Committee on Energy and Natural Resources.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. Res. 189. A resolution congratulating the University of Kentucky's Women's Volleyball Team for winning the 2020 National Collegiate Athletic Association Division I Women's Volleyball Championship; considered and agreed to.

By Ms. CANTWELL (for herself, Mr. WICKER, Mr. PETERS, Mrs. FISCHER, Mr. TESTER, Mr. MORAN, Mr. MARKEY, Mr. LUJÁN, Mr. BLUMENTHAL, Ms. BALDWIN, and Ms. KLOBUCHAR):

S. Res. 190. A resolution recognizing 50 years of service by the National Railroad Passenger Corporation, commonly known as Amtrak; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself, Mrs. FISCHER, Ms. CANTWELL, and Mr. WICKER):

S. Res. 191. A resolution supporting the goals and ideals of National Safe Digging Month; to the Committee on Commerce, Science, and Transportation.

By Ms. ERNST (for herself and Mr. PETERS):

S. Res. 192. A resolution expressing support for the designation of May 2021 as "Motorcycle Safety Awareness Month"; to the Committee on Commerce, Science, and Transportation.

By Mr. KING (for himself, Mr. CORNYN, Ms. SMITH, and Ms. HASSAN):

S. Res. 193. A resolution supporting the designation of the week of May 2, 2021, as "Children's Mental Health Awareness Week"

and the day of May 9, 2021, as "Children's Mental Health Awareness Day"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself, Mr. RISCH, Mrs. SHAHEEN, Mr. BRAUN, Ms. BALDWIN, Mr. CRAPO, Ms. SMITH, Mr. BOOZMAN, Mr. MANCHIN, Ms. COLLINS, Mrs. MURRAY, and Mr. WICKER):

S. Res. 194. A resolution celebrating the 149th anniversary of Arbor Day; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mr. LANKFORD, Mr. BOOZMAN, and Mr. COTTON):

S. Res. 195. A resolution recognizing the 50th anniversary of the McClellan-Kerr Arkansas River Navigation System; to the Committee on Environment and Public Works.

By Mr. DAINES (for himself, Mr. TESTER, Mr. CRAMER, Mr. WYDEN, Mr. LANKFORD, Mr. LUJÁN, Mr. SCHATZ, Ms. MURKOWSKI, and Mr. CRAPO):

S. Res. 196. A resolution designating May 5, 2021, as the "National Day of Awareness for Missing and Murdered Native Women and Girls"; considered and agreed to.

By Mr. BLUNT (for himself and Mr. HAWLEY):

S. Res. 197. A resolution expressing support for the designation of May 1, 2021, as "Silver Star Service Banner Day"; considered and agreed to.

By Mr. BROWN (for himself, Ms. COLLINS, Mr. KAINE, Ms. HIRONO, Ms. DUCKWORTH, Mr. BLUMENTHAL, Ms. HASSAN, Mr. DURBIN, Ms. WARREN, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. MANCHIN, Mr. BOOKER, Mr. KING, Mr. CASEY, Ms. SMITH, Ms. CANTWELL, Mr. VAN HOLLEN, Mr. MURPHY, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. PETERS, Mr. BRAUN, Mrs. CAPITO, Mr. HOEVEN, Mr. PADILLA, Mr. BOOZMAN, Mr. MERKLEY, Mr. YOUNG, Mrs. HYDE-SMITH, and Mr. CARPER):

S. Res. 198. A resolution recognizing the roles and contributions of the teachers of the United States in building and enhancing the civic, cultural, and economic well-being of the United States; considered and agreed to.

By Mr. WARNOCK (for himself, Mr. GRASSLEY, Ms. DUCKWORTH, Mr. MARKEY, Mr. BLUMENTHAL, Mr. CASEY, Mr. WYDEN, Mr. CARPER, Ms. HIRONO, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. DURBIN, Mr. REED, Mr. SANDERS, Mr. KAINE, Mrs. FEINSTEIN, Ms. CANTWELL, Mr. MURPHY, Mr. BROWN, Mr. PADILLA, Mrs. MURRAY, Ms. HASSAN, Mr. COONS, Mr. MENENDEZ, Ms. CORTEZ MASTO, Ms. BALDWIN, Ms. KLOBUCHAR, Ms. WARREN, Ms. ROSEN, Mr. MERKLEY, Mrs. SHAHEEN, Mr. OSSOFF, Ms. SMITH, Mr. CARDIN, and Mr. BOOKER):

S. Res. 199. A resolution condemning the horrific shootings in Atlanta, Georgia, on March 16, 2021, and reaffirming the commitment of the Senate to combating hate, bigotry, and violence against the Asian American and Pacific Islander community; considered and agreed to.

By Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. KENNEDY, Mr. WARNOCK, Mr. TILLIS, Mr. SCOTT of Florida, Ms. ERNST, Mr. WICKER, Ms. COLLINS, Mr. SCOTT of South Carolina, Mr. ROMNEY, Mr. MORAN, Mr. YOUNG, Mr. CASSIDY, Mrs. FISCHER, Mr. PORTMAN, Mr. CRAPO, Mr. SULLIVAN, Mr. CRAMER, Mr. RISCH, Mr. HOEVEN, Mr. ROUNDS, Mr. RUBIO, Mr. CRUZ, Mr. OSSOFF, and Ms. HASSAN):

S. Res. 200. A resolution condemning recent hate crimes committed against Asian

American and Pacific Islanders; considered and agreed to.

By Mr. PORTMAN (for himself, Mr. DURBIN, Ms. WARREN, Mr. SANDERS, Mr. KING, and Mr. SCHATZ):

S. Res. 201. A resolution amending the Standing Rules of the Senate to enable the participation of absent Senators during a national crisis; to the Committee on Rules and Administration.

By Mr. SULLIVAN (for himself, Mr. VAN HOLLEN, Mr. DURBIN, Ms. COLLINS, Mrs. SHAHEEN, Mr. MERKLEY, Mr. BOOKER, Mr. KAINE, Mr. CARDIN, and Mr. COONS):

S. Res. 202. A resolution designating May 7, 2021, as "United States Foreign Service Day" in recognition of the men and women who have served, or are presently serving, in the Foreign Service of the United States, and honoring the members of the Foreign Service who have given their lives in the line of duty; to the Committee on the Judiciary.

By Mr. YOUNG (for himself and Mr. BRAUN):

S. Res. 203. A resolution condemning the horrific attack in Indianapolis, Indiana, on April 15, 2021, and expressing support and prayers for all of those impacted by that tragedy; to the Committee on the Judiciary.

By Mr. HEINRICH (for himself, Mr. BARRASSO, Ms. HASSAN, Mr. TESTER, Mr. DAINES, Mrs. SHAHEEN, Ms. ERNST, and Mr. CRAPO):

S. Con. Res. 9. A concurrent resolution supporting the Local Radio Freedom Act; to the Committee on Commerce, Science, and Transportation.

## ADDITIONAL COSPONSORS

S. 128

At the request of Mr. CASSIDY, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 128, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of direct primary care service arrangements as medical care, to provide that such arrangements do not disqualify deductible health savings account contributions, and for other purposes.

S. 169

At the request of Mr. TILLIS, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 169, a bill to amend title 17, United States Code, to require the Register of Copyrights to waive fees for filing an application for registration of a copyright claim in certain circumstances, and for other purposes.

S. 344

At the request of Mr. TESTER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 344, a bill to amend title 10, United States Code, to provide for concurrent receipt of veterans' disability compensation and retirement pay for disability retirees with fewer than 20 years of service and a combat-related disability, and for other purposes.

S. 444

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 444, a bill to amend title 38, United States Code, to authorize the

Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons.

S. 450

At the request of Mr. BURR, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Montana (Mr. DAINES), the Senator from Kansas (Mr. MARSHALL) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 450, a bill to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

S. 481

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 481, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 544

At the request of Ms. ERNST, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 544, a bill to direct the Secretary of Veterans Affairs to designate one week each year as "Buddy Check Week" for the purpose of outreach and education concerning peer wellness checks for veterans, and for other purposes.

S. 611

At the request of Mr. DURBIN, the name of the Senator from Florida (Mr. RUBIO) 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. 614

At the request of Mr. CARDIN, the names of the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Arizona (Mr. KELLY) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 614, a bill to amend title 23, United States Code, to improve the transportation alternatives program, and for other purposes.

S. 617

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 617, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 657

At the request of Mr. BOOZMAN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 657, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 659

At the request of Mr. YOUNG, the names of the Senator from Kansas (Mr. MARSHALL), the Senator from Montana (Mr. DAINES), the Senator from Iowa

(Ms. ERNST) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 659, a bill to require the Secretary of Transportation to promulgate regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 710

At the request of Mrs. BLACKBURN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 710, a bill to direct the Comptroller General of the United States to conduct a study to evaluate the activities of sister city partnerships operating within the United States, and for other purposes.

S. 714

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 714, a bill to amend the Internal Revenue Code of 1986 to provide for current year inclusion of net CFC tested income, and for other purposes.

S. 828

At the request of Mr. BARRASSO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 853

At the request of Mr. CASEY, the name of the Senator from Maine (Mr. KING) 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. 910

At the request of Mr. MERKLEY, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Arizona (Mr. KELLY) were added as cosponsors 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. 936

At the request of Mr. DURBIN, the names of the Senator from Georgia (Mr. WARNOCK) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 936, a bill to require online marketplaces to collect, verify, and disclose certain information regarding high-volume third party sellers of consumer products to inform consumers.

S. 966

At the request of Mr. MARKEY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 966, a bill to require the Administrator of the National Oceanic and Atmospheric Administration to establish

a Climate Change Education Program, and for other purposes.

S. 967

At the request of Mr. BLUNT, the names of the Senator from Iowa (Ms. ERNST) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 967, a bill to provide for the automatic acquisition of United States citizenship for certain internationally adopted individuals, and for other purposes.

S. 1024

At the request of Mr. DURBIN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Kentucky (Mr. PAUL), the Senator from Washington (Mrs. MURRAY), the Senator from South Dakota (Mr. THUNE), the Senator from Maine (Mr. KING), the Senator from South Dakota (Mr. ROUNDS), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1024, a bill to enhance our Nation's nurse and physician workforce during the COVID-19 crisis by recapturing unused immigrant visas.

S. 1052

At the request of Mr. LEE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1052, a bill to improve the poverty measurement methodology used by the Bureau of the Census to more accurately measure poverty in the United States.

S. 1249

At the request of Mr. CARDIN, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 1249, a bill to amend the Small Business Act to modify the maximum paycheck protection program loan amount for farmers and ranchers, sole proprietors, independent contractors, and self-employed individuals, and for other purposes.

S. 1251

At the request of Mr. BRAUN, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor 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. 1300

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1300, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1302

At the request of Mr. BROWN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 1302, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1315

At the request of Ms. CANTWELL, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 1315, a bill to amend title XVIII of the Social Security Act to provide for coverage of certain lymphedema compression treatment items under the Medicare program.

S. 1325

At the request of Mrs. BLACKBURN, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 1325, a bill to ensure that women seeking an abortion are informed of the medical risks associated with the abortion procedure and the major developmental characteristics of the unborn child, before giving their informed consent to receive an abortion.

S. 1334

At the request of Mrs. GILLIBRAND, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1334, a bill to amend the Toxic Substance Control Act to codify a Federal cause of action and a type of remedy available for individuals significantly exposed to per- and polyfluoroalkyl substances, to encourage research and accountability for irresponsible discharge of those substances, and for other purposes.

S. 1338

At the request of Mr. BLUMENTHAL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1338, a bill to repeal the Protection of Lawful Commerce in Arms Act, and provide for the discoverability and admissibility of gun trace information in civil proceedings.

S. 1369

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 1369, a bill to require United States educational institutions to include information regarding financial transactions with the Government of the People's Republic of China or its affiliates in any petition for certification or recertification with the Student and Exchange Visitor Program.

S. 1373

At the request of Ms. LUMMIS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1373, a bill to reduce, from 21 years of age to 18 years of age, the minimum age at which a person may obtain a handgun from a Federal firearms license.

S. 1385

At the request of Mr. DURBIN, the names of the Senator from Nevada (Ms. ROSEN), the Senator from Michigan (Mr. PETERS) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1385, a bill to amend the Animal Welfare Act to establish additional requirements for dealers, and for other purposes.

S. 1417

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 1417, a bill to establish a Venezuela Reconstruction Fund, and for other purposes.

S.J. RES. 15

At the request of Mr. VAN HOLLEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S.J. Res. 15, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of Currency relating to "National Banks and Federal Savings Associations as Lenders".

S. RES. 149

At the request of Mr. KELLY, the names of the Senator from Indiana (Mr. YOUNG), the Senator from Maryland (Mr. CARDIN) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. Res. 149, a resolution expressing the sense of the Senate that Congress should continue to support the A-10 Thunderbolt II attack aircraft program, also known as the Warthog and A-10C or OA-10C.

S. RES. 167

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of 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.

S. RES. 185

At the request of Mr. SCOTT of Florida, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. Res. 185, a resolution requesting that the President transmit to the Senate not later than 14 days after the date of the adoption of this resolution documents in the possession of the President relating to the Administration's discussions and plans to assess, mitigate, and prevent growing inflation.

S. RES. 188

At the request of Mr. MARSHALL, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. Res. 188, a resolution expressing appreciation and recognition for the Trump Administration for the creation of Operation Warp Speed and the historic development of a COVID-19 vaccine.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, and Mr. WHITEHOUSE):

S. 1443. A bill to amend the Internal Revenue Code of 1986 to permit treatment of student loan payments as elective deferrals for purposes of employer

matching contributions, and for other purposes; to the Committee on Finance.

Mr. WYDEN. Madam President, today I have introduced the Retirement Parity for Student Loans Act. This legislation would permit employers to make matching contributions to workers under 401(k) and similar types of retirement plans as if a worker's student loan payments were salary reduction contributions to the retirement plan. This legislation will help workers who cannot afford to both save for retirement and pay off their student loan debt by providing them with employer contributions to build their retirement savings. This legislation is a common sense fix to the rules that govern employer-sponsored retirement plans and I urge my colleagues to support this legislation. I ask unanimous consent that this bill be printed in the RECORD.

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

S. 1443

*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 "Retirement Parity for Student Loans Act".

#### SEC. 2. TREATMENT OF STUDENT LOAN PAYMENTS AS ELECTIVE DEFERRALS FOR PURPOSES OF MATCHING CONTRIBUTIONS.

(a) IN GENERAL.—Subparagraph (A) of section 401(m)(4) of the Internal Revenue Code of 1986 is amended by striking "and" at the end of clause (i), by striking the period at the end of clause (ii) and inserting ", and", and by adding at the end the following new clause:

"(iii) subject to the requirements of paragraph (13), any employer contribution made to a defined contribution plan on behalf of an employee on account of a qualified student loan payment."

(b) QUALIFIED STUDENT LOAN PAYMENT.—Paragraph (4) of section 401(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(D) QUALIFIED STUDENT LOAN PAYMENT.—The term 'qualified student loan payment' means a payment made by an employee in repayment of a qualified education loan (as defined in section 221(d)(1)) incurred by the employee to pay qualified higher education expenses, but only—

"(i) to the extent such payments in the aggregate for the year do not exceed an amount equal to—

"(I) the limitation applicable under section 402(g) for the year (or, if lesser, the employee's compensation (as defined in section 415(c)(3)) for the year), reduced by

"(II) the elective deferrals made by the employee for such year, and

"(ii) if the employee certifies to the employer making the matching contribution under this paragraph that such payment has been made on such loan.

For purposes of this subparagraph, the term 'qualified higher education expenses' means the cost of attendance (as defined in section 472 of the Higher Education Act of 1965, as in effect on the day before the date of the enactment of the Taxpayer Relief Act of 1997) at an eligible educational institution (as defined in section 221(d)(2))."

(c) MATCHING CONTRIBUTIONS FOR QUALIFIED STUDENT LOAN PAYMENTS.—Subsection

(m) of section 401 of the Internal Revenue Code of 1986 is amended by redesignating paragraph (13) as paragraph (14), and by inserting after paragraph (12) the following new paragraph:

“(13) MATCHING CONTRIBUTIONS FOR QUALIFIED STUDENT LOAN PAYMENTS.—

“(A) IN GENERAL.—For purposes of paragraph (4)(A)(iii), an employer contribution made to a defined contribution plan on account of a qualified student loan payment shall be treated as a matching contribution for purposes of this title if—

“(i) the plan provides matching contributions on account of elective deferrals at the same rate as contributions on account of qualified student loan payments,

“(ii) the plan provides matching contributions on account of qualified student loan payments only on behalf of employees otherwise eligible to receive matching contributions on account of elective deferrals,

“(iii) under the plan, all employees eligible to receive matching contributions on account of elective deferrals are eligible to receive matching contributions on account of qualified student loan payments, and

“(iv) the plan provides that matching contributions on account of qualified student loan payments vest in the same manner as matching contributions on account of elective deferrals.

“(B) TREATMENT FOR PURPOSES OF NONDISCRIMINATION RULES, ETC.—

“(i) NONDISCRIMINATION RULES.—For purposes of subparagraph (A)(iii), subsection (a)(4), and section 410(b), matching contributions described in paragraph (4)(A)(iii) shall not fail to be treated as available to an employee solely because such employee does not have debt incurred under a qualified education loan (as defined in section 221(d)(1)).

“(ii) STUDENT LOAN PAYMENTS NOT TREATED AS PLAN CONTRIBUTION.—Except as provided in clause (iii), a qualified student loan payment shall not be treated as a contribution to a plan under this title.

“(iii) MATCHING CONTRIBUTION RULES.—Solely for purposes of meeting the requirements of paragraph (11)(B) or (12) of this subsection, or paragraph (11)(B)(i)(II), (12)(B), or (13)(D) of subsection (k), a plan may treat a qualified student loan payment as an elective deferral or an elective contribution, whichever is applicable.

“(iv) ACTUAL DEFERRAL PERCENTAGE TESTING.—In determining whether a plan meets the requirements of subsection (k)(3)(A)(ii) for a plan year, the plan may apply the requirements of such subsection separately with respect to all employees who receive matching contributions described in paragraph (4)(A)(iii) for the plan year.

“(C) EMPLOYER MAY RELY ON EMPLOYEE CERTIFICATION.—The employer may rely on an employee certification of payment under paragraph (4)(D)(ii).”.

(d) SIMPLE RETIREMENT ACCOUNTS.—Paragraph (2) of section 408(p) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(F) MATCHING CONTRIBUTIONS FOR QUALIFIED STUDENT LOAN PAYMENTS.—

“(i) IN GENERAL.—Subject to the rules of clause (iii), an arrangement shall not fail to be treated as meeting the requirements of subparagraph (A)(iii) solely because under the arrangement, solely for purposes of such subparagraph, qualified student loan payments are treated as amounts elected by the employee under subparagraph (A)(i)(I) to the extent such payments do not exceed—

“(I) the applicable dollar amount under subparagraph (E) (after application of section 414(v)) for the year (or, if lesser, the employee's compensation (as defined in section 415(c)(3)) for the year), reduced by

“(II) any other amounts elected by the employee under subparagraph (A)(i)(I) for the year.

“(ii) QUALIFIED STUDENT LOAN PAYMENT.—For purposes of this subparagraph—

“(I) IN GENERAL.—The term ‘qualified student loan payment’ means a payment made by an employee in repayment of a qualified education loan (as defined in section 221(d)(1)) incurred to pay qualified higher education expenses, but only if the employee certifies to the employer making the matching contribution that such payment has been made on such a loan.

“(II) QUALIFIED HIGHER EDUCATION EXPENSES.—The term ‘qualified higher education expenses’ has the same meaning as when used in section 401(m)(4)(D).

“(iii) APPLICABLE RULES.—Clause (i) shall apply to an arrangement only if, under the arrangement—

“(I) matching contributions on account of qualified student loan payments are provided only on behalf of employees otherwise eligible to elect contributions under subparagraph (A)(i)(I), and

“(II) all employees otherwise eligible to participate in the arrangement are eligible to receive matching contributions on account of qualified student loan payments.”.

(e) 403(b) PLANS.—Subparagraph (A) of section 403(b)(12) of the Internal Revenue Code of 1986 is amended by adding at the end the following: “The fact that the employer offers matching contributions on account of qualified student loan payments as described in section 401(m)(13) shall not be taken into account in determining whether the arrangement satisfies the requirements of clause (ii) (and any regulation thereunder).”.

(f) 457(b) PLANS.—Subsection (b) of section 457 of the Internal Revenue Code of 1986 is amended by adding at the end the following: “A plan which is established and maintained by an employer which is described in subsection (e)(1)(A) shall not be treated as failing to meet the requirements of this subsection solely because the plan, or another plan maintained by the employer which meets the requirements of section 401(a), provides for matching contributions on account of qualified student loan payments as described in section 401(m)(13).”.

(g) REGULATORY AUTHORITY.—The Secretary of the Treasury (or such Secretary's delegate) shall prescribe regulations for purposes of implementing the amendments made by this section, including regulations—

(1) permitting a plan to make matching contributions for qualified student loan payments, as defined in sections 401(m)(4)(D) and 408(p)(2)(F) of the Internal Revenue Code of 1986, as added by this section, at a different frequency than matching contributions are otherwise made under the plan, provided that the frequency is not less than annually;

(2) permitting employers to establish reasonable procedures to claim matching contributions for such qualified student loan payments under the plan, including an annual deadline (not earlier than 3 months after the close of each plan year) by which a claim must be made; and

(3) promulgating model amendments which plans may adopt to implement matching contributions on such qualified student loan payments for purposes of sections 401(m), 408(p), 403(b), and 457(b) of the Internal Revenue Code of 1986.

(h) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made for years beginning after December 31, 2021.

By Ms. COLLINS (for herself and Mr. COONS):

S. 1451. A bill to amend the Foreign Assistance Act of 1961 to implement

policies to end preventable maternal, newborn, and child deaths globally; to the Committee on Foreign Relations.

Ms. COLLINS. Mr. President, today I am pleased to be joined by my friend and colleague from Delaware, Senator CHRIS COONS, to reintroduce the Reach Every Mother and Child Act of 2021. Our legislation would make it the policy of the United States to lead an effort to end preventable deaths of mothers, newborns, and young children in the developing world by 2030.

For years Sen. COONS and I have led efforts to ensure robust funding for the U.S. Agency for International Development's maternal and child health programming, which have formed the backbone of the U.S. commitment to help end preventable child and maternal deaths globally.

Due in part to American leadership and generosity, many lives have already been saved. Nevertheless, far too many mothers, newborns, and young children under the age of five continue to succumb to disease and malnutrition that could easily be prevented. The impacts of COVID-19 are exacerbating these gaps and disproportionately affecting the world's most vulnerable, undermining decades of progress.

Nearly 300,000 women die annually from causes related to pregnancy and childbirth. In addition, a significant proportion of deaths of children under the age of five occur in the first 28 days after birth, with newborns accounting for nearly 50 percent of all under-five deaths. In 2019, 5.2 million children under the age of five died from mainly preventable and treatable diseases.

Our bill aims to reach these mothers and children with simple, proven, cost-effective interventions that we know will help them survive. A concentrated effort could end preventable maternal and child deaths worldwide by the year 2030, but continued U.S. leadership and support from the international community are critical to success.

To achieve this ambitious goal, our bill would require the implementation of a strategy focused on bringing to scale the highest impact, evidence-based interventions, with a focus on country and community ownership. These interventions would be specific to each country's needs and include support for the most vulnerable populations. We do not have to guess at what interventions will work—the reality is that thousands of children die each day of conditions we know today how to treat.

These life-saving interventions include clean birthing practices, vaccines, nutritional supplements, handwashing with soap, and other basic needs that remain elusive for far too many women and children in developing countries. This must change.

In addition, our bill proposes the establishment of a Maternal and Child Survival Coordinator at USAID who would focus on implementing the five-year strategy and verifying that the most

effective interventions are being scaled up in target countries. The bill would improve government efficiency across several agencies that would collaborate with the Coordinator to identify and promote the most effective interventions to end preventable maternal and child deaths globally.

To promote transparency and greater accountability, our bill also would also require detailed public reporting on progress toward implementing the strategy.

Other bipartisan initiatives, such as the successful President's Emergency Plan for AIDS Relief, or PEPFAR, which was started by President George W. Bush, demonstrate that results driven interventions can turn the tide for global health challenges. Applying lessons learned from past initiatives, our bill would provide the focus and the tools necessary to accelerate progress toward ending preventable maternal and child deaths.

I urge my colleagues to join Senator COONS and me in supporting this legislation that will save the lives of mothers and children around the world.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 1459. A bill to provide for the protection of and investment in certain Federal land in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. PADILLA. Mr. President, I rise to introduce the "Protecting Unique and Beautiful Landscapes by Investing in California (PUBLIC) Lands Act." This measure would increase protections for over 1 million acres of Federal public lands throughout northwest California, the Central Coast, and Los Angeles, including nearly 600,000 acres of new wilderness, more than 583 miles of new wild and scenic rivers, and the expansion of an existing national monument by more than 100,000 acres.

This legislation would preserve our public lands for the benefit of current and future generations and help protect California's communities from the impacts of the climate crisis.

The "PUBLIC Lands Act" is grounded in the best conservation principles: it expands access to the outdoors for all, addresses disparities in access to nature, supports locally led efforts, and is based on science.

In Northwest California, this bill would designate new wilderness, wild and scenic rivers, recreation and conservation areas, and forest and watershed restoration areas. Importantly, it would increase wildfire resiliency in Northwest California, where the impacts of the climate crisis have resulted in more frequent and severe wildfires.

Along the Central Coast, the bill would designate nearly 250,000 acres of public land in the Los Padres National Forest and Carrizo Plain National Monument as wilderness, and establish a 400-mile long Condor National Recre-

ation trail, stretching from Los Angeles to Monterey County. The designations in the bill would protect the Central Valley's abundant biodiversity, including threatened and endangered species.

In Southern California, the bill would expand the San Gabriel Mountains National Monument and establish a new National Recreation Area along the foothills and San Gabriel River corridor. Los Angeles County is one of the most park-poor, densely populated, and polluted regions in the Nation—this legislation would begin to rectify that by providing increased outdoor opportunities for all Angelenos, ensuring that disadvantaged communities can more easily benefit from our public lands.

I want to highlight that this legislation protects existing water rights, property rights, and land-use authorities. The bill does not create any new public lands—rather, it protects existing public lands through the high-value designation as wilderness in order to keep these lands as untouched and wild as possible.

The science is becoming increasingly clear that we must conserve 30 percent of our lands and waters by 2030 in our efforts to solve the climate crisis, protect nature, and save America's wildlife. This legislation would provide a down payment on that goal, helping California and the Biden Administration meet our 30x30 goals and reverse the worst effects of climate change.

The bill would also provide outdoor recreation opportunities to park-poor communities. It is imperative that as we conserve our public lands, we do so in a way that also reverses racial and economic disparities in access to nature and parks.

This bill enjoys the support of hundreds of local municipalities and elected officials, community groups, and businesses and local outfitters. It is the product of significant public engagement in the legislative process over decades.

I would like to thank my colleagues and conservation champions, Representatives JARED HUFFMAN, SALUD CARBAJAL, and JUDY CHU, for championing these bills in the House.

I look forward to working with my colleagues to pass the "PUBLIC Lands Act" as quickly as possible.

Thank you, Mr. President, I yield the floor.

By Mr. THUNE (for himself, Ms. STABENOW, Mr. CASEY, Mr. ROUNDS, and Ms. SMITH):

S. 1458. A bill to amend the Federal Crop Insurance Act to encourage the planting of cover crops following prevented planting, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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. 1458

*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 "Cover Crop Flexibility Act of 2021".

## SEC. 2. COVER CROPS PLANTED DUE TO PREVENTED PLANTING.

(a) IN GENERAL.—Section 508A of the Federal Crop Insurance Act (7 U.S.C. 1508a) is amended—

(1) in subsection (c)—

(A) in paragraph (1)(B)(ii)—

(i) by striking "collect an indemnity" and inserting the following: "collect—

"(I) an indemnity";

(ii) in subclause (I) (as so designated), by striking the period at the end and inserting "; or"; and

(iii) by adding at the end the following:

"(II) an indemnity payment that is equal to the prevented planting guarantee for the acreage for the first crop, if the second crop—

"(aa) is an approved cover crop that—

"(AA) will be planted for use as animal feed or bedding that is hayed, grazed (rotationally, adaptively, or at equal to or less than the carrying capacity), or chopped outside of the primary nesting season; or

"(BB) will not be harvested, such as a crop with an intended use of being left standing or cover; and

"(bb) cannot be harvested for grain or other uses unrelated to livestock forage or conservation, as determined by the Corporation."; and

(B) in paragraph (3)—

(i) by inserting "a second crop described in item (aa) or (bb) of paragraph (1)(B)(ii)(II), or" before "double cropping"; and

(ii) by striking "make an election under paragraph (1)(B)" and inserting "makes an election under paragraph (1)(B)(ii)(I)"; and

(2) by inserting at the end the following:

"(f) PREVENTED PLANTING COVERAGE FACTORS.—For producers that plant cover crops following prevented planting, the Corporation may provide separate prevented planting coverage factors that include preplanting costs and the cost of cover crop seed."

(b) RESEARCH AND DEVELOPMENT.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended by adding at the end the following:

"(20) COVER CROPS.—

"(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure crops on fields that regularly utilize cover crops.

"(B) REQUIREMENTS.—Research and development under subparagraph (A) shall include—

"(i) a review of prevented planting coverage factors described in section 508A(f) and an evaluation of whether to include cover crop seed costs and costs related to grazing in the calculation of a factor;

"(ii) the extent to which cover crops reduce the risk of subsequent prevented planting;

"(iii) the extent to which cover crops make crops more resilient to or otherwise reduce the risk of loss resulting from natural disasters such as drought;

"(iv) the extent to which increased regularity of using cover crops or interactions with other practices such as tillage or rotation affects risk reduction;

"(v) whether rotational, adaptive, or other prescribed grazing of cover crops can maintain or improve risk reduction; and

"(vi) how best to account for any reduced risk and provide a benefit to producers using



cover crops through a separate plan or policy of insurance.

“(C) REPORT.—Not later than 18 months after the date of enactment of this paragraph, the Corporation shall make available on the website of the Corporation, and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that—

“(i) describes the results of the research and development carried out under subparagraph (A); and

“(ii) includes any recommendations with respect to those results.”.

Mr. THUNE. Mr. President, along with my livestock producer protection bill, I am also introducing legislation today to eliminate the November 1 haying and grazing date for cover crops.

Cover crops provide a lot of environmental benefits. They improve soil health, reduce erosion and nutrient runoff, improve water quality, and sequester carbon. They also benefit farmers, since their animals can graze these crops, or the cover crops can be harvested to provide forage for livestock. Currently, the haying and grazing date—the date on which farmers can start harvesting or grazing cover groups on prevent plant acres—is set for November 1, which is too late in the year for farmers in more northern States like South Dakota. Early winter weather in these States can cause cover crops to freeze before they can be used for hay and grazing.

The legislation I am introducing today with my colleague Senator STABENOW would fix this problem by letting farmers harvest and graze cover crops outside of the primary nesting season, which ends August 1 in South Dakota, allowing for both farmers and our environment to benefit from these crops.

Protecting our planet is imperative, and government certainly has a role to play in promoting clean energy and sound environmental policy, but putting the government in charge of our economy—in fact, putting the government in charge of pretty much every aspect of American life, as the Green New Deal would do—is not the answer. Innovation, not government, is the key to addressing environmental challenges.

Unfortunately, President Biden is embracing a whole host of Green New Deal-like policies. Take his so-called 30-by-30 directive directing the U.S. Department of Agriculture and other Agencies to provide recommendations to conserve 30 percent of U.S. lands and waters by 2030.

I have already heard from ranchers and landowners in South Dakota who are concerned about the measures the administration could pursue to meet this goal, including Federal land acquisitions and burdensome regulations on private landowners, many of whom are already doing everything they can to promote the health of their land.

There is also serious reason to doubt the government's ability to manage a vast new amount of land. The Federal

Government already frequently fails to properly manage the land it already has. Yet some believe that we can give the Federal Government huge new swaths of land, and somehow the government will manage it properly.

Yet that is the problem with a lot of these socialist fantasies. They assume that the government will achieve levels of efficiency and productivity that the government has simply never demonstrated. It is the triumph of fantasy over experience. Surely, the people espousing socialist fantasies have sat in long lines at the DMV or remember how the Obama administration had more than 3 years to prepare for the opening of the ObamaCare exchange yet couldn't even come up with a working website in that time period. Yet the Green New Deal's proponents are advocating that we put the government in charge of pretty much every aspect of American life.

Socialists and the Democrats parroting their ideology don't want to believe it, but the truth is that private individuals are often a lot more efficient, effective, and innovative than government, and we should be focusing our energies on supporting that efficiency and effectiveness and innovation instead of attempting to solve our environmental problems by giving the government more than it can handle.

I will continue working here in Congress to advance policies that promote clean energy and improve our environment without placing heavy burdens on American workers or American families. I will continue to advocate for policies that encourage and harness the ingenuity of the American people in facing our environmental challenges, and I will continue to oppose legislation that prioritizes supposed environmental gains over the well-being of the American people.

By Mrs. FEINSTEIN (for herself,  
Mr. PORTMAN, and Ms. BALDWIN):

S. 1469. A bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce bipartisan legislation that would better align the Department of Housing and Urban Development's (HUD) homeless assistance programs with other federal agencies' homelessness programs and provide greater flexibility to local communities to address youth homelessness.

According to the latest estimate from HUD, there are over 580,466 homeless individuals in the United States. This number includes an estimated 161,548 individuals in California, including children and youth.

However, if you compare that with data from other federal agencies, a different story is told.

For example, the Department of Education identified 1.3 million students

experiencing homelessness during the 2018–2019 school year. This includes an estimated 271,528 public school students in California, almost double the total number of homeless individuals (including adults) identified by HUD in California.

The disparity between the homeless numbers reported by HUD and the Department of Education are not just mere statistical differences; they have real consequences.

For instance, only those children and families considered “homeless” under HUD's definition are eligible for vital homeless assistance programs. Those children and families who do not meet HUD's definition will therefore continue to fall through the cracks.

Our bill would allow HUD homeless assistance programs to serve extremely vulnerable children and families, specifically those staying in motels or in doubled-up situations because they simply have nowhere else to go.

These children are especially susceptible to abuse and trafficking because they are often not served by a case manager, and therefore remain hidden from potential social service providers.

Communities that receive Federal funding through HUD's competitive application process are also unable to prioritize or direct resources to help children and families who don't meet the current definition of “homelessness.”

In addition to fixing the issue with competing federal definitions of homelessness, our bill would provide communities with new flexibility to use Federal funds the way they see fit to address local needs. Our bill requires HUD to assess the extent to which Continuums of Care use separate, specific, age-appropriate criteria for determining the safety and needs of children and unaccompanied youth and divert people to safe, stable, age-appropriate accommodations.

Finally, our bill would improve transparency and give a better sense of the homeless crisis facing our country by requiring HUD to include data on all categories of homelessness in its Point in Time count and Annual Homeless Assessment Report.

Mr. President, we must do more to meet the needs of homeless children and youth and stop the vicious cycle of poverty and chronic homelessness. As the ongoing coronavirus pandemic threatens to push more children, youth, and families into homelessness and continues to pose potentially lethal health risks, it is imperative that we do not impose more barriers for these children and families to access services. I believe this bill is a commonsense solution that will ensure that homeless families and children can receive the help they need.

I would like to thank Senator ROB PORTMAN for his support on this critical issue and for joining me in introducing this bill, and I implore our colleagues to support the “Homeless Children and Youth Act.”



Thank you, Mr. President. I yield the floor.

By Mr. REED (for himself, Ms. WARREN, Mr. BROWN, Mr. VAN HOLLEN, and Mrs. GILLIBRAND):

S. 1474. A bill to reaffirm the importance of workers; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Today, I am joined by Senators WARREN, BROWN, VAN HOLLEN, and GILLIBRAND to introduce legislation to ensure that at least one Federal Reserve Governor has demonstrated primary experience in supporting or protecting the rights of workers.

Our legislation is not the first to require a member of the Federal Reserve Board of Governors to have a particular area of expertise. Indeed, as part of the Terrorism Risk Insurance Program Reauthorization Act, which passed the Senate by a vote of 93–4 and was signed into law on January 12, 2015, Congress amended the Federal Reserve Act to require at least one of the seven Federal Reserve Governors to be an individual “with demonstrated primary experience working in or supervising community banks.” Our legislation would ensure that workers get the very same representation that community bankers already have on the Board of Governors of the Federal Reserve System.

As we all are aware, the Federal Reserve has a dual mandate of stable prices and maximum employment. Our bill is designed to better ensure that future Boards of Governors continue the current Board’s focus on its full employment mandate as evidenced by its explicit acknowledgement last August in its revised Statement on Longer-Run Goals and Monetary Policy Strategy that “maximum employment is a broad-based and inclusive goal.” This reflects the Fed’s “appreciation for the benefits of a strong labor market, particularly for many in low-and moderate-income communities,” with policy decisions to be informed by the Board’s “assessments of the shortfalls of employment from its maximum level” rather than by “deviations from its maximum level” as in its previous statement. While this may not seem like a huge difference, it is reflective of the Board’s “view that a robust job market can be sustained without causing an outbreak of inflation.”

To put it more simply, this current Federal Reserve “will remain highly focused on fostering as strong a labor market as possible for the benefit of all Americans,” and our legislation seeks to ensure that future Federal Reserve Boards will continue to do the same.

COVID-19 has shown us just how essential workers are to our economy and our physical well-being. We all know grocery store workers, nurses, firefighters, delivery workers, and other workers in both the public and private sectors who, despite the risk to their own health, have been literally

holding together the fabric of our society and economy so that we can make it safely to the other side of this public health emergency. As such, they too deserve at least one member of the Board of Governors with demonstrated primary experience in supporting or protecting the rights of workers. I thank the AFL–CIO, Columbia University Professor and Nobel Laureate Joseph Stiglitz, MIT Professor and Former International Monetary Fund Chief Economist Simon Johnson, and Georgetown Law Professor Adam Levitin for their support, and urge our colleagues to join in pushing to enact this legislation.

By Mr. THUNE (for himself and Ms. SINEMA):

S. 1475. A bill to amend the Clean Air Act to prohibit the issuance of permits under title V of that Act for certain emissions from agricultural production; to the Committee on Environment and Public Works.

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. 1475

*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 “Livestock Regulatory Protection Act of 2021”.

#### SEC. 2. PROHIBITION ON PERMITTING CERTAIN EMISSIONS FROM AGRICULTURAL PRODUCTION.

Section 502(f) of the Clean Air Act (42 U.S.C. 7661a(f)) is amended—

(1) by redesignating paragraphs (1) through (3) as clauses (i) through (iii), respectively, and indenting appropriately;

(2) in the undesignated matter following clause (iii) (as so redesignated), by striking “Approval of” and inserting the following:

“(B) No RELIEF OF OBLIGATION.—Approval of”;

(3) by striking the subsection designation and heading and all that follows through “No partial” in the matter preceding clause (i) (as so redesignated) and inserting the following:

“(f) PROHIBITIONS.—

“(1) PARTIAL PERMIT PROGRAMS.—

“(A) IN GENERAL.—No partial”; and

(4) by adding at the end the following:

“(2) CERTAIN EMISSIONS FROM AGRICULTURAL PRODUCTION.—No permit shall be issued under a permit program under this title for any carbon dioxide, nitrogen oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.”.

Mr. THUNE. Mr. President, last week, the junior Senator from Massachusetts and the Congresswoman from the 14th District of New York reintroduced their Green New Deal resolution. I think most Americans remember this socialist fantasy from when these Members introduced it 2 years ago. It would be hard to forget a proposal with that pricetag. There was one think tank that analyzed the initial proposal and released a first estimate that found that the Green New Deal would cost between \$51 trillion and \$93 trillion over

10 years. Let me just repeat that—between \$51 trillion and \$93 trillion over 10 years.

To put that number in perspective, our entire Federal budget in 2019—our entire Federal budget—was well under \$5 trillion. It would be interesting to learn where we are going to get that kind of money. A massive tax hike on the rich wouldn’t get us close to paying for this, but I don’t think I am the only one who isn’t sure where we would get the money for this. I don’t think the plan’s authors have a very clear idea of that either. In fact, the entire Green New Deal resolution is notable for its complete lack of specificity.

It proposes outlandish, impossible goals, like upgrading every single building in the United States—every single building—in the next 10 years for maximum energy and water efficiency, as well as comfort, but it offers zero—zero—specifics for how we might actually accomplish them. I am not surprised, because there is no way to come close to accomplishing everything the Green New Deal’s authors want to accomplish over the next decade without enormous economic pain.

So often, when hearing the policies of the far left, environmental and otherwise, I am struck by how they leave people out of the equation. Now, of course, the individuals proposing these plans don’t think they are leaving people out of the equation. The Green New Deal’s authors are clearly under the impression that they are creating a paradise for American families—if paradise includes the government supervision and administration of just about every aspect of American life. Yet the reality is that, like so many utopian plans, most of the environmental left’s sweeping ideas for remaking our society would have nightmarish effects in practice: higher energy costs, reduced economic growth, sharp increases in the cost of essential commodities like groceries, huge tax hikes, and job losses.

Today, I want to talk about just one example of the damaging potential of environmental extremism, which has relevance for a bill I am introducing today.

There has been an increasing tendency on the part of the environmental left to demonize the consumption of beef, and this tendency is creeping into the mainstream. Earlier this week, food website Epicurious—a site a lot of Americans turn to when they are wondering what to cook for dinner—announced that it will no longer add new recipes featuring beef. The website said its move is not anti-beef but pro-plan- et. It is pretty much wrong on both counts.

First of all, the move to demonize beef could have real consequences for a lot of ranchers, like those I represent in South Dakota. If the demand for beef drops, some of these ranchers may be out of a job. Of course, the Green New Deal’s authors would probably suggest a government program to help

them out, but I can't think of many ranchers I know who would like to abandon their way of life for their dependence on a government program, and there is no reason they should have to.

Contrary to the story being pushed by the environmental left, beef production is directly responsible for only a tiny fraction of U.S. emissions, and beef cattle actually plays an important role in managing pasturelands that sequester vast amounts of carbon. On top of that, it has become clear that, with certain feed additives, it is possible to significantly reduce cattle emissions, making the demonization of beef even more wrong-headed.

Today, I am introducing the Livestock Regulatory Protection Act with my colleague Senator SINEMA. I actually introduced this bill years ago with the Democratic leader, before it became dangerous for Members of the Democratic leadership to support anything that might anger the environmental left. The Livestock Regulatory Protection Act is simple. It would prevent the Environmental Protection Agency from imposing emissions regulations relating to the biological processes of livestock.

We really shouldn't need this bill, but it is becoming increasingly clear that we do. This legislation was included in annual funding bills on a bipartisan basis for a number of years after the Democratic leader and I first introduced it, but the House has omitted it from its recent bills, and the Senate has had to secure its inclusion in the final bills. Passing this legislation would give livestock producers long-term certainty that their livelihoods will not be compromised by overzealous environmental crusaders.

I believe very strongly in protecting our environment. I have been an outdoorsman all my life. In many ways, outdoors men and women are the original environmentalists. If you value spending time in the outdoors—whether you are hunting or hiking, fishing or swimming—it is likely you are going to care a lot about keeping our air and water clean, preserving native species, and safeguarding our natural resources.

I have been interested in clean energy issues for a long time and have been introducing legislation to support clean energy development for more than a decade. In February, I introduced two bipartisan bills to support the increased use of biofuels and to emphasize their clean energy potential. Currently, the EPA's modeling does not fully recognize the tremendous emissions-reducing potential of ethanol and other biofuels.

The Adopt GREET Act, which I introduced with Senator KLOBUCHAR, would fix this problem and pave the way for increased biofuel use both here and abroad by requiring the Environmental Protection Agency to update its greenhouse gas modeling for ethanol and biodiesel using the U.S. Department of Energy's GREET model.

I also introduced a bill to advance long-stalled biofuel registrations at the EPA. Regulatory inaction has stifled the advancement of promising technologies, like ethanol derived from corn kernel fiber, even though some of these fuels are already being safely used in States like California.

My bill would speed up the approval process for these innovative biofuels. This would allow biofuel producers to capitalize on the research and facility investments they have made and improve their operating margins while further lowering emissions and helping our Nation's corn and soybean producers by reinforcing this essential market.

Just last week, I joined colleagues from both parties to cosponsor the Growing Climate Solutions Act, which is legislation to make it easier for agriculture producers and foresters to participate in carbon markets. This bill is a great example of the kind of bipartisan process we should be following when it comes to climate legislation.

So, as I said, I strongly believe in protecting our environment, but I believe that we need to protect our environment in a way that takes account of people, too. That means promoting legislation that is good for our environment and for our economy, that is good for our environment and good for agriculture producers, and that is good for our environment and good for American families.

That is why I have introduced proposals like the Soil Health and Income Protection Program, or SHIPP. This program, a short-term version of the Conservation Reserve Program, is a win for both our environment and for farmers and ranchers. SHIPP, which became law as part of the 2018 farm bill, provides an incentive for farmers to take their lowest performing cropland out of production for 3 to 5 years. Like the Conservation Reserve Program, it protects our environment by improving soil health and water quality while improving the bottom line for farmers.

(The remarks of Mr. THUNE pertaining to the introduction of S. 1458 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

By Mr. Kaine (for himself and Mr. GRAHAM):

S. 1495. A bill to promote international press freedom, and for other purposes; to the Committee on the Judiciary.

Mr. Kaine. Mr. President. A vibrant and independent media and public access to accurate information are critical to the functioning of any democracy. A free press is so important that our Founding Fathers explicitly guaranteed that right in the First Amendment of our Constitution, and the United Nations defined press freedom as a fundamental human right in the Universal Declaration of Human Rights. But today—as democracies

worldwide are facing growing challenges from authoritarian leaders, censorship, and disinformation campaigns—foreign journalists are facing unprecedented dangers that put their profession, and their lives, at risk.

The nature of threats against journalists is shifting. While the number of journalists killed in war zones continues to drop, the number of journalists killed or targeted in countries at peace continues at historically high levels. Fifty journalists were killed because of their work in 2020, and 68% of these deaths occurred outside of conflict zones. Most of those who perpetrate attacks are never held accountable. Worldwide, there was complete impunity in 86% of cases of murdered journalists occurring between September 2019 and August 2020. In addition, the number of journalists imprisoned remains at historically high levels, with nearly 400 behind bars as of December 2020. And authoritarian governments are using the COVID-19 pandemic as a pretext for censorship, restricting reporters' freedom of movement, and harassing them.

The legislation I am introducing today with Senator GRAHAM marks World Press Freedom Day by honoring journalists not only with words but with action. It builds on the Daniel Pearl Freedom of the Press Act, signed into law in 2009, to take concrete steps to ensure the wellbeing of journalism as a profession, and of individual journalists themselves. This legislation creates a new fund for programs to help keep foreign journalists safe, whether they are operating in dangerous environments or need to be re-located for their safety, and authorizes \$30 million for this purpose. It uses existing funding to help nations prevent, investigate, and prosecute crimes against journalists overseas. It creates a new non-immigrant visa category to allow journalists in danger to come to the United States. And it creates a Coordinator for International Press Freedom at the State Department to serve as a focal point for advancing the right to freedom of the press and freedom of expression abroad.

I am proud to join Senator GRAHAM in this effort to ensure that the free press that we value so highly in the United States is protected and promoted around the world, and I look forward to working with my colleagues to ensure that this legislation is swiftly considered by the Senate.

Thank you, Mr. President.

By Mr. Kaine (for himself and Ms. Baldwin):

S. 1496. A bill to require the Secretary of Health and Human Services to fund demonstration projects to improve recruitment and retention of child welfare workers; to the Committee on Health, Education, Labor, and Pensions.

Mr. Kaine. Mr. President. As we work to support American families, stimulate the economy, bolster small

businesses, protect health care workers, and sustain our industries, investing in child welfare is imperative to supporting these efforts. The coronavirus pandemic has further highlighted that the development of a robust, well-trained, and stable child welfare workforce is central to improving outcomes for children and families across the United States. The existence of such a workforce is essential to a child welfare agency's ability to carry out the responsibilities with which they have been entrusted. Child welfare work has been shown to be physically and emotionally challenging, as demonstrated by recent studies into the impact of secondary traumatic stress (STS) on child welfare professionals. The multitude of challenges inherent in child welfare work, combined with relatively low compensation and work benefits, make these careers difficult to sustain, resulting in high rates of turnover and professionals who are more susceptible to burnout and compassion fatigue.

For the past 15 years, child welfare turnover rates have been estimated between 20 percent and 40 percent. In 2017, Virginia reported a turnover rate of 30%, while Washington State reported a turnover rate of 20% and Georgia reported a turnover rate of 32%. These high rates of turnover detract from the quality of services delivered to children and families and result in an estimated cost of \$54,000 per worker leaving an agency.

More needs to be done to ensure that individuals pursuing careers in child welfare receive appropriate training and support to improve the sustainability of their important, yet demanding work. Maintaining a high-performing, engaged, and committed workforce is vital to providing families with the quality supports they need to stabilize, reunify, and thrive. Research suggests that positive child welfare outcomes depend largely on the capacity and competence of the child welfare workforce.

This is why I am pleased to introduce today the Child Welfare Workforce Support Act with my colleague Senator BALDWIN. This bill directs the Secretary to conduct a five-year demonstration program for child welfare service providers to implement targeted interventions to recruit, select, and retain child welfare workers. This demonstration program will focus on building an evidence base of best practices for reducing barriers to the recruitment, development, and retention of individuals providing direct services to children and families. Funds will also be used to provide ongoing professional development to assist child welfare workers in meeting the diverse needs of families with infants and children with the goal of improving both the quality of services provided and the sustainability of such careers. Investing resources in determining what practices have the greatest impact on the successful recruitment and reten-

tion of child welfare workers will assist in developing an evidence-base for future federal investment in this space.

I hope that as the Senate considers reauthorizing the Child Abuse Prevention and Treatment Act that we consider the Child Welfare Workforce Support Act and recognize the vital role that child welfare workers play to improve outcomes and protect our most vulnerable infants and children.

By Mr. KAINÉ (for himself and Ms. BALDWIN):

S. 1497. A bill to amend the Child Abuse Prevention and Treatment Act to ensure protections for lesbian, gay, bisexual, transgender, and queer youth and their families; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINÉ. Mr. President. According to the Department of Health and Human Services (HHS), lesbian, gay, bisexual, transgender, and queer (LGBTQ) youth are at an increased risk for experiencing maltreatment compared to non-LGBTQ youth. Because of limited exposure to mandated reporters as a result of the COVID-19 pandemic, the unfortunate truth is that the maltreatment that some youth experience have experienced has gone unrecognized and underreported. Research prior to the pandemic demonstrated that LGBTQ youth were more likely to experience physical abuse by a parent or guardian when compared to their heterosexual peers. Risk for harm of vulnerable youth also extends far beyond physical safety. LGBTQ youth are at a disproportionately high risk for depression, suicidal ideation and suicide, and self-harming behaviors, with rates of attempted suicide of around 2 to 10 times those of peers.

These risks for maltreatment often times result in LGBTQ youth entering the child welfare system. Studies have found that, "LGBT young people are overrepresented in child welfare systems, despite the fact that they are likely to be underreported because they risk harassment and abuse if their LGBT identity is disclosed." This overrepresentation of LGBTQ youth in the foster care system raises concerns about issues in the child abuse and prevention space. Additional research is needed to understand the risk of abuse among LGBTQ youth, particularly those identifying as transgender. This information will yield invaluable information to be used in developing targeted prevention strategies to reduce the rates of adverse childhood experiences of LGBTQ individuals.

This is why I am pleased to introduce the Protecting LGBTQ Youth Act with my colleague Senator BALDWIN. Our bill amends the Child Abuse Prevention and Treatment Act and calls for HHS and other federal agencies to carry out an interdisciplinary research program to protect LGBTQ youth from child abuse and neglect and improve the well-being of victims of child abuse or

neglect. This legislation also expands current practices around demographic information collection and reporting on incidences and prevalence of child maltreatment to include sexual orientation and gender identity.

Additionally, the bill opens existing grant funding opportunities to invest in the training of personnel in best practices to meet the unique needs of LGBTQ youth and calls for the inclusion of individuals experienced in working with LGBTQ youth and families in state task forces. Improving data collection and disaggregation will provide greater insight into the circumstances LGBTQ youth face in the home that, when left unaddressed, lead to entry into the child welfare system. This improved data-driven understanding can then be used to develop appropriate and effective primary prevention practices to decrease the risks faced by LGBTQ youth, and will be pivotal in our understanding of abuse and neglect following the pandemic.

I hope that as the Senate moves to reauthorize the Child Abuse Prevention and Treatment Act we consider the Protecting LGBTQ Youth Act to better inform our collective understanding of the risks faced by LGBTQ youth and the best ways to protect them.

By Mr. DURBIN (for himself and Mr. BLUMENTHAL):

S. 1500. A bill to permit Amtrak to bring civil actions in Federal district court to enforce the right set forth in section 24308(c) of title 49, United States Code, which gives intercity and commuter rail passenger transportation preference over freight transportation in using a rail line, junction, or crossing; to the Committee on Commerce, Science, and Transportation.

Mr. DURBIN. 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. 1500

*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 "Rail Passenger Fairness Act".

#### SEC. 2. FINDINGS.

(1) Congress created Amtrak under the Rail Passenger Service Act of 1970 (Public Law 91-158).

(2) Amtrak began serving customers on May 1, 1971, taking over the operation of most intercity passenger trains that private, freight railroads were previously required to operate. In exchange for assuming these passenger rail operations, Amtrak was given access to the national rail network.

(3) In return for relief from the obligation to provide intercity passenger service, railroads over which Amtrak operated (referred to in this section as "host railroads") were expected to give Amtrak passenger trains preference over freight trains when using the national rail network.

(4) In 1973, Congress passed the Amtrak Improvement Act of 1973 (Public Law 93-146), which gives intercity and commuter rail passenger transportation preference over freight

transportation in using a rail line, junction, or crossing. This right, which is now codified as section 24308(c) of title 49, United States Code, states, “Except in an emergency, intercity and commuter rail passenger transportation provided by or for Amtrak has preference over freight transportation in using a rail line, junction, or crossing unless the Board orders otherwise under this subsection. A rail carrier affected by this subsection may apply to the Board for relief. If the Board, after an opportunity for a hearing under section 553 of title 5, decides that preference for intercity and commuter rail passenger transportation materially will lessen the quality of freight transportation provided to shippers, the Board shall establish the rights of the carrier and Amtrak on reasonable terms.”.

(5) Many host railroads have ignored the law referred to in paragraph (4) by refusing to give passenger rail the priority to which it is statutorily entitled and giving freight transportation the higher priority. As a result, Amtrak’s on time performance on most host railroads is poor, has declined between 2014 through 2019, and continues to decline.

(6) According to Amtrak, 6,500,000 customers on State-supported and long-distance trains arrived at their destination late during fiscal year 2019. Nearly 70 percent of these delays were caused by host railroads, amounting to a total of 3,200,000 minutes. The largest cause of these delays was freight train interference, which accounted for more than 1,000,000 minutes of delay for Amtrak passengers, or approximately 2 years, because host railroads chose to give freight trains priority.

(7) Poor on-time performance wastes taxpayer dollars. According to a 2019 report by Amtrak’s Office of Inspector General, a 5 percent improvement of on-time performance on all Amtrak routes would result in \$12,100,000 in cost savings to Amtrak in the first year. If on-time performance on long-distance routes reached 75 percent for a year, Amtrak would realize an estimated \$41,900,000 in operating cost savings, with a one-time savings of \$336,000,000 due to a reduction in equipment replacement needs.

(8) Historical data suggests that on-time performance on host railroads is driven by the existence of an effective means to enforce Amtrak’s preference rights:

(A) Two months after the date of the enactment of the Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432), which included provisions for the enforcement of these preference rights, was enacted, the on-time performance of long-distance trains improved from 56 percent to 77 percent and Class I freight train interference delays across all routes declined by 40 percent.

(B) One year after such date of enactment, freight train interference delays had declined by 54 percent and the on-time performance of long-distance trains reached 85 percent.

(C) In 2014, after some of the provisions in the Passenger Rail Investment and Improvement Act of 2008 related to enforcement of preference were ruled unconstitutional by a D.C. Circuit Court, long-distance train on-time performance declined from 72 percent to 50 percent, and freight train interference delays increased 59 percent.

(D) The last time long-distance trains achieved an on-time rate of more than 80 percent in a given month was February 2012.

(9) As a result of violations of Amtrak’s right to preference, Amtrak has been consistently unable on host railroad networks to meet its congressionally mandated mission and goals, which are codified in section 24101 of title 49, United States Code (relating

to providing on-time and trip-time competitive service to its passengers).

(10) Amtrak does not have an effective mechanism to enforce its statutory preference right in order to fulfill its mission and goals. Only the Attorney General can bring a civil action for equitable relief in a district court of the United States to enforce Amtrak’s preference rights.

(11) In Amtrak’s entire history, the only enforcement action initiated by the Attorney General was against the Southern Pacific Transportation Company in 1979.

(12) Congress supports continued authority for the Attorney General to initiate an action, but Amtrak should also be entitled to bring a civil action before a Federal district court to enforce its statutory preference rights.

### SEC. 3. AUTHORIZE AMTRAK TO BRING A CIVIL ACTION TO ENFORCE IT PREFERENCE RIGHTS.

(a) IN GENERAL.—Section 24308(c) of title 49, United States Code, is amended, by adding at the end the following: “Notwithstanding sections 24103(a) and 24308(f), Amtrak shall have the right to bring an action for equitable or other relief in the United States District Court for the District of Columbia to enforce the preference rights granted under this subsection.”.

(b) CONFORMING AMENDMENT.—Section 24103 of title 49, United States Code, is amended by inserting “and section 24308(c)” before “, only the Attorney General”.

By Mr. DURBIN (for himself, Mr. REED, Ms. HIRONO, Mr. BLUMENTHAL, Ms. DUCKWORTH, Mr. BROWN, Mr. WHITEHOUSE, Ms. WARREN, Mrs. FEINSTEIN, Mr. LEAHY, Mr. VAN HOLLEN, and Mr. SANDERS):

S. 1501. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations; to the Committee on Finance.

Mr. DURBIN. 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. 1501

*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 “Stop Corporate Inversions Act of 2021”.

### SEC. 2. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

“(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

“(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

“(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting ‘80 percent’ for ‘60 percent’, or

“(B) such corporation is an inverted domestic corporation.

“(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

“(A) the entity completes after May 8, 2014, the direct or indirect acquisition of—

“(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

“(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

“(B) after the acquisition, either—

“(i) more than 50 percent of the stock (by vote or value) of the entity is held—

“(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

“(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

“(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

“(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term ‘substantial business activities’ shall have the meaning given such term under regulations in effect on January 18, 2017, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

“(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

“(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

“(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

“(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

“(A) the employees of the group are based in the United States,

“(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

“(C) the assets of the group are located in the United States, or

“(D) the income of the group is derived in the United States, determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on January 18, 2017, but applied by treating all references in such regulations to ‘foreign country’ and ‘relevant foreign country’ as references to ‘the United States’. The Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.”.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking “after March 4, 2003,” and inserting “after March 4, 2003, and before May 8, 2014.”.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”;

(ii) by inserting “or (b)(2)(A)” after “(a)(2)(B)(i)” in subparagraph (B);

(B) in paragraph (3), by inserting “or (b)(2)(B)(i), as the case may be,” after “(a)(2)(B)(ii)”;

(C) in paragraph (5), by striking “subsection (a)(2)(B)(ii)” and inserting “subsections (a)(2)(B)(ii) and (b)(2)(B)(i)”;

(D) in paragraph (6), by inserting “or inverted domestic corporation, as the case may be,” after “surrogate foreign corporation”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

By Mr. DURBIN:

S. 1507. A bill to require the Administrator of the Environmental Protection Agency to promulgate certain limitations with respect to pre-production plastic pellet pollution, and for other purposes; to the Committee on Environment and Public Works.

Mr. DURBIN. 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. 1507

*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 the “Plastic Pellet Free Waters Act”.

**SEC. 2. EFFLUENT LIMITATIONS FOR WASTEWATER, SPILLS, AND RUNOFF FROM PLASTIC POLYMER PRODUCTION FACILITIES, PLASTIC MOLDING AND FORMING FACILITIES, AND OTHER POINT SOURCES ASSOCIATED WITH THE TRANSPORT AND PACKAGING OF PLASTIC PELLETS OR OTHER PRE-PRODUCTION PLASTIC MATERIALS.**

Not later than 60 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the “Administrator”) shall promulgate a final rule to ensure that—

(1) the discharge of plastic pellets or other pre-production plastic materials (including discharge into wastewater and other runoff) from facilities regulated under part 414 or 463 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act), is prohibited;

(2) the discharge of plastic pellets or other pre-production plastic materials (including discharge into wastewater and other runoff) from a point source (as defined in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362)) that makes, uses, packages, or transports those plastic pellets and other pre-production plastic materials is prohibited; and

(3) the requirements under paragraphs (1) and (2) are reflected in—

(A) all wastewater, stormwater, and other permits issued by the Administrator and State-delegated programs under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) to facilities and other point sources (as defined in section 502 of that Act (33 U.S.C. 1362)) that make, use, package, or transport plastic pellets or other pre-production plastic materials, as determined by the Administrator, in addition to other applicable limits and standards; and

(B) all standards of performance promulgated under section 312(p) of the Federal Water Pollution Control Act (33 U.S.C. 1322(p)) that are applicable to point sources (as defined in section 502 of that Act (33 U.S.C. 1362)) that make, use, package, or transport plastic pellets or other pre-production plastic materials, as determined by the Administrator.

By Mr. Kaine (for himself, Mr. MORAN, Mr. WARNER, Mr. CASSIDY, Mr. CASEY, Mr. RUBIO, and Mr. MANCHIN):

S. 1521. A bill to require certain civil penalties to be transferred to a fund through which amounts are made available for the Gabriella Miller Kids First Pediatric Research Program at the National Institutes of Health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. Kaine. Mr. President. While cancer is the leading cause of death by disease among children past infancy, childhood cancer and other rare pediatric diseases remain poorly understood. According to the National Cancer Institute, an estimated 15,590 children and adolescents under the age of 19 will be diagnosed with cancer, and 1,780 will die of the disease in the United States in 2021.

This is why I am pleased to be introducing the Gabriella Miller Kids First Research Act 2.0 with Senators JERRY MORAN, MARK R. WARNER, and BILL CASSIDY. The legislation provides a new source of funding for the National Institutes of Health’s (NIH) Gabriella Miller Kids First Pediatric Research Program (Kids First) by redirecting penalties collected from pharmaceutical, cosmetic, supplement, and medical device companies that break the law to pediatric and childhood cancer research. The bill is named in honor of Gabriella Miller, a Leesburg, Virginia resident who died from a rare form of brain cancer at the age of 10. Gabriella was an activist and worked to raise support for research into childhood diseases like cancer until her death in October of 2013.

The Gabriella Miller Kids First Research Program has supported critical research into pediatric cancer and structural birth defects and has focused on building a pediatric data re-

source combining genetic sequencing data with clinical data from multiple pediatric cohorts. The Gabriella Miller Kids First Data Resource Center is helping to advance scientific understanding and discoveries around pediatric cancer and structural birth defects and has sequenced nearly 20,000 samples thus far. While Congress has appropriated \$12.6 million for the Kids First program annually since Fiscal Year (FY) 2015, this legislation would make additional funding streams available to appropriators to further support pediatric and childhood cancer research.

Gabriella Miller was a passionate activist and fighter. In 2014, I was a strong champion of the Gabriella Miller Kids First Research Act, which established the Ten-Year Pediatric Research Initiative at the NIH and authorized \$12.6 million per fiscal year through FY23. We honor Gabriella’s memory by continuing her work in making sure pediatric disease research is a priority. This bipartisan legislation would provide a critical source of funding to improve research in pediatric cancer and diseases, and I urge my colleagues to support it.’

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 189—CONGRATULATING THE UNIVERSITY OF KENTUCKY’S WOMEN’S VOLLEYBALL TEAM FOR WINNING THE 2020 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN’S VOLLEYBALL CHAMPIONSHIP**

Mr. McCONNELL (for himself and Mr. PAUL) submitted the following resolution; which was considered and agreed to:

S. RES. 189

Whereas, on April 24, 2021, in Omaha, Nebraska, the women’s volleyball team of the University of Kentucky won its first National Collegiate Athletic Association Division I Women’s Volleyball Championship by defeating the University of Texas in a 4-set victory;

Whereas the players, coaches, and staff of the University of Kentucky displayed hard work and dedication in a challenging pandemic season concluding the year with 24 wins, only 1 loss, and their 4th consecutive Southeastern Conference title;

Whereas Madison Lilley, Alli Stumler, and Avery Skinner were selected for the all-tournament team;

Whereas Madison Lilley was also named the tournament’s Most Outstanding Player and the National Player of the Year;

Whereas head coach Craig Skinner was named Coach of the Year and has earned a NCAA Tournament berth every year during his 16 years with the program;

Whereas all of the coaching and support staff of the University of Kentucky Wildcats deserve congratulations, including Craig Skinner, Anders Nelson, Carly Cramer, Kristen Sanford, Katy Poole, Jake Romano, Nathan Matthews, Dr. Kimberly Kaiser, Dr. Scott D. Mair, Dr. Kyle Smoot, Dr. Rob Hosey, Kathrin Eiserman, John Spurlock, Damian Black, Chris Shoals, Zach Ball, Faith Wise, and Bryce Penick;

Whereas all of the following players should be congratulated for their teamwork, sportsmanship, and display of impressive athletic talent, including—

- (1) Bella Bell;
- (2) Maddie Berezowitz;
- (3) Gabby Curry;
- (4) Sophie Fischer;
- (5) Elise Goetzinger;
- (6) Madison Lilley;
- (7) Kendyl Paris;
- (8) Reagan Rutherford;
- (9) Cameron Scheitzach;
- (10) Avery Skinner;
- (11) Madi Skinner;
- (12) Alli Stumler;
- (13) Azhani Tealer;
- (14) Lauren Tharp; and
- (15) Riah Walker; and

Whereas the University of Kentucky Wildcats are the pride of the students, alumni, and loyal fans of the University and the Commonwealth of Kentucky: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the University of Kentucky Wildcats for—

(A) winning the 2020 National Collegiate Athletic Association Division I Women's Volleyball Championship; and

(B) completing a successful 2020–2021 season; and

(2) respectfully requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the President of the University of Kentucky, Dr. Eli Capilouto;

(B) the Athletics Director of the University of Kentucky, Mitch Barnhart; and

(C) the Head Coach of the University of Kentucky Women's Volleyball Team, Craig Skinner.

#### SENATE RESOLUTION 190—RECOGNIZING 50 YEARS OF SERVICE BY THE NATIONAL RAILROAD PASSENGER CORPORATION, COMMONLY KNOWN AS AMTRAK

Ms. CANTWELL (for herself, Mr. WICKER, Mr. PETERS, Mrs. FISCHER, Mr. TESTER, Mr. MORAN, Mr. MARKEY, Mr. LUJÁN, Mr. BLUMENTHAL, Ms. BALDWIN, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 190

Whereas, on October 30, 1970, Congress enacted the Rail Passenger Service Act of 1970 (Public Law 91-518; 84 Stat. 1327), which created the National Railroad Passenger Corporation (commonly known and referred to in this preamble as “Amtrak”) to assume the responsibility of providing the United States with nationwide passenger rail service, which began on May 1, 1971;

Whereas May 1, 2021, marks 50 years since the date Amtrak began providing passenger rail service to individuals in the United States;

Whereas Amtrak connects over 500 communities across 46 States, the District of Columbia, and 3 Canadian Provinces;

Whereas, in 2019, Amtrak provided over 32,000,000 trips, the highest yearly ridership in its history;

Whereas the total annual economic impact of Amtrak and the passengers it serves across the United States exceeds \$8,000,000,000;

Whereas Amtrak has formed valuable partnerships with 17 States to operate 28 regionalized routes, which resulted in 15,400,000 trips in 2019;

Whereas Amtrak operates 15 long-distance routes that resulted in 4,600,000 trips in 2019;

Whereas the Acela and the Northeast Regional, 2 services of Amtrak along the Northeast Corridor, provided 12,500,000 trips in 2019; and

Whereas Amtrak provides a number of essential services and public benefits, which include—

(1) serving as the only source of public transportation in many rural communities;

(2) employing approximately 16,000 people and supporting tens of thousands of additional jobs in the communities it serves; and

(3) because Amtrak is 47 percent more energy efficient than car travel and 33 percent more energy efficient than air travel (as measured by passenger miles), providing an environmentally friendly way to travel: Now, therefore, be it

*Resolved*, That the Senate recognizes—

(1) 50 years of service by the National Railroad Passenger Corporation (commonly known and referred to in this resolution as “Amtrak”);

(2) the need for safe and affordable national passenger rail service in the United States;

(3) that Amtrak provides a vital connection for both urban and rural communities throughout the United States and, in the process, contributes to the economic growth of those communities; and

(4) that the restoration and expansion of the services that Amtrak provides is in the interest of the United States.

#### SENATE RESOLUTION 191—SUPPORTING THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. PETERS (for himself, Mrs. FISCHER, Ms. CANTWELL, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 191

Whereas, each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to locate underground utility lines prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas, in 2002, Congress required the Department of Transportation and the Federal Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State “One Call” systems to provide information on underground utility lines;

Whereas, in 2005, the Federal Communications Commission designated “811” as the nationwide “One Call” number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas the 1,700 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national “Call Before You Dig” campaign to

increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground utility lines;

Whereas the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90; 125 Stat. 1904) affirmed and expanded the “One Call” program by eliminating exemptions given to local and State government agencies and their contractors regarding notifying “One Call” centers before digging;

Whereas, according to the Common Ground Alliance's 2019 Damage Information Reporting Tool (DIRT) Report published in October 2020, there were an estimated 532,000 instances of excavation-related damage to underground facilities in the United States during 2019, a 4.5 percent increase from the Common Ground Alliance's 2018 estimate;

Whereas the Common Ground Alliance conducted a survey in 2020 and found that 50 percent of the more than 1,800 respondents were aware of 811, the highest level since the survey was first conducted in 2008;

Whereas the Common Ground Alliance estimated that the societal costs of excavation-related damage to buried utilities were \$30,000,000,000 in 2019, including costs for facility repair, property damage, medical bills, and costs to the surrounding businesses affected by the resulting utility outages; and

Whereas the Common Ground Alliance has designated April as “National Safe Digging Month” to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national “Call Before You Dig” number: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month;

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging; and

(3) encourages all damage prevention stakeholders to help educate homeowners and excavators throughout the United States about the importance of calling 811 before digging.

#### SENATE RESOLUTION 192—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2021 AS “MOTORCYCLE SAFETY AWARENESS MONTH”

Ms. ERNST (for herself and Mr. PETERS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 192

Whereas motorcycling is a great United States tradition enjoyed by an estimated 30,000,000 people annually, representing approximately 11 percent of the population;

Whereas motorcycles are a valuable component of the transportation mix;

Whereas motorcycles are fuel-efficient and decrease congestion while having little impact on our Nation's transportation infrastructure;

Whereas the motorcycling community promotes rider safety education, licensing, and motorcycle awareness;

Whereas the motorcycling community is committed to decreasing motorcycle crashes through training and safety education, personal responsibility, and increased public awareness;

Whereas approximately 91 percent of motorcycles are operated on highways in conjunction with other vehicles;



Whereas motorcyclist deaths occur more frequently than fatalities in passenger vehicles;

Whereas motorcycle awareness is beneficial to all road users and will help decrease motorcycle accidents; and

Whereas the National Highway Traffic Safety Administration promotes Motorcycle Safety Awareness Month to encourage riders to be properly licensed, receive training, wear personal protective equipment, such as helmets, jackets, boots, and gloves, and to remind all riders and motorists to always share the road: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of May 2021 as “Motorcycle Safety Awareness Month”;

(2) recognizes the contribution of motorcycles to the transportation mix;

(3) encourages motorcycle awareness by all road users;

(4) recognizes that motorcyclists have a right to the road and that all motorists should safely share the roadways;

(5) encourages rider safety education, training, and proper gear for safe motorcycle operation; and

(6) supports the goals of Motorcycle Safety Awareness Month.

**SENATE RESOLUTION 193—SUPPORTING THE DESIGNATION OF THE WEEK OF MAY 2, 2021, AS “CHILDREN’S MENTAL HEALTH AWARENESS WEEK” AND THE DAY OF MAY 9, 2021, AS “CHILDREN’S MENTAL HEALTH AWARENESS DAY”**

Mr. KING (for himself, Mr. CORNYN, Ms. SMITH, and Ms. HASSAN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 193S

Whereas children in the United States were already experiencing a public health crisis regarding mental and behavioral health before the additional challenges of the coronavirus disease 2019 (COVID-19) pandemic;

Whereas a 2013 report from the Centers for Disease Control and Prevention (CDC) estimated that mental disorders affect between 13 and 20 percent of children in a given year and cost approximately \$247,000,000,000 annually;

Whereas the National Institute of Mental Health estimates that nearly ½ of adolescents aged 13 to 18 years old will experience some form of a mental disorder;

Whereas, in 2019, over 11 percent of children ages 3 to 17 years old received treatment or counseling from a mental health professional, according to the United States Census Bureau;

Whereas suicide is the third leading cause of death for youth ages 10 to 24 years old, and 90 percent of those individuals have an underlying mental illness;

Whereas, during the COVID-19 pandemic, increased isolation and collective trauma have led to an increase in demand for mental health services for children, with the proportion of mental health-related visits to emergency rooms for children increasing from approximately 24 to 31 percent between 2019 and 2020;

Whereas the COVID-19 pandemic has also laid bare the inequities in our mental health delivery system for all populations, and such inequities have disproportionately impacted children and adults who have been exposed to adverse childhood experiences prior to and during the pandemic; and

Whereas the stigma of accessing mental and behavioral health services persisted before the COVID-19 pandemic, and acknowledging this public health crisis and creating awareness as early as possible is as important as ever: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of the week of May 2, 2021, as “Children’s Mental Health Awareness Week” and the day of May 9, 2021, as “Children’s Mental Health Awareness Day”;

(2) recognizes the importance of connecting children with appropriate mental and behavioral health services and supports;

(3) seeks to create awareness regarding the additional challenges children and their families have faced during the COVID-19 pandemic due to isolation from family and peers, exposure to traumas, and barriers to mental and behavioral health services and supports;

(4) supports programs and services aimed at expanding access to care, building resiliency, and addressing trauma; and

(5) appreciates and extends its gratitude to family members, friends, educators, mental and behavioral health service providers, and others in their support for children’s mental health and well-being.

**SENATE RESOLUTION 194—CELEBRATING THE 149TH ANNIVERSARY OF ARBOR DAY**

Mr. KING (for himself, Mr. RISCH, Mrs. SHAHEEN, Mr. BRAUN, Ms. BALDWIN, Mr. CRAPO, Ms. SMITH, Mr. BOOZMAN, Mr. MANCHIN, Ms. COLLINS, Mrs. MURRAY, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 194

Whereas Arbor Day was founded on April 10, 1872, to recognize the importance of planting trees;

Whereas Arbor Day is a time to recognize the importance of trees and an opportunity for communities to gather and plant for a greener future;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas such activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas working forests have contributed to an increase in the number of trees planted in the United States and are sustainably managed, with less than 2 percent of working forests nationally harvested each year;

Whereas a key factor in preventing forest conversion and deforestation is keeping forests productive;

Whereas working forests are a critical part of a nature-based solution to climate change, and by providing a continuous cycle of growing, harvesting, and replanting, active forest management maximizes the ability to sequester and store carbon and improves forest resilience;

Whereas private forests play an important role in conserving at-risk and declining species, and collaborative conservation efforts can benefit species while also helping to keep forests as forests;

Whereas sustainably grown wood can be used in a wide variety of resilient infrastructure and building applications—from traditional timber framing to high-tech bridges to high-rise buildings made of mass timber—

and as a natural, renewable, and biodegradable material, substituting wood for other materials in buildings and bridges could significantly decrease global carbon emissions;

Whereas the Arbor Day Foundation and the Tree City USA program have been committed to greening cities and towns across the country since 1976, and in that time, more than 3,400 communities have made the commitment to becoming a Tree City USA;

Whereas Tree City USA communities are home to more than 143,000,000 people in the United States who are dedicated to core standards of sound urban forestry management and who dedicate resources and time to urban forestry initiatives, which helps make their communities and our country a better place to live;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 30, 2021, marks the 149th anniversary of Arbor Day: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes April 30, 2021, as “National Arbor Day”;

(2) celebrates the 149th anniversary of Arbor Day;

(3) supports the goals and ideals of National Arbor Day; and

(4) encourages the people of United States to participate in National Arbor Day activities.

**SENATE RESOLUTION 195—RECOGNIZING THE 50TH ANNIVERSARY OF THE MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM**

Mr. INHOFE (for himself, Mr. LANKFORD, Mr. BOOZMAN, and Mr. COTTON) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 195

Whereas June 5, 2021, marks the 50th anniversary of the McClellan-Kerr Arkansas River Navigation System (referred to in this preamble as “MKARNS”);

Whereas, in the Rivers and Harbors Act of 1946 (Public Law 79-525), Congress authorized the Army Corps of Engineers (commonly referred to as the “Corps”) to undertake comprehensive improvements on the Arkansas and Verdigris Rivers, which served as the foundation of the MKARNS;

Whereas the MKARNS opened for full use in December 1970, which, after over 20 years and \$1,200,000,000, was the largest civil works project undertaken by the Corps at the time;

Whereas President Richard M. Nixon officially dedicated the MKARNS on June 5, 1971, at a ceremony at the Tulsa Port of Catoosa, Oklahoma;

Whereas the MKARNS is named for United States Senator John L. McClellan of Arkansas and former Oklahoma Governor and United States Senator Robert S. Kerr of Oklahoma, who advocated for the creation of an expansive, inland waterway system;

Whereas the MKARNS is 445 river miles long, with 18 locks and dams, spans from Catoosa, Oklahoma, to the Mississippi River, and serves commerce from a 12-State region consisting of Oklahoma, Arkansas, Kansas, Texas, Colorado, Montana, Nebraska, Minnesota, South Dakota, North Dakota, Missouri, and Idaho;

Whereas the MKARNS provides year-round, accessible inland waterway transportation to 5 public ports, 50 private port terminals, and over 90 industries;

Whereas, on an annual basis, the MKARNS provides for \$8,500,000,000 in sales impacts,



\$1,600,000,000 in transportation cost savings, and \$289,000,000 in business taxes;

Whereas the MKARNS contributes to 56,000 full- and part-time jobs, and 20 percent of all jobs in the United States are linked to waterborne commerce supported by the inland waterway system;

Whereas, on average, 11,000,000 tons of commodities with a value upwards of \$4,000,000,000 travels on the MKARNS annually, with sand, gravel, rock, chemical fertilizer, iron, and steel accounting for nearly 60 percent of all waterborne commerce;

Whereas there are 4 designated Foreign-Trade Zones along the navigation system at the public ports at Catoosa, Muskogee, Little Rock, and Pine Bluff;

Whereas the MKARNS allows for the lowest-cost and most environmentally friendly method of moving goods, with 1 barge transporting the equivalent of 15 jumbo railcars and 60 large semi-trailers;

Whereas, in 2015, the Corps upgraded the classification of the MKARNS from "Connector" to "Corridor" on the National Marine Highway, designated the MKARNS as a high-use waterway system, and labeled the MKARNS as Marine Highway 40;

Whereas Congress authorized multiple uses for the MKARNS, including navigation, flood control, hydropower, recreation, water supply, and wildlife conservation;

Whereas, through the end of 2020, Arkansas River Basin projects, including the MKARNS, are estimated to have cumulatively prevented nearly \$16,000,000,000 in flood damages in the Arkansas River Basin region;

Whereas there are 15 hydropower plants on the MKARNS which provide low-cost power to 7,000,000 people and produce 2,500,000 kilowatt-hours per year;

Whereas inland waterways provide many recreational opportunities, such as fishing, boating, and hiking, and over 4,000 recreational vessels lock through the MKARNS and 5,400,000 people visit Corps-operated recreation areas along the MKARNS annually;

Whereas modernization of the MKARNS will empower future economic development, promote freight mobility, expand agricultural exports and oil and gas development, and relieve congestion on our roads and bridges;

Whereas the increased backlog in critical maintenance causes the economic uncertainty of complete navigation disruption on the MKARNS, which would cost beneficiaries up to \$2,000,000 per day;

Whereas Congress authorized the MKARNS to be deepened to 12 feet in 2003, and approximately 90 percent of the MKARNS is already 12-feet deep;

Whereas the capacity of each barge could be increased by 200 tons for each additional foot of draft, increasing the overall freight capacity of the MKARNS by 40 percent and resulting in over \$250,000,000 in increased business sales annually; and

Whereas Oklahoma, Arkansas, the surrounding region, and the entire Nation have benefitted, and will continue to benefit, greatly from the MKARNS: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors 2021 as the 50th anniversary of the McClellan-Kerr Arkansas River Navigation System;

(2) recognizes that investments in inland waterway navigation infrastructure are an investment in the long-term strength and security of the United States economy; and

(3) commits to completing the deepening of the McClellan-Kerr Arkansas River Navigation System from 9 feet to 12 feet.

## SENATE RESOLUTION 196—DESIGNATING MAY 5, 2021, AS THE "NATIONAL DAY OF AWARENESS FOR MISSING AND MURDERED NATIVE WOMEN AND GIRLS"

Mr. DAINES (for himself, Mr. TESTER, Mr. CRAMER, Mr. WYDEN, Mr. LANKFORD, Mr. LUJÁN, Mr. SCHATZ, Ms. MURKOWSKI, and Mr. CRAPO) submitted the following resolution; which was considered and agreed to:

S. RES. 196

Whereas, according to a study commissioned by the Department of Justice, in some Tribal communities, American Indian women face murder rates that are more than 10 times the national average murder rate;

Whereas, according to the most recently available data from the Centers for Disease Control and Prevention, in 2017, homicide was the sixth leading cause of death for American Indian and Alaska Native females between 1 and 44 years of age;

Whereas little data exist on the number of missing American Indian, Alaska Native, and Native Hawaiian women in the United States;

Whereas, on July 5, 2013, Hanna Harris, a member of the Northern Cheyenne Tribe, was reported missing by her family in Lame Deer, Montana;

Whereas the body of Hanna Harris was found 5 days after she went missing;

Whereas Hanna Harris was determined to have been raped and murdered, and the individuals accused of committing those crimes were convicted;

Whereas the case of Hanna Harris is an example of many similar cases; and

Whereas Hanna Harris was born on May 5, 1992: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates May 5, 2021, as the "National Day of Awareness for Missing and Murdered Native Women and Girls"; and

(2) calls on the people of the United States and interested groups—

(A) to commemorate the lives of missing and murdered American Indian, Alaska Native, and Native Hawaiian women whose cases are documented and undocumented in public records and the media; and

(B) to demonstrate solidarity with the families of victims in light of those tragedies.

## SENATE RESOLUTION 197—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2021, AS "SILVER STAR SERVICE BANNER DAY"

Mr. BLUNT (for himself and Mr. HAWLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 197

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the people of the United States remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of

the sacrifices made by members of the Armed Forces and veterans on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten; and

Whereas May 1, 2021, is an appropriate date to designate as "Silver Star Service Banner Day": Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of May 1, 2021, as "Silver Star Service Banner Day"; and

(2) calls upon the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.

## SENATE RESOLUTION 198—RECOGNIZING THE ROLES AND CONTRIBUTIONS OF THE TEACHERS OF THE UNITED STATES IN BUILDING AND ENHANCING THE CIVIC, CULTURAL, AND ECONOMIC WELL-BEING OF THE UNITED STATES

Mr. BROWN (for himself, Ms. COLLINS, Mr. KAINE, Ms. HIRONO, Ms. DUCKWORTH, Mr. BLUMENTHAL, Ms. HASSAN, Mr. DURBIN, Ms. WARREN, Mr. WHITEHOUSE, Mrs. SHAHEEN, Mr. MANCHIN, Mr. BOOKER, Mr. KING, Mr. CASEY, Ms. SMITH, Ms. CANTWELL, Mr. VAN HOLLEN, Mr. MURPHY, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. PETERS, Mr. BRAUN, Mrs. CAPITO, Mr. HOEVEN, Mr. PADILLA, Mr. BOOZMAN, Mr. MERKLEY, Mr. YOUNG, Mrs. HYDE-SMITH, and Mr. CARPER) submitted the following resolution; which was considered and agreed to:

S. RES. 198

Whereas education and knowledge are the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of their students and communities for the selfless dedication of the teachers and staff to community service and the futures of the children of the United States;

Whereas school communities, teachers, and other education staff have risen to the occasion to support their students and communities amid the significant challenges posed by the Coronavirus Disease 2019 (COVID-19) pandemic, including by—

(1) coordinating remote and hybrid learning;

(2) supporting the mental health of students;

(3) providing meals to students in need; and

(4) distributing technology to students;

Whereas the purposes of National Teacher Appreciation Week, celebrated from May 3, 2021, through May 7, 2021, are—

(1) to raise public awareness of the unquantifiable contributions of teachers; and

(2) to promote greater respect and understanding for the teaching profession; and

Whereas students, schools, communities, and a number of organizations representing educators are recognizing the importance of teachers during National Teacher Appreciation Week: Now, therefore, be it

*Resolved*, That the Senate—

(1) thanks the teachers of the United States; and

(2) promotes the profession of teaching and the contributions of educators by encouraging students, parents, school administrators, and public officials to recognize National Teacher Appreciation Week.

**SENATE RESOLUTION 199—CONDEMNING THE HORRIFIC SHOOTINGS IN ATLANTA, GEORGIA, ON MARCH 16, 2021, AND REAFFIRMING THE COMMITMENT OF THE SENATE TO COMBATING HATE, BIGOTRY, AND VIOLENCE AGAINST THE ASIAN AMERICAN AND PACIFIC ISLANDER COMMUNITY**

Mr. WARNOCK (for himself, Mr. GRASSLEY, Ms. DUCKWORTH, Mr. MARKEY, Mr. BLUMENTHAL, Mr. CASEY, Mr. WYDEN, Mr. CARPER, Ms. HIRONO, Mr. WHITEHOUSE, Mr. SCHATZ, Mr. DURBIN, Mr. REED, Mr. SANDERS, Mr. KAINE, Mrs. FEINSTEIN, Ms. CANTWELL, Mr. MURPHY, Mr. BROWN, Mr. PADILLA, Mrs. MURRAY, Ms. HASSAN, Mr. COONS, Mr. MENENDEZ, Ms. CORTEZ MASTO, Ms. BALDWIN, Ms. KLOBUCHAR, Ms. WARREN, Ms. ROSEN, Mr. MERKLEY, Mrs. SHAHEEN, Mr. OSSOFF, Ms. SMITH, Mr. CARDIN, and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

**S. RES. 199**

Whereas, on March 16, 2021, a shooter murdered 8 people and injured 1 in the Atlanta, Georgia region in 3 separate shootings that took place at Asian American-owned spas;

Whereas the people of the United States mourn the 8 innocent lives lost—7 of whom were women, 6 of whom were women of Asian descent, and several of whom were immigrants;

Whereas the victims included Xiaojie “Emily” Tan, Daoyou Feng, Delaina Ashley Yaun González, Paul Andre Michels, Yong Ae Yue, Soon Chung “Julie” Park, Hyun Jung Grant, and Suncha Kim;

Whereas 49-year-old Xiaojie “Emily” Tan, a hardworking mother and the owner of one of the spas, was a dedicated and caring business owner who is survived by her daughter and husband;

Whereas 44-year-old Daoyou Feng was an employee who recently began working at one of the spas;

Whereas 33-year-old Delaina Ashley Yaun González, a newlywed and mother of 2, was at one of the spas to receive a couple’s massage with her husband when her life was cut short;

Whereas 54-year-old Paul Andre Michels was a caring husband and United States Army veteran who did maintenance work for one of the spas and is survived by his wife;

Whereas 63-year-old Yong Ae Yue was a mother of 2 sons who was known for her kindness and generosity and her love of her pet Shih Tzu;

Whereas 74-year-old Soon Chung “Julie” Park was a mother and grandmother who helped manage one of the spas and helped to prepare meals for the employees;

Whereas 51-year-old Hyun Jung Grant was a former elementary school teacher and hardworking single mother who dedicated her life to raising her 2 sons;

Whereas 69-year-old Suncha Kim was a wife, mother, and grandmother who enjoyed line dancing and had been married for more than 50 years;

Whereas the Georgia shootings came in the midst of an alarming surge in anti-Asian

hate crimes and incidents that have caused many Asian Americans across the United States to feel fearful and unsafe;

Whereas the use of anti-Asian terminology and rhetoric, whether related to the COVID-19 pandemic or not, is completely unacceptable and should be condemned by all people of the United States;

Whereas, in 2020, anti-Asian hate crimes increased by nearly 150 percent in major cities throughout the United States;

Whereas, according to a recent report by Stop AAPI Hate, there were nearly 3,800 reported cases of anti-Asian discrimination related to COVID-19 between March 19, 2020 and February 28, 2021;

Whereas 68 percent of reported incidents of anti-Asian hate targeted Asian American women, a population that has been historically marginalized, sexualized, and fetishized;

Whereas, on March 19, 2021, President Joe Biden and Vice President Kamala Harris met with Asian American leaders in Georgia and reaffirmed their strong commitment to condemning and combating racism, xenophobia, and violence targeting the Asian American community; and

Whereas the people of the United States will always remember the victims of these shootings and stand in solidarity with those affected by this senseless tragedy: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the heinous and inexcusable acts of gun violence that led to the tragic loss of 8 lives in Georgia on March 16, 2021;

(2) condemns any racism and sexism in the choice of the shooter to target Asian American-owned businesses and murder 6 women of Asian descent;

(3) honors the memory of the victims, offers heartfelt condolences to the families of the victims, and recognizes that the healing process will be long and difficult for the Asian American and Pacific Islander community and all communities impacted by this tragedy; and

(4) reaffirms the commitment of the United States Federal Government to combating hate, bigotry, and violence against Asian Americans and Pacific Islanders and to prevent tragedies like this from ever happening again.

**SENATE RESOLUTION 200—CONDEMNING RECENT HATE CRIMES COMMITTED AGAINST ASIAN AMERICAN AND PACIFIC ISLANDERS**

Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. KENNEDY, Mr. WARNOCK, Mr. TILLIS, Mr. SCOTT of Florida, Ms. ERNST, Mr. WICKER, Ms. COLLINS, Mr. SCOTT of South Carolina, Mr. ROMNEY, Mr. MORAN, Mr. YOUNG, Mr. CASSIDY, Mrs. FISCHER, Mr. PORTMAN, Mr. CRAPO, Mr. SULLIVAN, Mr. CRAMER, Mr. RISCH, Mr. HOEVEN, Mr. ROUNDS, Mr. RUBIO, Mr. CRUZ, Mr. OSSOFF, and Ms. HASSAN) submitted the following resolution; which was considered and agreed to:

**S. RES. 200**

Whereas following the spread of COVID-19 in 2020, there has been a dramatic increase in hate crimes and violence against Asian American and Pacific Islanders;

Whereas between March 19, 2020, and February 28, 2021, there have been 3,795 firsthand accounts of anti-Asian and Pacific Islander hate incidents and crimes reported from all

50 States, United States territories, and the District of Columbia;

Whereas during this timeframe, race has been cited as the primary reason for discrimination, making up over 90 percent of incidents;

Whereas roughly 36 percent of these incidents took place at a business and more than 2,000,000 Asian American and Pacific Islander businesses have contributed to the diverse fabric of American life;

Whereas during this time, Asian American and Pacific Islander youth under 20 years old make up approximately 13 percent of victims;

Whereas during this time, Asian American and Pacific Islander elderly over 60 years old make up approximately 7 percent of victims;

Whereas, on January 28, 2021, Vicha Ratanapakdee died from injuries after being horrifically attacked in front of his home;

Whereas the Royal Thai Consulate-General in Los Angeles has warned Thai people in California to be on their guard following the killing of Vicha Ratanapakdee;

Whereas, on March 16, 2021, the following 8 people were murdered in 3 Asian American-owned spas in Atlanta, Georgia: Xiaojie Tan, Daoyou Feng, Delaina Ashley Yaun González, Paul Andre Michels, Soon Chung Park, Hyun Jung Grant, Suncha Kim, and Yong Ae Yue;

Whereas 6 of the Americans killed in Atlanta on March 16, 2021, were women of Asian descent—Xiaojie Tan, Daoyou Feng, Soon Chung Park, Hyun Jung Grant, Suncha Kim, and Yong Ae Yue;

Whereas 1 of the Americans killed in Atlanta on March 16, 2021, was a veteran who served in the United States Army—Paul Andre Michels; and

Whereas Asian American and Pacific Islanders have made significant contributions to American culture: Now, therefore, be it

*Resolved*, That the Senate—

(1) affirms that the United States stands united in condemning and denouncing any and all anti-Asian and Pacific Islander sentiment in any form;

(2) condemns all manifestations or expressions of racism, and anti-Asian and Pacific Islander or ethnic intolerance;

(3) calls on the Committee on the Judiciary of the Senate to strongly consider holding a hearing related to the surge in violence against Asian Americans and Pacific Islanders;

(4) applauds the Department of Justice’s commitment to conduct a 30-day review of violence against Asian Americans and Pacific Islanders, which will seek to improve the Federal Government’s capacity to track and identify hate incidents, review civil enforcement authorities, and assess whether additional money is needed to support law enforcement’s response to the surge in violence; and

(5) calls on Federal law enforcement officials, working with State and local officials—

(A) to expeditiously and vigorously investigate all reports of Asian American and Pacific Islander hate crimes in the United States;

(B) to work to improve the reporting of Asian American and Pacific Islander hate crimes; and

(C) to hold the perpetrators of those crimes accountable and bring the perpetrators to justice.

# SENATE RESOLUTION 201—AMENDING THE STANDING RULES OF THE SENATE TO ENABLE THE PARTICIPATION OF ABSENT SENATORS DURING A NATIONAL CRISIS

Mr. PORTMAN (for himself, Mr. DURBIN, Ms. WARREN, Mr. SANDERS, Mr. KING, and Mr. SCHATZ) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 201

*Resolved,*

## SECTION 1. PARTICIPATION OF ABSENT SENATORS DURING A NATIONAL CRISIS.

Rule XII of the Standing Rules of the Senate is amended by adding at the end the following:

“5. Senators may use technology that has been approved by the Secretary of the Senate and the Sergeant at Arms and Doorkeeper of the Senate as reliable and secure to cast their votes from outside of the Senate Chamber if the majority leader or his or her designee and the minority leader or his or her designee jointly determine that an extraordinary crisis of national extent exists in which it would be infeasible for Senators to cast their votes in person. If such a crisis is determined to exist, Senators may cast votes under this paragraph during the 30-day period beginning on the date on which such determination is made, unless such period is extended for one or more additional 30-day periods by an affirmative vote of three-fifths of the Senators duly chosen and sworn. During such period, Senators participating remotely and using approved technology to cast their votes under this paragraph shall be deemed present for purposes of establishing the presence of a quorum. The determination made under this paragraph shall not rely on any decision of any other branch of the United States Government. The majority leader or his or her designee and the minority leader or his or her designee shall submit at the beginning of the first session of each Congress an order for designees of each caucus in the case of such a crisis.”.

# SENATE RESOLUTION 202—DESIGNATING MAY 7, 2021, AS “UNITED STATES FOREIGN SERVICE DAY” IN RECOGNITION OF THE MEN AND WOMEN WHO HAVE SERVED, OR ARE PRESENTLY SERVING, IN THE FOREIGN SERVICE OF THE UNITED STATES, AND HONORING THE MEMBERS OF THE FOREIGN SERVICE WHO HAVE GIVEN THEIR LIVES IN THE LINE OF DUTY

Mr. SULLIVAN (for himself, Mr. VAN HOLLEN, Mr. DURBIN, Ms. COLLINS, Mrs. SHAHEEN, Mr. MERKLEY, Mr. BOOKER, Mr. KAINE, Mr. CARDIN, and Mr. COONS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 202

Whereas the Foreign Service of the United States (referred to in this preamble as the “Foreign Service”) was established through the enactment of the Act entitled “An Act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes.”, approved May 24, 1924 (43 Stat. 140, chapter 182) (commonly known as the “Rogers Act of 1924”), and is now celebrating its 97th anniversary;

Whereas the Rogers Act of 1924 established a career organization based on competitive examination and merit promotion;

Whereas, in 2021, just less than 16,000 men and women of the Foreign Service are serving at home and abroad;

Whereas Foreign Service personnel are supported by more than 60,000 locally engaged staff in nearly 300 embassies and consulates, who provide unique expertise and crucial links to host countries;

Whereas Foreign Service personnel comprise employees from the Department of State, the United States Agency for International Development, the Department of Commerce, the Department of Agriculture, the Animal and Plant Health Inspection Service, and the United States Agency for Global Media;

Whereas the diplomatic, consular, communications, trade, development, security, public diplomacy, and numerous other functions that Foreign Service personnel perform constitute the first and most cost-effective instrument of the United States to protect and promote United States interests abroad;

Whereas the men and women of the Foreign Service and their families are increasingly exposed to risks and danger, even in times of peace, and many have died in the service of the United States;

Whereas employees of the Foreign Service work daily—

- (1) to ensure the national security of the United States;
- (2) to provide assistance to United States citizens overseas;
- (3) to preserve peace, freedom, and economic prosperity around the world;
- (4) to promote the ideals and values of the United States, internationally recognized human rights, freedom, equal opportunities for women and girls, rule of law, and democracy;
- (5) to promote transparency, provide accurate information, and combat disinformation;
- (6) to cultivate new markets for United States products and services and develop new investment opportunities that create jobs in the United States and promote prosperity;
- (7) to promote economic development, reduce poverty, end hunger and malnutrition, fight disease, combat international crime and illegal drugs, and address environmental degradation; and
- (8) to provide emergency and humanitarian assistance to respond to crises around the world;

Whereas, in response to the unprecedented global COVID-19 pandemic, all of the foreign affairs agencies of the United States have worked tirelessly to support the people of the United States, often placing their own safety and well-being at risk;

Whereas the foreign affairs agencies and the American Foreign Service Association have observed Foreign Service Day in May for many years; and

Whereas it is both appropriate and just for the United States as a whole to recognize the dedication of the men and women of the Foreign Service and to honor the members of the Foreign Service who have given their lives in the loyal pursuit of their duties and responsibilities representing the interests of the United States and of its citizens: Now, therefore, be it

*Resolved,* That the Senate—

- (1) honors the men and women who have served, or are presently serving, in the Foreign Service of the United States for their dedicated and important service to the United States;
- (2) calls on the people of the United States to reflect on the service and sacrifice of past, present, and future employees of the Foreign Service of the United States, wherever they

serve, with appropriate ceremonies and activities; and

(3) designates May 7, 2021, as “United States Foreign Service Day” to commemorate the 97th anniversary of the Foreign Service of the United States.

# SENATE RESOLUTION 203—CONDEMNING THE HORRIFIC ATTACK IN INDIANAPOLIS, INDIANA, ON APRIL 15, 2021, AND EXPRESSING SUPPORT AND PRAYERS FOR ALL OF THOSE IMPACTED BY THAT TRAGEDY

Mr. YOUNG (for himself and Mr. BRAUN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 203

Whereas, on April 15, 2021, a mass shooting took place in Indianapolis, Indiana, at the FedEx Ground Plainfield Operations Center;

Whereas the people of the United States mourn the 8 innocent lives lost in that unthinkable tragedy: Matthew Alexander, Samaria Blackwell, Amarjeet Kaur Johal, Jasvinder Kaur, Amarjit Sekhon, Jaswinder Singh, Karli Smith, and John Weisert;

Whereas the people of the United States express gratitude for the heroic actions of the men and women of the Indianapolis Metropolitan Police Department, who courageously responded to the attack and saved countless lives;

Whereas the people of the United States express appreciation and gratitude for all of the first responders who quickly responded to the attack and the professionals and volunteers who cared for the injured;

Whereas the people of the United States continue to pray for the individuals who were wounded in the attack and continue to recover;

Whereas the entire Indianapolis community—and all Hoosiers—united in support of the victims and their families; and

Whereas the people of the United States will always remember the victims of this attack and stand in solidarity with those affected by this senseless tragedy: Now, therefore, be it

*Resolved,* That the Senate—

- (1) condemns the senseless attack that led to the tragic loss of 8 lives in Indianapolis, Indiana, on Thursday, April 15, 2021;
- (2) honors the memory of the victims who were killed;
- (3) expresses hope for a full and speedy recovery and pledges continued support for the individuals injured in the attack;
- (4) offers heartfelt condolences and deepest sympathies to the Indianapolis community and the families, friends, and loved ones affected by the tragedy; and
- (5) honors the selfless and dedicated service of—
  - (A) the medical professionals and other individuals who cared for the victims in the community of Marion County, Indiana;
  - (B) the emergency response teams and law enforcement officials who responded to the call of duty; and
  - (C) the law enforcement officials who continue to investigate the attack.

# SENATE CONCURRENT RESOLUTION 9—SUPPORTING THE LOCAL RADIO FREEDOM ACT

Mr. HEINRICH (for himself, Mr. BARASSO, Ms. HASSAN, Mr. TESTER, Mr. DAINES, Mrs. SHAHEEN, Ms. ERNST, and Mr. CRAPO) submitted the following

concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 9

Whereas the United States enjoys broadcasting and sound recording industries that are the envy of the world due to the symbiotic relationship that has existed among these industries for many decades;

Whereas, for nearly a century, Congress has rejected repeated calls by the recording industry to impose a performance fee on local radio stations for simply playing music on the radio, as such a fee would upset the mutually beneficial relationship between local radio and the recording industry;

Whereas local radio stations provide free publicity and promotion to the recording industry and performers of music in the form of radio airplay, interviews with performers, introduction of new performers, concert promotions, and publicity that promotes the sale of music, concert tickets, ring tones, music videos, and associated merchandise;

Whereas committees in the Senate and the House of Representatives have previously reported that “the sale of many sound recordings and the careers of many performers have benefitted considerably from airplay and other promotional activities provided by both noncommercial and advertiser-supported, free over-the-air broadcasting”;

Whereas local radio broadcasters provide tens of thousands of hours of essential local news and weather information during times of national emergencies and natural disasters, as well as public affairs programming, sports, and hundreds of millions of dollars worth of time for public service announcements and local fund raising efforts for worthy charitable causes, all of which are jeopardized if local radio stations are forced to divert revenues to pay for a new performance fee;

Whereas there are many thousands of local radio stations that will suffer severe economic hardship if any new performance fee is imposed, as will many other small businesses that play music, including bars, restaurants, retail establishments, sports and other entertainment venues, shopping centers, and transportation facilities; and

Whereas the hardship that would result from a new performance fee would hurt businesses in the United States and ultimately the consumers in the United States who rely on local radio for news, weather, and entertainment, and such a performance fee is not justified when the current system has produced the most prolific and innovative broadcasting, music, and sound recording industries in the world: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That Congress should not impose any new performance fee, tax, royalty, or other charge—

(1) relating to the public performance of sound recordings on a local radio station for broadcasting sound recordings over the air; or

(2) on any business for the public performance of sound recordings on a local radio station broadcast over the air.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1476. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table.

SA 1477. Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1478. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1479. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1480. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1481. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1482. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1483. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1484. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1485. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1486. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1487. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1488. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, supra; which was ordered to lie on the table.

SA 1489. Mr. LEE submitted an amendment intended to be proposed by him to the bill 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, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation.

SA 1490. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, supra; which was referred to the Committee on Commerce, Science, and Transportation.

SA 1491. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 593, supra; which was referred to the Committee on Commerce, Science, and Transportation.

#### TEXT OF AMENDMENTS

**SA 1476.** Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

##### SEC. 2 . . . WAIVER.

(a) WIFIA DEFINITIONS.—Section 5022 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901) is amended—

(1) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(2) by inserting after paragraph (9) the following:

“(10) RURAL COMMUNITY.—The term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.”.

(b) FEES.—Section 5029(b)(7) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)(7)) is amended—

(1) in subparagraph (A), by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”; and

(2) by adding at the end the following:

“(C) WAIVER.—On request of an eligible entity, the Secretary or the Administrator, as applicable, may waive the application fee for—

“(i) a small community water infrastructure project described in section 5028(a)(2)(B); and

“(ii) a project to be carried out in a rural community.”.

**SA 1477.** Mr. BENNET (for himself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

##### SEC. 2 . . . FLEXIBLE FINANCING.

(a) WIFIA DEFINITIONS.—Section 5022 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901) is amended—

(1) by redesignating paragraphs (10) through (15) as paragraphs (11) through (16), respectively; and

(2) by inserting after paragraph (9) the following:

“(10) RURAL COMMUNITY.—The term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.”.

(b) TERMS AND LIMITATIONS.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended—

(1) in paragraph (2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding clause (i) (as so redesignated), by striking “The amount” and inserting the following:

“(A) IN GENERAL.—Except as provided in subparagraph (B), the amount”; and

(C) by adding at the end the following:

“(B) PROJECTS IN RURAL COMMUNITIES.—In the case of a project receiving assistance

under this subtitle in a rural community, the amount of a secured loan under this section shall not exceed the lesser of—

“(i) an amount equal to 67 percent of the reasonably anticipated eligible project costs; and

“(ii) if the secured loan does not receive an investment-grade rating, the amount of the senior project obligations of the project.”; and

(2) in paragraph (5)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking “The final” and inserting “Except as provided in subparagraphs (B) and (C), the final”; and

(B) by adding at the end the following:

“(C) SPECIAL RULE FOR PROJECTS IN RURAL COMMUNITIES.—In the case of a project receiving assistance under this subtitle in a rural community, the final maturity date of a secured loan under this section shall be the earlier of—

“(i) the date that is 40 years after the date of substantial completion of the relevant project (as determined by the Secretary or the Administrator, as applicable); and

“(ii) if the useful life of the project (as determined by the Secretary or Administrator, as applicable) is less than 40 years, the useful life of the project.”.

**SA 1478.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. 1. RESCISSION OF FUNDS.

From the unobligated balances of each discretionary appropriation for fiscal year 2021, there is rescinded on a pro rata basis the amount necessary to reduce the total amount of discretionary appropriations for fiscal year 2021 by \$35,000,000,000.

**SA 1479.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 6, strike line 21 and all that follows through page 7, line 21, and insert the following:

(b) ASSISTANCE FOR DISADVANTAGED COMMUNITIES.—Section 1452(d)(1) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(1)) is amended—

(1) by striking “Notwithstanding any” and inserting the following:

“(A) IN GENERAL.—Notwithstanding any”;

(2) in subparagraph (A) (as so designated), by inserting “, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt” after “forgiveness of principal”; and

(3) by adding at the end the following:

“(B) EXCLUSION.—A loan from a State loan fund with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subsection.”.

**SA 1480.** Mr. LEE submitted an amendment intended to be proposed to

amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, strike lines 3 through 5 and insert the following:

(1) in subsection (a)—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4);

**SA 1481.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, strike lines 16 through 22 and insert the following:

(3) USE OF FUNDS LIMITATIONS.—A grant under the pilot program shall not be used to replace funds for any existing similar program.

**SA 1482.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE III—LIMITATION

#### SEC. 301. LIMITATION ON SOURCES OF ASSISTANCE.

Notwithstanding any other provision of law, an entity may not receive a grant, loan, or other assistance from more than 1 program under this Act or an amendment made by this Act.

**SA 1483.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . NAVIGABLE WATERS PROTECTION RULE.

(a) IN GENERAL.—The final rule of the Corps of Engineers and the Environmental Protection Agency entitled “The Navigable Waters Protection Rule: Definition of ‘Waters of the United States’” (85 Fed. Reg. 22250 (April 21, 2020)) is enacted into law.

(b) JUDICIAL REVIEW.—The final rule enacted into law under subsection (a) shall not be subject to judicial review.

**SA 1484.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe

Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 79, strike line 21 and all that follows through page 80, line 15, and insert the following:

“(1) COST SHARE.—A grant under the program shall not exceed 50 percent of the total cost of the proposed project.

“(2) REQUIREMENTS.—The requirements of

**SA 1485.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

On page 84, strike line 12 and insert the following:

“(B) a community within which the median household income is less than 60 percent of the statewide median household income; or

**SA 1486.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### TITLE III—MISCELLANEOUS

#### SEC. 301. LIMITATION ON THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301 of title 54, United States Code, is amended by adding at the end the following:

“(e) LIMITATION ON THE ESTABLISHMENT OR EXTENSION OF NATIONAL MONUMENTS IN THE STATE OF UTAH.—Notwithstanding any other provision of this section, the President may not establish or extend a national monument in the State of Utah (referred to in this subsection as the ‘State’) unless—

“(1) the extension or establishment has been authorized by an Act of Congress; and

“(2) the President has received from the Governor of the State notice that the State legislature has enacted legislation approving the proposed establishment or extension.”.

**SA 1487.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 221.

**SA 1488.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1460 proposed by Mr. CARPER (for himself and Mrs. CAPITO) to the bill S. 914, to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and

for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 9, strike line 1 and all that follows through page 121, line 24, and insert the following:

**SEC. 104. ASSISTANCE FOR SMALL AND DISADVANTAGED COMMUNITIES.**

(a) **EXISTING PROGRAMS.**—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(D) the purchase of point-of-entry or point-of-use filters and filtration systems that are certified by a third party using science-based test methods for the removal of contaminants of concern;

“(E) investments necessary for providing accurate and current information about—

“(i) the need for filtration and filter safety, including proper use and maintenance practices; and

“(ii) the options for replacing lead service lines (as defined section 1459B(a)) and removing other sources of lead in water; and

“(F) entering into contracts, including contracts with nonprofit organizations that have water system technical expertise, to assist—

“(i) an eligible entity; or

“(ii) the State of an eligible entity, on behalf of that eligible entity.”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “An eligible entity” and inserting “Except for purposes of subsections (j) and (m), an eligible entity”;

(3) by striking subsection (k) and inserting the following:

“(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out subsections (a) through (j)—

“(1) \$70,000,000 for fiscal year 2022;

“(2) \$80,000,000 for fiscal year 2023;

“(3) \$100,000,000 for fiscal year 2024;

“(4) \$120,000,000 for fiscal year 2025; and

“(5) \$140,000,000 for fiscal year 2026.”; and

(4) in subsection (1)—

(A) in paragraph (2)—

(i) by striking “The Administrator may” and inserting “The Administrator shall”; and

(ii) by striking “fiscal years 2019 and 2020” and inserting “fiscal years 2022 through 2026”; and

(B) in paragraph (5), by striking “\$4,000,000 for each of fiscal years 2019 and 2020” and inserting “\$25,000,000 for each of fiscal years 2022 through 2026”.

(b) **CONNECTION TO PUBLIC WATER SYSTEMS.**—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) is amended by adding at the end the following:

“(m) **CONNECTION TO PUBLIC WATER SYSTEMS.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means—

“(i) an owner or operator of a public water system that assists or is seeking to assist eligible individuals with connecting the household of the eligible individual to the public water system; or

“(ii) a nonprofit entity that assists or is seeking to assist eligible individuals with the costs associated with connecting the household of the eligible individual to a public water system.

“(B) **ELIGIBLE INDIVIDUAL.**—The term ‘eligible individual’ has the meaning given the term in section 603(j) of the Federal Water Pollution Control Act (33 U.S.C. 1383(j)).

“(C) **PROGRAM.**—The term ‘program’ means the competitive grant program established under paragraph (2).

“(2) **ESTABLISHMENT.**—Subject to the availability of appropriations, the Administrator shall establish a competitive grant program for the purpose of improving the general welfare under which the Administrator awards grants to eligible entities to provide funds to assist eligible individuals in covering the costs incurred by the eligible individual in connecting the household of the eligible individual to a public water system.

“(3) **APPLICATION.**—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(4) **VOLUNTARY CONNECTION.**—Before providing funds to an eligible individual for the costs described in paragraph (2), an eligible entity shall ensure and certify to the Administrator that—

“(A) the eligible individual is voluntarily seeking connection to the public water system;

“(B) if the eligible entity is not the owner or operator of the public water system to which the eligible individual seeks to connect, the public water system to which the eligible individual seeks to connect has agreed to the connection; and

“(C) the connection of the household of the eligible individual to the public water system meets all applicable local and State regulations, requirements, and codes.

“(5) **REPORT.**—Not later than 3 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

“(6) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out the program \$20,000,000 for each of fiscal years 2022 through 2026.”.

(c) **COMPETITIVE GRANT PILOT PROGRAM.**—Section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j-19a) (as amended by subsection (b)) is amended by adding at the end the following:

“(n) **STATE COMPETITIVE GRANTS FOR UNDERSERVED COMMUNITIES.**—

“(1) **IN GENERAL.**—In addition to amounts authorized to be appropriated under subsection (k), there is authorized to be appropriated to carry out subsections (a) through (j) \$50,000,000 for each of fiscal years 2022 through 2026 in accordance with paragraph (2).

“(2) **COMPETITIVE GRANTS.**—

“(A) **IN GENERAL.**—Notwithstanding any other provision of this section, the Administrator shall distribute amounts made available under paragraph (1) to States through a competitive grant program.

“(B) **APPLICATIONS.**—To seek a grant under the competitive grant program under subparagraph (A), a State shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(C) **CRITERIA.**—In selecting recipients of grants under the competitive grant program under subparagraph (A), the Administrator shall establish criteria that give priority to States with a high proportion of underserved communities that meet the condition described in subsection (a)(2)(A).

“(3) **REPORT.**—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the competitive grant program under

paragraph (2)(A), which shall include a description of the use and deployment of amounts made available under the competitive grant program.

“(4) **SAVINGS PROVISION.**—Nothing in this paragraph affects the distribution of amounts made available under subsection (k), including any methods used by the Administrator for distribution of amounts made available under that subsection as in effect on the day before the date of enactment of this subsection.”.

**SEC. 105. REDUCING LEAD IN DRINKING WATER.**

Section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j-19b) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking subparagraph (D) and inserting the following:

“(D) a qualified nonprofit organization with experience in lead reduction, as determined by the Administrator; and”;

(B) in paragraph (2)(A)—

(i) in clause (i), by striking “publicly owned”; and

(ii) by striking clause (iii) and inserting the following:

“(iii) providing assistance to eligible entities to replace lead service lines, with priority for disadvantaged communities based on the affordability criteria established by the applicable State under section 1452(d)(3), low-income homeowners, and landlords or property owners providing housing to low-income renters.”; and

(C) in paragraph (3), by striking “an individual provided”;

(2) in subsection (b)—

(A) in paragraph (5)—

(i) in subparagraph (A), by striking “to provide assistance” and all that follows through the period at the end and inserting “to replace lead service lines, with first priority given to assisting disadvantaged communities based on the affordability criteria established by the applicable State under section 1452(d)(3), low-income homeowners, and landlords or property owners providing housing to low-income renters.”; and

(ii) in subparagraph (B), by striking “line” and inserting “lines”; and

(B) in paragraph (6)—

(i) in subparagraph (A), by striking “any publicly owned portion of”;

(ii) in subparagraph (C), in the matter preceding clause (i)—

(I) by striking “may” and inserting “shall”;

(II) by inserting “and may, for other homeowners,” after “low-income homeowner,”; and

(III) by striking “a cost that” and all that follows through the semicolon at the end of clause (ii) and inserting “no cost to the homeowner”;

(iii) in subparagraph (D), by striking “and” at the end;

(iv) in subparagraph (E), by striking “other options” and all that follows through the period at the end and inserting “feasible alternatives for reducing the concentration of lead in drinking water, such as corrosion control; and”;

(v) by adding at the end the following:

“(F) shall notify the State of any planned replacement of lead service lines under this program and coordinate, where practicable, with other relevant infrastructure projects.”;

(3) in subsection (d)—

(A) by inserting “(except for subsection (d))” after “this section”; and

(B) by striking “\$60,000,000 for each of fiscal years 2017 through 2021” and inserting “\$100,000,000 for each of fiscal years 2022 through 2026”;

(4) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and



(5) by inserting after subsection (c) the following:

“(d) LEAD INVENTORYING UTILIZATION GRANT PILOT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a municipality that is served by a community water system or a nontransient noncommunity water system in which not less than 30 percent of the service lines are known, or suspected, to contain lead, based on available data, information, or resources, including existing lead inventorying.

“(B) PILOT PROGRAM.—The term ‘pilot program’ means the pilot program established under paragraph (2).

“(2) ESTABLISHMENT.—The Administrator shall establish a pilot program under which the Administrator shall provide grants to eligible entities to carry out lead reduction projects that are demonstrated to exist or are suspected to exist, based on available data, information, or resources, including existing lead inventorying of those eligible entities.

“(3) SELECTION.—

“(A) APPLICATION.—To be eligible to receive a grant under the pilot program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) PRIORITIZATION.—In selecting recipients under the pilot program, the Administrator shall give priority to—

“(i) an eligible entity that meets the affordability criteria of the applicable State established under section 1452(d)(3); and

“(ii) an eligible entity that is located in an area other than a State that has established affordability criteria under section 1452(d)(3).

“(4) REPORT.—Not later than 2 years after the Administrator first awards a grant under the pilot program, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing—

“(A) the recipients of grants under the pilot program;

“(B) the existing lead inventorying that was available to recipients of grants under the pilot program; and

“(C) how useful and accurate the lead inventorying described in subparagraph (B) was in locating lead service lines of the eligible entity.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program \$10,000,000, to remain available until expended.”

#### SEC. 106. OPERATIONAL SUSTAINABILITY OF SMALL PUBLIC WATER SYSTEMS.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) is amended by adding at the end the following:

#### “SEC. 1459E. OPERATIONAL SUSTAINABILITY OF SMALL PUBLIC WATER SYSTEMS.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a State;

“(B) a unit of local government;

“(C) a public corporation established by a unit of local government to provide water service;

“(D) a nonprofit corporation, public trust, or cooperative association that owns or operates a public water system;

“(E) an Indian Tribe that owns or operates a public water system;

“(F) a nonprofit organization that provides technical assistance to public water systems; and

“(G) a Tribal consortium.

“(2) OPERATIONAL SUSTAINABILITY.—The term ‘operational sustainability’ means the ability to improve the operation of a small system through the identification and prevention of potable water loss due to leaks, breaks, and other metering or infrastructure failures.

“(3) PROGRAM.—The term ‘program’ means the grant program established under subsection (b).

“(4) SMALL SYSTEM.—The term ‘small system’, for the purposes of this section, means a public water system that—

“(A) serves fewer than 10,000 people; and

“(B) is owned or operated by—

“(i) a unit of local government;

“(ii) a public corporation;

“(iii) a nonprofit corporation;

“(iv) a public trust;

“(v) a cooperative association; or

“(vi) an Indian Tribe.

“(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a program to award grants to eligible entities for the purpose of improving the operational sustainability of 1 or more small systems.

“(c) APPLICATIONS.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the project to be carried out using grant funds under the program;

“(2) documentation provided by the eligible entity describing the deficiencies or suspected deficiencies in operational sustainability of 1 or more small systems that are to be addressed through the proposed project;

“(3) a description of how the proposed project will improve the operational sustainability of 1 or more small systems;

“(4) a description of how the improvements described in paragraph (3) will be maintained beyond the life of the proposed project, including a plan to maintain and update any asset data collected as a result of the proposed project; and

“(5) any additional information the Administrator may require.

“(d) ADDITIONAL REQUIRED INFORMATION.—Before the award of funds for a grant under the program to a grant recipient, the grant recipient shall submit to the Administrator—

“(1) if the grant recipient is located in a State that has established a State drinking water treatment revolving loan fund under section 1452, a copy of a written agreement between the grant recipient and the State in which the grant recipient agrees to provide a copy of any data collected under the proposed project to the State agency administering the State drinking water treatment revolving loan fund (or a designee); or

“(2) if the grant recipient is located in an area other than a State that has established a State drinking water treatment revolving loan fund under section 1452, a copy of a written agreement between the grant recipient and the Administrator in which the eligible entity agrees to provide a copy of any data collected under the proposed project to the Administrator (or a designee).

“(e) USE OF FUNDS.—An eligible entity that receives a grant under the program shall use the grant funds to carry out projects that improve the operational sustainability of 1 or more small systems through—

“(1) the development of a detailed asset inventory, which may include drinking water sources, wells, storage, valves, treatment systems, distribution lines, hydrants, pumps, controls, and other essential infrastructure;

“(2) the development of an infrastructure asset map, including a map that uses technology such as—

“(A) geographic information system software; and

“(B) global positioning system software;

“(3) the deployment of leak detection technology;

“(4) the deployment of metering technology;

“(5) training in asset management strategies, techniques, and technologies for appropriate staff employed by—

“(A) the eligible entity; or

“(B) the small systems for which the grant was received;

“(6) the deployment of strategies, techniques, and technologies to enhance the operational sustainability and effective use of water resources through water reuse; and

“(7) the development or deployment of other strategies, techniques, or technologies that the Administrator may determine to be appropriate under the program.

“(f) COST SHARE.—The Federal share of the cost of a project carried out using a grant under the program shall be 90 percent of the total cost of the project.

“(g) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include a description of the use and deployment of amounts made available under the program.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2022 through 2026.”

#### SEC. 107. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 106) is amended by adding at the end the following:

#### “SEC. 1459F. MIDSIZE AND LARGE DRINKING WATER SYSTEM INFRASTRUCTURE RESILIENCE AND SUSTAINABILITY PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a public water system that serves a community with a population of 10,000 or more.

“(2) NATURAL HAZARD; RESILIENCE.—The terms ‘resilience’ and ‘natural hazard’ have the meanings given those terms in section 1433(h).

“(3) RESILIENCE AND SUSTAINABILITY PROGRAM.—The term ‘resilience and sustainability program’ means the Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program established under subsection (b).

“(b) ESTABLISHMENT.—The Administrator shall establish and carry out a program, to be known as the ‘Midsize and Large Drinking Water System Infrastructure Resilience and Sustainability Program’, under which the Administrator, subject to the availability of appropriations for the resilience and sustainability program, shall award grants to eligible entities for the purpose of—

“(1) increasing resilience to natural hazards and extreme weather events; and

“(2) reducing cybersecurity vulnerabilities.

“(c) USE OF FUNDS.—An eligible entity may only use grant funds received under the resilience and sustainability program to assist in the planning, design, construction, implementation, operation, or maintenance of a program or project that increases resilience to natural hazards and extreme weather events, or reduces cybersecurity vulnerabilities, through—



“(1) the conservation of water or the enhancement of water-use efficiency;

“(2) the modification or relocation of existing drinking water system infrastructure made, or that is at risk of being, significantly impaired by natural hazards or extreme weather events, including risks to drinking water from flooding;

“(3) the design or construction of new or modified desalination facilities to serve existing communities;

“(4) the enhancement of water supply through the use of watershed management and source water protection;

“(5) the enhancement of energy efficiency or the use and generation of renewable energy in the conveyance or treatment of drinking water;

“(6) the development and implementation of measures—

“(A) to increase the resilience of the eligible entity to natural hazards and extreme weather events; or

“(B) to reduce cybersecurity vulnerabilities;

“(7) the conservation of water or the enhancement of a water supply through the implementation of water reuse measures; or

“(8) the formation of regional water partnerships to collaboratively address documented water shortages.

“(d) APPLICATION.—To seek a grant under the resilience and sustainability program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the program or project to be planned, designed, constructed, implemented, operated, or maintained by the eligible entity;

“(2) an identification of the natural hazard risks, extreme weather events, or potential cybersecurity vulnerabilities, as applicable, to be addressed by the proposed program or project;

“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk, potential cybersecurity vulnerability, or risk for extreme weather events to the area where the proposed program or project is to be located;

“(4) a description of any recent natural hazards, cybersecurity events, or extreme weather events that have affected the community water system of the eligible entity;

“(5) a description of how the proposed program or project would improve the performance of the community water system of the eligible entity under the anticipated natural hazards, cybersecurity vulnerabilities, or extreme weather events; and

“(6) an explanation of how the proposed program or project is expected—

“(A) to enhance the resilience of the community water system of the eligible entity to the anticipated natural hazards or extreme weather events; or

“(B) to reduce cybersecurity vulnerabilities.

“(e) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the resilience and sustainability program, which shall include a description of the use and deployment of amounts made available to carry out the resilience and sustainability program.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the resilience and sustainability program \$50,000,000 for each of fiscal years 2022 through 2026.

“(2) USE OF FUNDS.—Of the amounts made available under paragraph (1) for grants to

eligible entities under the resilience and sustainability program—

“(A) 50 percent shall be used to provide grants to eligible entities that serve a population of—

“(i) equal to or greater than 10,000; and

“(ii) fewer than 100,000; and

“(B) 50 percent shall be used to provide grants to eligible entities that serve a population equal to or greater than 100,000.

“(3) ADMINISTRATIVE COSTS.—Of the amounts made available under paragraph (1), not more than 2 percent may be used by the Administrator for the administrative costs of carrying out the resilience and sustainability program.”.

#### **SEC. 108. NEEDS ASSESSMENT FOR NATIONWIDE RURAL AND URBAN LOW-INCOME COMMUNITY WATER ASSISTANCE.**

(a) DEFINITIONS.—In this section and section 109:

(1) COMMUNITY WATER SYSTEM.—The term “community water system” has the meaning given the term in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f).

(2) LARGE WATER SERVICE PROVIDER.—The term “large water service provider” means a community water system, treatment works, or municipal separate storm sewer system that serves more than 100,000 people.

(3) MEDIUM WATER SERVICE PROVIDER.—The term “medium water service provider” means a community water system, treatment works, or municipal separate storm sewer system that serves more than 10,000 people and not more than 100,000 people.

(4) NEED.—The term “need”, with respect to a qualifying household, means the expenditure of a disproportionate amount of household income on access to public drinking water or wastewater services.

(5) QUALIFYING HOUSEHOLD.—The term “qualifying household” means a household that—

(A) includes an individual who is—

(i) the holder of an account for drinking water or wastewater service that is provided to that household by a large water service provider, a medium water service provider, or a rural water service provider; or

(ii) separately billed by a landlord that holds an account with a large water service provider, a medium water service provider, or a rural water service provider for the cost of drinking water or wastewater service provided to that household by the respective large water service provider, medium water service provider, or rural water service provider; and

(B) is determined—

(i) by a large water service provider, a medium water service provider, or a rural water service provider to be eligible for assistance through a low-income ratepayer assistance program;

(ii) by the Governor of the State in which the household is located to be low-income, based on the affordability criteria established by the State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(3));

(iii) by the Administrator to experience drinking water and wastewater service costs that exceed the metrics of affordability established in the most recent guidance of the Administrator entitled “Financial Capability Assessment Guidance”; or

(iv) in the case of a household serviced by a rural water service provider, by the State in which the household is located to have an annual income that does not exceed the greater of—

(I) an amount equal to 150 percent of the poverty level of that State; and

(II) an amount equal to 60 percent of the State median income for that State.

(6) RURAL WATER SERVICE PROVIDER.—The term “rural water service provider” means a

community water system, treatment works, or municipal separate storm sewer system that serves not more than 10,000 people.

(7) TREATMENT WORKS.—The term “treatment works” has the meaning given the term in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292).

(b) STUDY; REPORT.—

(1) IN GENERAL.—The Administrator shall conduct, and submit to Congress a report describing the results of, a study that examines the prevalence throughout the United States of municipalities, public entities, or Tribal governments that—

(A) are serviced by rural water service providers, medium water service providers, or large water service providers that service a disproportionate percentage, as determined by the Administrator, of qualifying households with need; or

(B) as determined by the Administrator, have taken on an unsustainable level of debt due to customer nonpayment for the services provided by a large water service provider, a medium water service provider, or a rural water service provider.

(2) AFFORDABILITY INCLUSIONS.—The report under paragraph (1) shall include—

(A) a definition of the term “affordable access to water services”;

(B) a description of the criteria used in defining “affordable access to water services” under subparagraph (A);

(C) a definition of the term “lack of affordable access to water services”;

(D) a description of the methodology and criteria used in defining “lack of affordable access to water services” under subparagraph (C);

(E) a determination of the prevalence of a lack of affordable access to water services, as defined under subparagraph (C);

(F) the methodology and criteria used to determine the prevalence of a lack of affordable access to water services under subparagraph (E);

(G) any additional information with respect to the affordable access to water services, as defined under subparagraph (A), provided by rural water service providers, medium water service providers, and large water service providers;

(H) with respect to the development of the report, a consultation with all relevant stakeholders, including rural advocacy associations;

(I) recommendations of the Administrator regarding the best methods to reduce the prevalence of a lack of affordable access to water services, as defined under subparagraph (C); and

(J) a description of the cost of each method described in subparagraph (I).

(3) AGREEMENTS.—The Administrator may enter into an agreement with another Federal agency to carry out the study under paragraph (1).

#### **SEC. 109. RURAL AND LOW-INCOME WATER ASSISTANCE PILOT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a municipality, Tribal government, or other entity that—

(i) owns or operates a community water system, treatment works, or municipal separate storm sewer system; or

(ii) as determined by the Administrator, has taken on an unsustainable level of debt due to customer nonpayment for the services provided by a community water system, treatment works, or municipal separate storm sewer system; and

(B) a State exercising primary enforcement responsibility over a rural water service provider under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or the Federal

Water Pollution Control Act (33 U.S.C. 1251 et seq.), as applicable.

(2) **PILOT PROGRAM.**—The term “pilot program” means the pilot program established by the Administrator under subsection (b)(1).

(3) **WATER SERVICES NEEDS ASSESSMENT.**—The term “water services needs assessment” means the report required under section 108(b)(1).

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall establish a pilot program to award grants to eligible entities to develop and implement programs to assist qualifying households with need in maintaining access to drinking water and wastewater treatment.

(2) **REQUIREMENT.**—In establishing the pilot program, the Administrator shall ensure that data from the water services needs assessment directly contributes to the structure of the pilot program by informing the types of assistance and criteria used for priority consideration with the demonstrated need from the study conducted under section 108(b)(1) and the water services needs assessment.

(3) **USE OF FUNDS LIMITATIONS.**—A grant under the pilot program—

(A) shall not be used to replace funds for any existing similar program; but

(B) may be used to supplement or enhance an existing program, including a program that receives assistance from other Federal grants.

(4) **TERM.**—The term of a grant awarded under the pilot program shall be subject to the availability of appropriations.

(5) **TYPES OF ASSISTANCE.**—In establishing the pilot program, the Administrator may include provisions for—

(A) direct financial assistance;

(B) a lifeline rate;

(C) bill discounting;

(D) special hardship provisions;

(E) a percentage-of-income payment plan; or

(F) debt relief for the eligible entity or the community water system owned by the eligible entity for debt that is due to customer nonpayment for the services provided by the eligible entity or the community water system that is determined by the Administrator to be in the interest of public health.

(6) **REQUIREMENT.**—The Administrator shall award not more than 40 grants under the pilot program, of which—

(A) not more than 8 shall be to eligible entities that own, operate, or exercise primary enforcement responsibility over a rural water service provider under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) or the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as applicable;

(B) not more than 8 shall be to eligible entities that own or operate a medium water service provider;

(C) not more than 8 shall be to eligible entities that own or operate a large water service provider that serves not more than 500,000 people;

(D) not more than 8 shall be to eligible entities that own or operate a large water service provider that serves more than 500,000 people; and

(E) not more than 8 shall be to eligible entities that own or operate a community water system, treatment works, or municipal separate storm sewer system that services a disadvantaged community (consistent with the affordability criteria established by the applicable State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(3)) or section 603(i)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1383(i)(2)), as applicable).

(7) **CRITERIA.**—In addition to any priority criteria established by the Administrator in response to the findings in the water services needs assessment, in awarding grants under the pilot program, the Administrator shall give priority consideration to eligible entities that—

(A) serve a disproportionate percentage, as determined by the Administrator, of qualifying households with need, as identified in the water services needs assessment;

(B) are subject to State or Federal enforcement actions relating to compliance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or the Safe Drinking Water Act (42 U.S.C. 300f et seq.); or

(C) maintain or participate in an existing community assistance program with objectives similar to the objectives of the pilot program, as determined by the Administrator.

(8) **REPORTING REQUIREMENTS.**—

(A) **IN GENERAL.**—In addition to any other applicable Federal or agency-specific grant reporting requirements, as a condition of receiving a grant under the pilot program, an eligible entity (or a State, on behalf of an eligible entity) shall submit to the Administrator an annual report that summarizes, in a manner determined by the Administrator, the use of grant funds by the eligible entity, including—

(i) key features of the assistance provided by the eligible entity;

(ii) sources of funding used to supplement Federal funds; and

(iii) eligibility criteria.

(B) **PUBLICATION.**—The Administrator shall publish each report submitted under subparagraph (A).

(C) **TECHNICAL ASSISTANCE.**—The Administrator shall provide technical assistance to each eligible entity, and each State, on behalf of an eligible entity, that receives a grant under the pilot program to support implementation of the program.

(d) **REPORT.**—Not later than 2 years after the date on which grant funds are first disbursed to an eligible entity (or a State, on behalf of an eligible entity) under the program, and every year thereafter for the duration of the terms of the grants, the Administrator shall submit to Congress a report on the results of the pilot program.

#### **SEC. 110. LEAD CONTAMINATION IN SCHOOL DRINKING WATER.**

Section 1464 of the Safe Drinking Water Act (42 U.S.C. 300j-24) is amended—

(1) in subsection (b)—

(A) in the first sentence, by inserting “public water systems and” after “to assist”; and

(B) in the third sentence, by inserting “public water systems,” after “schools,”; and

(2) in subsection (d)—

(A) in the subsection heading, by inserting “AND REDUCTION” after “LEAD TESTING”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “the Administrator” and all that follows through the period at the end and inserting the following: “the Administrator shall establish a voluntary school and child care program lead testing, compliance monitoring, and lead reduction grant program to make grants available to—

“(i) States to assist local educational agencies, public water systems that serve schools and child care programs under the jurisdiction of those local educational agencies, and qualified nonprofit organizations in voluntary testing or compliance monitoring for and remediation of lead contamination in drinking water at schools and child care programs under the jurisdiction of those local educational agencies; and

“(ii) tribal consortia to assist tribal education agencies (as defined in section 3 of the

National Environmental Education Act (20 U.S.C. 5502)), public water systems that serve schools and child care programs under the jurisdiction of those tribal education agencies, and qualified nonprofit organizations in voluntary testing or compliance monitoring for and remediation of lead contamination in drinking water at schools and child care programs under the jurisdiction of those tribal education agencies.”; and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting “or compliance monitoring for or remediation of lead contamination” after “voluntary testing”; and

(II) in clause (i), by striking “or” at the end;

(III) in clause (ii), by striking the period at the end and inserting a semicolon; and

(IV) by adding at the end the following:

“(iii) any public water system that is located in a State that does not participate in the voluntary grant program established under subparagraph (A) that—

“(I) assists schools or child care programs in lead testing;

“(II) assists schools or child care programs with compliance monitoring;

“(III) assists schools with carrying out projects to remediate lead contamination in drinking water; or

“(IV) provides technical assistance to schools or child care programs in carrying out lead testing; or

“(iv) a qualified nonprofit organization, as determined by the Administrator.”;

(C) in paragraphs (3), (5), (6), and (7), by striking “State or local educational agency” each place it appears and inserting “State, local educational agency, public water system, tribal consortium, or qualified nonprofit organization”;

(D) in paragraph (4)—

(i) by striking “States and local educational agencies” and inserting “States, local educational agencies, public water systems, tribal consortia, and qualified nonprofit organizations”; and

(ii) by inserting “or the remediation of” after “testing for”; and

(E) in paragraph (6)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “State or local educational agency” and inserting “State, local educational agency, public water system, tribal consortium, or qualified nonprofit agency”; and

(II) by inserting “, public water system, tribal consortium, or qualified nonprofit organization” after “each local educational agency”;

(ii) in subparagraph (A)(ii)—

(I) by inserting “or tribal” after “applicable State”; and

(II) by striking “reducing lead” and inserting “voluntary testing or compliance monitoring for and remediation of lead contamination”; and

(iii) in subparagraph (B)(i), by inserting “applicable” before “local educational agency”;

(F) in paragraph (7), by striking “testing for” and inserting “testing or compliance monitoring for or remediation of”; and

(G) by striking paragraph (8) and inserting the following:

“(8) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this subsection—

“(A) \$30,000,000 for fiscal year 2022;

“(B) \$35,000,000 for fiscal year 2023;

“(C) \$40,000,000 for fiscal year 2024;

“(D) \$45,000,000 for fiscal year 2025; and

“(E) \$50,000,000 for fiscal year 2026.”.

**SEC. 111. INDIAN RESERVATION DRINKING WATER PROGRAM.**

Section 2001 of the America's Water Infrastructure Act of 2018 (42 U.S.C. 300j-3c note; Public Law 115-270) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “Subject to the availability of appropriations, the Administrator of the Environmental Protection Agency” and inserting “The Administrator of the Environmental Protection Agency (referred to in this section as the ‘Administrator’)”; and

(B) by striking “to implement” in the matter preceding paragraph (1) and all that follows through the period at the end of paragraph (2) and inserting “to implement eligible projects described in subsection (b).”;

(2) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) that will—

“(A) improve water quality, water pressure, or water services through means such as connecting to, expanding, repairing, improving, or obtaining water from a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)); or

“(B) improve water quality or sanitation or wastewater services at a treatment works (as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292)).”;

(3) by redesignating subsection (d) as subsection (f);

(4) by striking subsection (c) and inserting the following:

“(c) REQUIRED PROJECTS.—

“(1) IN GENERAL.—If sufficient projects exist, of the funds made available to carry out this section, the Administrator shall use 50 percent to carry out—

“(A) 10 eligible projects described in subsection (b) that are within the Upper Missouri River Basin;

“(B) 10 eligible projects described in subsection (b) that are within the Upper Rio Grande Basin;

“(C) 10 eligible projects described in subsection (b) that are within the Columbia River Basin;

“(D) 10 eligible projects described in subsection (b) that are within the Lower Colorado River Basin; and

“(E) 10 eligible projects described in subsection (b) that are within the Arkansas-White-Red River Basin.

“(2) REQUIREMENT.—In carrying out paragraph (1)(A), the Administrator shall select not fewer than 2 eligible projects for a reservation that serves more than 1 federally recognized Indian Tribe.

“(d) PRIORITY.—In selecting projects to carry out under this section, the Administrator shall give priority to projects that—

“(1) respond to emergency situations occurring due to or resulting in a lack of access to clean drinking water that threatens the health of Tribal populations;

“(2) would serve a Tribal population that would qualify as a disadvantaged community based on the affordability criteria established by the applicable State under section 1452(d)(3) of the Safe Drinking Water Act (42 U.S.C. 300j-12(d)(3)); or

“(3) would address the underlying factors contributing to—

“(A) an enforcement action commenced pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.) against the applicable public water system (as defined in section 1401 of that Act (42 U.S.C. 300f)) as of the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021; or

“(B) an enforcement action commenced pursuant to the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) against the applicable treatment works (as defined

in section 212 of that Act (33 U.S.C. 1292)) as of the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021.

“(e) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program established under subsection (a), which shall include a description of the use and deployment of amounts made available under that program.”; and

(5) in subsection (f) (as so redesignated)—

(A) by striking “There is” and inserting “There are”;

(B) by striking “subsection (a) \$20,000,000” and inserting the following: “subsection (a)—

“(1) \$20,000,000”;

(C) in paragraph (1) (as so designated), by striking “2022.” and inserting “2021; and”;

(D) by adding at the end the following:

“(2) \$50,000,000 for each of fiscal years 2022 through 2026.”.

**SEC. 112. ADVANCED DRINKING WATER TECHNOLOGIES.**

Part E of the Safe Drinking Water Act (42 U.S.C. 300j et seq.) (as amended by section 107) is amended by adding at the end the following:

**“SEC. 1459G. ADVANCED DRINKING WATER TECHNOLOGIES.****“(a) STUDY.—**

“(1) IN GENERAL.—Subject to the availability of appropriations, not later than 1 year after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall carry out a study that examines the state of existing and potential future technology, including technology that could address cybersecurity vulnerabilities, that enhances or could enhance the treatment, monitoring, affordability, efficiency, and safety of drinking water provided by a public water system.

“(2) REPORT.—The Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes the results of the study under paragraph (1).

**“(b) ADVANCED DRINKING WATER TECHNOLOGY GRANT PROGRAM.—**

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means the owner or operator of a public water system that—

“(i) serves—

“(I) a population of not more than 100,000 people; or

“(II) a community described in section 1459A(c)(2);

“(ii) has plans to identify or has identified opportunities in the operations of the public water system to employ new, existing, or emerging, yet proven, technologies, including technology that could address cybersecurity vulnerabilities, as determined by the Administrator, that enhance treatment, monitoring, affordability, efficiency, or safety of the drinking water provided by the public water system, including technologies not identified in the study conducted under subsection (a)(1); and

“(iii) has expressed an interest in the opportunities in the operation of the public water system to employ new, existing, or emerging, yet proven, technologies, including technology that could address cybersecurity vulnerabilities, as determined by the Administrator, that enhance treatment, monitoring, affordability, efficiency, or safety of the drinking water provided by the public water system, including technologies not identified in the study conducted under subsection (a)(1).

“(B) PROGRAM.—The term ‘program’ means the competitive grant program established under paragraph (2).

“(C) UNDERSERVED COMMUNITY.—The term ‘underserved community’ means a political subdivision of a State that, as determined by the Administrator, has an inadequate system for obtaining drinking water.

“(2) ESTABLISHMENT.—The Administrator shall establish a competitive grant program under which the Administrator shall award grants to eligible entities for the purpose of identifying, deploying, or identifying and deploying technologies described in paragraph (1)(A)(ii).

“(3) REQUIREMENTS.—

“(A) APPLICATIONS.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(B) FEDERAL SHARE.—The Federal share of the cost of a project carried out using a grant under the program shall not exceed 90 percent of the total cost of the project.

“(4) REPORT.—Not later than 2 years after the date on which the Administrator first awards a grant under the program, and annually thereafter, the Administrator shall submit to Congress a report describing—

“(A) each recipient of a grant under the program during the previous 1-year period; and

“(B) a summary of the activities carried out using grants awarded under the program.

“(5) FUNDING.—

“(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program \$10,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

“(B) ADMINISTRATIVE COSTS.—Not more than 2 percent of the amount made available for a fiscal year under subparagraph (A) to carry out the program may be used by the Administrator for the administrative costs of carrying out the program.”.

**SEC. 113. CYBERSECURITY SUPPORT FOR PUBLIC WATER SYSTEMS.**

Part B of the Safe Drinking Water Act (42 U.S.C. 300g et seq.) is amended by adding at the end the following:

**“SEC. 1420A. CYBERSECURITY SUPPORT FOR PUBLIC WATER SYSTEMS.**

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate Congressional committees’ means—

“(A) the Committee on Environment and Public Works of the Senate;

“(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(C) the Committee on Energy and Commerce of the House of Representatives; and

“(D) the Committee on Homeland Security of the House of Representatives.

“(2) DIRECTOR.—The term ‘Director’ means the Director of the Cybersecurity and Infrastructure Security Agency.

“(3) INCIDENT.—The term ‘incident’ has the meaning given the term in section 3552 of title 44, United States Code.

“(4) PRIORITIZATION FRAMEWORK.—The term ‘Prioritization Framework’ means the prioritization framework developed by the Administrator under subsection (b)(1)(A).

“(5) SUPPORT PLAN.—The term ‘Support Plan’ means the Technical Cybersecurity Support Plan developed by the Administrator under subsection (b)(2)(A).

“(b) IDENTIFICATION OF AND SUPPORT FOR PUBLIC WATER SYSTEMS.—

“(1) PRIORITIZATION FRAMEWORK.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of

2021, the Administrator, in coordination with the Director, shall develop a prioritization framework to identify public water systems (including sources of water for those public water systems) that, if degraded or rendered inoperable due to an incident, would lead to significant impacts on the health and safety of the public.

“(B) CONSIDERATIONS.—In developing the Prioritization Framework, to the extent practicable, the Administrator shall incorporate consideration of—

“(i) whether cybersecurity vulnerabilities for a public water system have been identified under section 1433;

“(ii) the capacity of a public water system to remediate a cybersecurity vulnerability without additional Federal support;

“(iii) whether a public water system serves a defense installation or critical national security asset; and

“(iv) whether a public water system, if degraded or rendered inoperable due to an incident, would cause a cascading failure of other critical infrastructure.

“(2) TECHNICAL CYBERSECURITY SUPPORT PLAN.—

“(A) IN GENERAL.—Not later than 270 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the Director and using existing authorities of the Administrator and the Director for providing voluntary support to public water systems and the Prioritization Framework, shall develop a Technical Cybersecurity Support Plan for public water systems.

“(B) REQUIREMENTS.—The Support Plan—

“(i) shall establish a methodology for identifying specific public water systems for which cybersecurity support should be prioritized;

“(ii) shall establish timelines for making voluntary technical support for cybersecurity available to specific public water systems;

“(iii) may include public water systems identified by the Administrator, in coordination with the Director, as needing technical support for cybersecurity;

“(iv) shall include specific capabilities of the Administrator and the Director that may be utilized to provide support to public water systems under the Support Plan, including—

“(I) site vulnerability and risk assessments;

“(II) penetration tests; and

“(III) any additional support determined to be appropriate by the Administrator; and

“(v) shall only include plans for providing voluntary support to public water systems.

“(3) CONSULTATION REQUIRED.—In developing the Prioritization Framework pursuant to paragraph (1) and the Support Plan pursuant to paragraph (2), the Administrator shall consult with such Federal or non-Federal entities as determined to be appropriate by the Administrator.

“(4) REPORTS REQUIRED.—

“(A) PRIORITIZATION FRAMEWORK.—Not later than 190 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the appropriate Congressional committees a report describing the Prioritization Framework.

“(B) TECHNICAL CYBERSECURITY SUPPORT PLAN.—Not later than 280 days after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the appropriate Congressional committees—

“(i) the Support Plan; and

“(ii) a list describing any public water systems identified by the Administrator, in coordination with the Director, as needing

technical support for cybersecurity during the development of the Support Plan.

“(c) RULES OF CONSTRUCTION.—Nothing in this section—

“(1) alters the existing authorities of the Administrator; or

“(2) compels a public water system to accept technical support offered by the Administrator.”.

## TITLE II—CLEAN WATER

### SEC. 201. RESEARCH, INVESTIGATIONS, TRAINING, AND INFORMATION.

(a) REAUTHORIZATION.—Section 104(u) of the Federal Water Pollution Control Act (33 U.S.C. 1254(u)) is amended—

(1) by striking “and (7)” and inserting “(7)”; and

(2) in paragraph (7)—

(A) by striking “2023” and inserting “2021”; and

(B) by striking the period at the end and inserting “; and (8) not to exceed \$75,000,000 for each of fiscal years 2022 through 2026 for carrying out subsections (b)(3), (b)(8), and (g), of which not less than \$50,000,000 each fiscal year shall be used to carry out subsection (b)(8).”.

(b) COMMUNICATION.—Each nonprofit organization that receives funding under paragraph (8) of section 104(b) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)) shall, before using that funding to undertake activities to carry out that paragraph, consult with the State in which the assistance is to be expended or otherwise made available.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report that describes the implementation of the grants authorized under subsections (b)(3), (b)(8), and (g) of section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254), which shall include a description of the grant recipients and grant amounts made available to carry out those subsections.

### SEC. 202. WASTEWATER EFFICIENCY GRANT PILOT PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) is amended by adding at the end the following:

#### “SEC. 222. WASTEWATER EFFICIENCY GRANT PILOT PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a wastewater efficiency grant pilot program (referred to in this section as the ‘pilot program’) to award grants to owners or operators of publicly owned treatment works to carry out projects that create or improve waste-to-energy systems.

“(b) SELECTION.—

“(1) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an owner or operator of a treatment works shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

“(2) NUMBER OF RECIPIENTS.—The Administrator shall select not more than 15 recipients of grants under the pilot program from applications submitted under paragraph (1).

“(c) USE OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), a recipient of a grant under the pilot program may use grant funds for—

“(A) sludge collection;

“(B) installation of anaerobic digesters;

“(C) methane capture;

“(D) methane transfer;

“(E) facility upgrades and retrofits necessary to create or improve waste-to-energy systems; and

“(F) other new and emerging, but proven, technologies that transform waste to energy.

“(2) LIMITATION.—A grant to a recipient under the pilot program shall be not more than \$4,000,000.

“(d) REPORTS.—

“(1) REPORT TO THE ADMINISTRATOR.—Not later than 2 years after receiving a grant under the pilot program and each year thereafter for which amounts are made available for the pilot program under subsection (e), the recipient of the grant shall submit to the Administrator a report describing the impact of that project on the communities within 3 miles of the treatment works.

“(2) REPORT TO CONGRESS.—Not later than 1 year after first awarding grants under the pilot program and each year thereafter for which amounts are made available for the pilot program under subsection (e), the Administrator shall submit to Congress a report describing—

“(A) the applications received by the Administrator for grants under the pilot program; and

“(B) the projects for which grants were awarded under the pilot program.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the pilot program \$20,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

### SEC. 203. PILOT PROGRAM FOR ALTERNATIVE WATER SOURCE PROJECTS.

Section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300) is amended—

(1) in subsection (b), in the heading, by striking “IN GENERAL” and inserting “ESTABLISHMENT”;

(2) in subsection (d)—

(A) in paragraph (1), by inserting “construction” before “funds”;

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2);

(3) by striking subsection (e);

(4) in subsection (i)—

(A) in the matter preceding paragraph (1), by striking “, the following definitions apply”;

(B) in paragraph (1), in the first sentence, by striking “water or wastewater or by treating wastewater” and inserting “water, wastewater, or stormwater or by treating wastewater or stormwater for groundwater recharge, potable reuse, or other purposes”;

(5) in subsection (j)—

(A) in the first sentence, by striking “There is” and inserting the following:

“(1) IN GENERAL.—There is”;

(B) in paragraph (1) (as so designated), by striking “a total of \$75,000,000 for fiscal years 2002 through 2004. Such sums shall” and inserting “\$25,000,000 for each of fiscal years 2022 through 2026, to”;

(C) by adding at the end the following:

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”; and

(6) by redesignating subsections (b), (c), (d), (i), and (j) as subsections (c), (d), (e), (b), and (i), respectively, and moving those subsections so as to appear in alphabetical order.

### SEC. 204. SEWER OVERFLOW AND STORMWATER REUSE MUNICIPAL GRANTS.

Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (A), by striking “and” at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

“(B) notification systems to inform the public of combined sewer or sanitary overflows that result in sewage being released into rivers and other waters; and”;

(2) in subsection (d)—

(A) in the second sentence, by striking “The non-Federal share of the cost” and inserting the following:

“(3) TYPES OF NON-FEDERAL SHARE.—The applicable non-Federal share of the cost under this subsection”;

(B) in the first sentence, by striking “The Federal” and inserting the following:

“(1) IN GENERAL.—The Federal”;

(C) by inserting after paragraph (1) (as so designated) the following:

“(2) RURAL AND FINANCIALLY DISTRESSED COMMUNITIES.—To the maximum extent practicable, the Administrator shall work with States to prevent the non-Federal share requirements under this subsection from being passed on to rural communities and financially distressed communities (as those terms are defined in subsection (f)(2)(B)(i)).”;

(3) in subsection (f)—

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

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$280,000,000 for each of fiscal years 2022 through 2026.”;

(B) in paragraph (2)—

(i) by striking “To the extent” and inserting the following:

“(A) GREEN PROJECTS.—To the extent”;

(ii) by adding at the end the following:

“(B) RURAL OR FINANCIALLY DISTRESSED COMMUNITY ALLOCATION.—

“(i) DEFINITIONS.—In this subparagraph:

“(I) FINANCIALLY DISTRESSED COMMUNITY.—The term ‘financially distressed community’ has the meaning given the term in subsection (c)(1).

“(II) RURAL COMMUNITY.—The term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

“(ii) ALLOCATION.—

“(I) IN GENERAL.—To the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 25 percent of the amount of the grants made to the State under subsection (a) in a fiscal year to carry out projects in rural communities or financially distressed communities for the purpose of planning, design, and construction of—

“(aa) treatment works to intercept, transport, control, treat, or reuse municipal sewer overflows, sanitary sewer overflows, or stormwater; or

“(bb) any other measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water eligible for assistance under section 603(c).

“(II) RURAL COMMUNITIES.—Of the funds allocated under subclause (I) for the purposes described in that subclause, to the extent there are sufficient eligible project applications, the Administrator shall ensure that a State uses not less than 60 percent to carry out projects in rural communities.”; and

(4) in subsection (i)—

(A) in the second sentence, by striking “The recommended funding levels” and inserting the following:

“(B) REQUIREMENT.—The funding levels recommended under subparagraph (A)(i)”;

(B) in the first sentence, by striking “Not later” and inserting the following:

“(1) PERIODIC REPORTS.—

“(A) IN GENERAL.—Not later”;

(C) in paragraph (1)(A) (as so designated)—

(i) by striking the period at the end and inserting “; and”;

(ii) by striking “containing recommended”

and inserting the following: “containing—

“(i) recommended”;

(iii) by adding at the end the following:

“(ii) a description of the extent to which States pass costs associated with the non-Federal share requirements under subsection (d) to local communities, with a focus on rural communities and financially distressed communities (as those terms are defined in subsection (f)(2)(B)(i)).”;

(D) by adding at the end the following:

“(2) USE OF FUNDS.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the implementation of the grant program under this section, which shall include a description of the grant recipients, sources of funds for non-Federal share requirements under subsection (d), and grant amounts made available under the program.”.

#### SEC. 205. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 202) is amended by adding at the end the following:

#### “SEC. 223. CLEAN WATER INFRASTRUCTURE RESILIENCY AND SUSTAINABILITY PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a municipality; or

“(B) an intermunicipal, interstate, or State agency.

“(2) NATURAL HAZARD.—The term ‘natural hazard’ means a hazard caused by natural forces, including extreme weather events, sea-level rise, and extreme drought conditions.

“(3) PROGRAM.—The term ‘program’ means the clean water infrastructure resilience and sustainability program established under subsection (b).

“(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a clean water infrastructure resilience and sustainability program under which the Administrator shall award grants to eligible entities for the purpose of increasing the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities.

“(c) USE OF FUNDS.—An eligible entity that receives a grant under the program shall use the grant funds for planning, designing, or constructing projects (on a system-wide or area-wide basis) that increase the resilience of a publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities through—

“(1) the conservation of water;

“(2) the enhancement of water use efficiency;

“(3) the enhancement of wastewater and stormwater management by increasing watershed preservation and protection, including through the use of—

“(A) natural and engineered green infrastructure; and

“(B) reclamation and reuse of wastewater and stormwater, such as aquifer recharge zones;

“(4) the modification or relocation of an existing publicly owned treatment works, conveyance, or discharge system component that is at risk of being significantly impaired or damaged by a natural hazard;

“(5) the development and implementation of projects to increase the resilience of publicly owned treatment works to a natural hazard or cybersecurity vulnerabilities, as applicable; or

“(6) the enhancement of energy efficiency or the use and generation of recovered or re-

newable energy in the management, treatment, or conveyance of wastewater or stormwater.

“(d) APPLICATION.—To be eligible to receive a grant under the program, an eligible entity shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require, including—

“(1) a proposal of the project to be planned, designed, or constructed using funds under the program;

“(2) an identification of the natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerability, as applicable, to be addressed by the proposed project;

“(3) documentation prepared by a Federal, State, regional, or local government agency of the natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerability, as applicable, of the area where the proposed project is to be located;

“(4) a description of any recent natural hazard risk of the area where the proposed project is to be located or potential cybersecurity vulnerabilities that have affected the publicly owned treatment works;

“(5) a description of how the proposed project would improve the performance of the publicly owned treatment works under an anticipated natural hazard or natural hazard risk of the area where the proposed project is to be located or a potential cybersecurity vulnerability, as applicable; and

“(6) an explanation of how the proposed project is expected to enhance the resilience of the publicly owned treatment works to a natural hazard risk of the area where the proposed project is to be located or a potential cybersecurity vulnerability, as applicable.

“(e) GRANT AMOUNT AND OTHER FEDERAL REQUIREMENTS.—

“(1) COST SHARE.—A grant under the program shall not exceed 75 percent of the total cost of the proposed project.

“(2) REQUIREMENTS.—The requirements of section 608 shall apply to a project funded with a grant under the program.

“(f) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator shall submit to Congress a report that describes the implementation of the program, which shall include an accounting of all grants awarded under the program, including a description of each grant recipient and each project funded using a grant under the program.

“(g) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2022 through 2026.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

#### SEC. 206. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 205) is amended by adding at the end the following:

#### “SEC. 224. SMALL AND MEDIUM PUBLICLY OWNED TREATMENT WORKS CIRCUIT RIDER PROGRAM.

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this section, the Administrator shall establish a circuit rider program (referred to in this section as the ‘circuit rider program’) under which the Administrator shall award grants

to qualified nonprofit entities, as determined by the Administrator, to provide assistance to owners and operators of small and medium publicly owned treatment works to carry out the activities described in section 602(b)(13).

“(b) LIMITATION.—A grant provided under the circuit rider program shall be in an amount that is not more than \$75,000.

“(c) PRIORITIZATION.—In selecting recipients of grants under the circuit rider program, the Administrator shall give priority to qualified nonprofit entities, as determined by the Administrator, that would serve a community that—

“(1) has a history, for not less than the 10 years prior to the award of the grant, of unresolved wastewater issues, stormwater issues, or a combination of wastewater and stormwater issues;

“(2) is considered financially distressed;

“(3) faces the cumulative burden of stormwater and wastewater overflow issues; or

“(4) has previously failed to access Federal technical assistance due to cost-sharing requirements.

“(d) COMMUNICATION.—Each qualified nonprofit entity that receives funding under this section shall, before using that funding to undertake activities to carry out this section, consult with the State in which the assistance is to be expended or otherwise made available.

“(e) REPORT.—Not later than 2 years after the date on which the Administrator establishes the circuit rider program, and every 2 years thereafter, the Administrator shall submit to Congress a report describing—

“(1) each recipient of a grant under the circuit rider program; and

“(2) a summary of the activities carried out under the circuit rider program.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$10,000,000 for the period of fiscal years 2022 through 2026.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

#### **SEC. 207. SMALL PUBLICLY OWNED TREATMENT WORKS EFFICIENCY GRANT PROGRAM.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 206) is amended by adding at the end the following:

#### **“SEC. 225. SMALL PUBLICLY OWNED TREATMENT WORKS EFFICIENCY GRANT PROGRAM.**

“(a) ESTABLISHMENT.—Subject to the availability of appropriations, not later than 180 days after the date of enactment of this section, the Administrator shall establish an efficiency grant program (referred to in this section as the ‘efficiency grant program’) under which the Administrator shall award grants to eligible entities for the replacement or repair of equipment that improves water or energy efficiency of small publicly owned treatment works, as identified in an efficiency audit.

“(b) ELIGIBLE ENTITIES.—The Administrator may award a grant under the efficiency grant program to—

“(1) an owner or operator of a small publicly owned treatment works that serves—

“(A) a population of not more than 10,000 people; or

“(B) a disadvantaged community; or

“(2) a nonprofit organization that seeks to assist a small publicly owned treatment works described in paragraph (1) to carry out the activities described in subsection (a).

“(c) REPORT.—Not later than 2 years after the date on which the Administrator estab-

lishes the efficiency grant program, and every 2 years thereafter, the Administrator shall submit to Congress a report describing—

“(1) each recipient of a grant under the efficiency grant program; and

“(2) a summary of the activities carried out under the efficiency grant program.

“(d) USE OF FUNDS.—

“(1) SMALL SYSTEMS.—Of the amounts made available for grants under this section, to the extent that there are sufficient applications, not less than 15 percent shall be used for grants to publicly owned treatment works that serve fewer than 3,300 people.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under this section, not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

#### **SEC. 208. GRANTS FOR CONSTRUCTION AND RE-FURNISHING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 207) is amended by adding at the end the following:

#### **“SEC. 226. GRANTS FOR CONSTRUCTION AND RE-FURNISHING OF INDIVIDUAL HOUSEHOLD DECENTRALIZED WASTEWATER SYSTEMS FOR INDIVIDUALS WITH LOW OR MODERATE INCOME.**

“(a) DEFINITION OF ELIGIBLE INDIVIDUAL.—In this section, the term ‘eligible individual’ means a member of a low-income or moderate-income household, the members of which have a combined income (for the most recent 12-month period for which information is available) equal to not more than 50 percent of the median nonmetropolitan household income for the State or territory in which the household is located, according to the most recent decennial census.

“(b) GRANT PROGRAM.—

“(1) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish a program under which the Administrator shall provide grants to private nonprofit organizations for the purpose of improving general welfare by providing assistance to eligible individuals—

“(A) for the construction, repair, or replacement of an individual household decentralized wastewater treatment system; or

“(B) for the installation of a larger decentralized wastewater system designed to provide treatment for 2 or more households in which eligible individuals reside, if—

“(i) site conditions at the households are unsuitable for the installation of an individually owned decentralized wastewater system;

“(ii) multiple examples of unsuitable site conditions exist in close geographic proximity to each other; and

“(iii) a larger decentralized wastewater system could be cost-effectively installed.

“(2) APPLICATION.—To be eligible to receive a grant under this subsection, a private nonprofit organization shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator determines to be appropriate.

“(3) PRIORITY.—In awarding grants under this subsection, the Administrator shall give priority to applicants that have substantial expertise and experience in promoting the safe and effective use of individual household decentralized wastewater systems.

“(4) ADMINISTRATIVE EXPENSES.—A private nonprofit organization may use amounts provided under this subsection to pay the administrative expenses associated with the provision of the services described in paragraph (1), as the Administrator determines to be appropriate.

“(c) GRANTS.—

“(1) IN GENERAL.—Subject to paragraph (2), a private nonprofit organization shall use a grant provided under subsection (b) for the services described in paragraph (1) of that subsection.

“(2) APPLICATION.—To be eligible to receive the services described in subsection (b)(1), an eligible individual shall submit to the private nonprofit organization serving the area in which the individual household decentralized wastewater system of the eligible individuals is, or is proposed to be, located an application at such time, in such manner, and containing such information as the private nonprofit organization determines to be appropriate.

“(3) PRIORITY.—In awarding grants under this subsection, a private nonprofit organization shall give priority to any eligible individual who does not have access to a sanitary sewage disposal system.

“(d) REPORT.—Not later than 2 years after the date of enactment of this section, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the recipients of grants under the program under this section and the results of the program under this section.

“(e) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the Administrator to carry out this section \$50,000,000 for each of fiscal years 2022 through 2026.

“(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”.

#### **SEC. 209. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.**

Title II of the Federal Water Pollution Control Act (33 U.S.C. 1281 et seq.) (as amended by section 208) is amended by adding at the end the following:

#### **“SEC. 227. CONNECTION TO PUBLICLY OWNED TREATMENT WORKS.**

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) an owner or operator of a publicly owned treatment works that assists or is seeking to assist low-income or moderate-income individuals with connecting the household of the individual to the publicly owned treatment works; or

“(B) a nonprofit entity that assists low-income or moderate-income individuals with the costs associated with connecting the household of the individual to a publicly owned treatment works.

“(2) PROGRAM.—The term ‘program’ means the competitive grant program established under subsection (b).

“(3) QUALIFIED INDIVIDUAL.—The term ‘qualified individual’ has the meaning given the term ‘eligible individual’ in section 603(j).

“(b) ESTABLISHMENT.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant program with the purpose of improving general welfare, under which the Administrator awards grants to eligible entities to provide funds to assist qualified individuals in covering the costs incurred by the qualified individual in connecting the household of the qualified individual to a publicly owned treatment works.

“(c) APPLICATION.—

“(1) IN GENERAL.—An eligible entity seeking a grant under the program shall submit to the Administrator an application at such time, in such manner, and containing such



information as the Administrator may by regulation require.

“(2) REQUIREMENT.—Not later than 90 days after the date on which the Administrator receives an application from an eligible entity under paragraph (1), the Administrator shall notify the eligible entity of whether the Administrator will award a grant to the eligible entity under the program.

“(d) SELECTION CRITERIA.—In selecting recipients of grants under the program, the Administrator shall use the following criteria:

“(1) Whether the eligible entity seeking a grant provides services to, or works directly with, qualified individuals.

“(2) Whether the eligible entity seeking a grant—

“(A) has an existing program to assist in covering the costs incurred in connecting a household to a publicly owned treatment works; or

“(B) seeks to create a program described in subparagraph (A).

“(e) REQUIREMENTS.—

“(1) VOLUNTARY CONNECTION.—Before providing funds to a qualified individual for the costs described in subsection (b), an eligible entity shall ensure that—

“(A) the qualified individual has connected to the publicly owned treatment works voluntarily; and

“(B) if the eligible entity is not the owner or operator of the publicly owned treatment works to which the qualified individual has connected, the publicly owned treatment works to which the qualified individual has connected has agreed to the connection.

“(2) REIMBURSEMENTS FROM PUBLICLY OWNED TREATMENT WORKS.—An eligible entity that is an owner or operator of a publicly owned treatment works may reimburse a qualified individual that has already incurred the costs described in subsection (b) by—

“(A) reducing the amount otherwise owed by the qualified individual to the owner or operator for wastewater or other services provided by the owner or operator; or

“(B) providing a direct payment to the qualified individual.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out the program \$40,000,000 for each of fiscal years 2022 through 2026.

“(2) LIMITATIONS ON USE OF FUNDS.—

“(A) SMALL SYSTEMS.—Of the amounts made available for grants under paragraph (1), to the extent that there are sufficient applications, not less than 15 percent shall be used to make grants to—

“(i) eligible entities described in subsection (a)(1)(A) that are owners and operators of publicly owned treatment works that serve fewer than 3,300 people; and

“(ii) eligible entities described in subsection (a)(1)(B) that provide the assistance described in that subsection in areas that are served by publicly owned treatment works that serve fewer than 3,300 people.

“(B) ADMINISTRATIVE COSTS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.”

#### SEC. 210. CLEAN WATER STATE REVOLVING FUNDS.

(a) USE OF FUNDS.—

(1) IN GENERAL.—Section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) is amended—

(A) in subsection (d), in the matter preceding paragraph (1), by inserting “and provided in subsection (k)” after “State law”; and

(B) in subsection (1)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “, in-

cluding forgiveness of principal and negative interest loans” and inserting “(including forgiveness of principal, grants, negative interest loans, other loan forgiveness, and through buying, refinancing, or restructuring debt)”; and

(ii) in paragraph (3), by striking subparagraph (B) and inserting the following:

“(B) TOTAL AMOUNT OF SUBSIDIZATION.—

“(i) IN GENERAL.—For each fiscal year, of the amount of the capitalization grant received by the State under this title, the total amount of additional subsidization made available by a State under paragraph (1)—

“(I) may not exceed 30 percent; and

“(II) to the extent that there are sufficient applications for assistance to communities described in that paragraph, may not be less than 10 percent.

“(ii) EXCLUSION.—A loan from the water pollution control revolving fund of a State with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization for purposes of this subparagraph.”; and

(C) by adding at the end the following:

“(k) ADDITIONAL USE OF FUNDS.—A State may use an additional 2 percent of the funds annually awarded to each State under this title for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works (within the meaning of section 104(b)(8)(B)) in the State.”

(2) TECHNICAL AMENDMENT.—Section 104(w) of the Federal Water Pollution Control Act (33 U.S.C. 1254(w)) is amended by striking “treatment works” and inserting “treatment works”.

(b) CAPITALIZATION GRANT REAUTHORIZATION.—Section 607 of the Federal Water Pollution Control Act (33 U.S.C. 1387) is amended to read as follows:

#### “SEC. 607. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out the purposes of this title—

“(1) \$2,400,000,000 for fiscal year 2022;

“(2) \$2,750,000,000 for fiscal year 2023;

“(3) \$3,000,000,000 for fiscal year 2024; and

“(4) \$3,250,000,000 for each of fiscal years 2025 and 2026.”

#### SEC. 211. WATER INFRASTRUCTURE AND WORKFORCE INVESTMENT.

Section 4304 of the America's Water Infrastructure Act of 2018 (42 U.S.C. 300j-19e) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), by inserting “Tribal,” after “State,”; and

(B) in subparagraph (B), by striking “community-based organizations” and all that follows through the period at the end and inserting the following: “community-based organizations and public works departments or agencies to align water and wastewater utility workforce recruitment efforts, training programs, retention efforts, and community resources with water and wastewater utilities—

“(i) to accelerate career pipelines;

“(ii) to ensure the sustainability of the water and wastewater utility workforce; and

“(iii) to provide access to workforce opportunities.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (B);

(ii) in subparagraph (A), by striking “; and” at the end and inserting “, which may include—”

(iii) in the matter preceding subparagraph (A), by striking “program—” and all that follows through “to assist” in subparagraph (A) and inserting “program to assist”; and

(iv) by adding at the end the following:

“(A) expanding the use and availability of activities and resources that relate to the recruitment, including the promotion of diversity within that recruitment, of individuals to careers in the water and wastewater utility sector;

“(B) expanding the availability of training opportunities for—

“(i) individuals entering into the water and wastewater utility sector; and

“(ii) individuals seeking to advance careers within the water and wastewater utility sector; and

“(C) expanding the use and availability of activities and strategies, including the development of innovative activities and strategies, that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector.”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “institutions—” and inserting “institutions, or public works departments and agencies—”; and

(ii) in subparagraph (A)—

(I) by striking clauses (ii) and (iii);

(II) in clause (i), by adding “or” at the end;

(III) by redesignating clause (i) as clause (ii);

(IV) by inserting before clause (ii) (as so redesignated) the following:

“(i) in the development of educational or recruitment materials and activities, including those materials and activities that specifically promote diversity within recruitment, for the water and wastewater utility workforce;”; and

(V) by adding at the end the following:

“(iii) developing activities and strategies that relate to the maintenance and retention of a sustainable workforce in the water and wastewater utility sector; and”;

(C) in paragraph (3)—

(i) in subparagraph (D)(ii), by inserting “or certification” after “training”; and

(ii) in subparagraph (E), by striking “ensure that incumbent water and waste water utilities workers” and inserting “are designed to retain incumbent water and wastewater utility workforce workers by ensuring that those workers”; and

(D) by striking paragraph (4) and inserting the following:

“(4) WORKING GROUP; REPORT.—

“(A) IN GENERAL.—The Administrator shall establish and coordinate a Federal inter-agency working group to address recruitment, training, and retention challenges in the water and wastewater utility workforce, which shall include representatives from—

“(i) the Department of Education;

“(ii) the Department of Labor;

“(iii) the Department of Agriculture;

“(iv) the Department of Veterans Affairs; and

“(v) other Federal agencies, as determined to be appropriate by the Administrator.

“(B) REPORT.—Not later than 2 years after the date of enactment of the Drinking Water and Wastewater Infrastructure Act of 2021, the Administrator, in coordination with the working group established under subparagraph (A), shall submit to Congress a report describing potential solutions to recruitment, training, and retention challenges in the water and wastewater utility workforce.

“(C) CONSULTATION.—In carrying out the duties of the working group established under subparagraph (A), the working group shall consult with State operator certification programs.

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2022 through 2026.”;

(3) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively; and

(4) by inserting before subsection (b) (as so redesignated) the following:

“(a) DEFINITION OF PUBLIC WORKS DEPARTMENT OR AGENCY.—In this section, the term ‘public works department or agency’ means a political subdivision of a local, county, or regional government that designs, builds, operates, and maintains water infrastructure, sewage and refuse disposal systems, and other public water systems and facilities.”.

**SEC. 212. GRANTS TO ALASKA TO IMPROVE SANITATION IN RURAL AND NATIVE VILLAGES.**

Section 303(e) of the Safe Drinking Water Act Amendments of 1996 (33 U.S.C. 1263a(e)) is amended by striking “this section” and all that follows through the period at the end and inserting the following: “this section—

“(1) \$40,000,000 for each of fiscal years 2022 through 2024;

“(2) \$50,000,000 for fiscal year 2025; and

“(3) \$60,000,000 for fiscal year 2026.”.

**SEC. 213. WATER DATA SHARING PILOT PROGRAM.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall establish a competitive grant pilot program (referred to in this section as the “pilot program”) under which the Administrator may award grants to eligible entities under subsection (b) to establish systems that improve the sharing of information concerning water quality, water infrastructure needs, and water technology, including cybersecurity technology, between States or among counties and other units of local government within a State, which may include—

(A) establishing a website or data hub to exchange water data, including data on water quality or water technology, including new and emerging, but proven, water technology; and

(B) intercounty communications initiatives related to water data.

(2) REQUIREMENTS.—

(A) DATA SHARING.—The Internet of Water principles developed by the Nicholas Institute for Environmental Policy Solutions shall, to the extent practicable, guide any water data sharing efforts under the pilot program.

(B) USE OF EXISTING DATA.—The recipient of a grant under the pilot program to establish a website or data hub described in paragraph (1)(A) shall, to the extent practicable, leverage existing data sharing infrastructure.

(b) ELIGIBLE ENTITIES.—An entity eligible for a grant under the pilot program is—

(1) a State, county, or other unit of local government that—

(A) has a coastal watershed with significant pollution levels;

(B) has a water system with significant pollution levels; or

(C) has significant individual water infrastructure deficits; or

(2) a regional consortium established under subsection (d).

(c) APPLICATIONS.—To be eligible to receive a grant under the pilot program, an eligible entity under subsection (b) shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(d) REGIONAL CONSORTIA.—

(1) ESTABLISHMENT.—States may establish regional consortia in accordance with this subsection.

(2) REQUIREMENTS.—A regional consortium established under paragraph (1) shall—

(A) include not fewer than 2 States that have entered into a memorandum of understanding—

(i) to exchange water data, including data on water quality; or

(ii) to share information, protocols, and procedures with respect to projects that evaluate, demonstrate, or install new and emerging, but proven, water technology;

(B) carry out projects—

(i) to exchange water data, including data on water quality; or

(ii) that evaluate, demonstrate, or install new and emerging, but proven, water technology; and

(C) develop a regional intended use plan, in accordance with paragraph (3), to identify projects to carry out, including projects using grants received under this section.

(3) REGIONAL INTENDED USE PLAN.—A regional intended use plan of a regional consortium established under paragraph (1)—

(A) shall identify projects that the regional consortium intends to carry out, including projects that meet the requirements of paragraph (2)(B); and

(B) may include—

(i) projects included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium; and

(ii) projects not included in an intended use plan of a State prepared under section 606(c) of the Federal Water Pollution Control Act (33 U.S.C. 1386(c)) within the regional consortium.

(e) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report that describes the implementation of the pilot program, which shall include—

(1) a description of the use and deployment of amounts made available under the pilot program; and

(2) an accounting of all grants awarded under the program, including a description of each grant recipient and each project funded using a grant under the pilot program.

(f) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the pilot program \$15,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.

(2) REQUIREMENT.—Of the funds made available under paragraph (1), not more than 35 percent may be used to provide grants to regional consortia established under subsection (d).

**SEC. 214. FINAL RATING OPINION LETTERS.**

Section 5028(a)(1)(D)(ii) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3907(a)(1)(D)(ii)) is amended by striking “final rating opinion letters from at least 2 rating agencies” and inserting “a final rating opinion letter from at least 1 rating agency”.

**SEC. 215. WATER INFRASTRUCTURE FINANCING REAUTHORIZATION.**

(a) IN GENERAL.—Section 5033 of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3912) is amended—

(1) in subsection (a), by adding at the end the following:

“(3) FISCAL YEARS 2022 THROUGH 2026.—There is authorized to be appropriated to the Administrator to carry out this subtitle \$50,000,000 for each of fiscal years 2022 through 2026, to remain available until expended.”;

(2) in subsection (b)(2)—

(A) in the paragraph heading, by striking “2020 AND 2021” and inserting “AFTER 2019”; and

(B) by striking “2020 and 2021” and inserting “2022 through 2026”; and

(3) in subsection (e)(1), by striking “2020 and 2021” and inserting “2022 through 2026”.

(b) OUTREACH PLAN.—The Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.) is amended by adding at the end the following:

**“SEC. 5036. OUTREACH PLAN.**

“(a) DEFINITION OF RURAL COMMUNITY.—In this section, the term ‘rural community’ means a city, town, or unincorporated area that has a population of not more than 10,000 inhabitants.

“(b) OUTREACH REQUIRED.—Not later than 180 days after the date of enactment of this section, the Administrator, in consultation with relevant Federal agencies, shall develop and begin implementation of an outreach plan to promote financial assistance available under this subtitle to small communities and rural communities.”.

**SEC. 216. SMALL AND DISADVANTAGED COMMUNITY ANALYSIS.**

(a) ANALYSIS.—Not later than 2 years after the date of enactment of this Act, using environmental justice data of the Environmental Protection Agency, including data from the environmental justice mapping and screening tool of the Environmental Protection Agency, the Administrator shall carry out an analysis under which the Administrator shall assess the programs under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.) and section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) to identify historical distributions of funds to small and disadvantaged communities and new opportunities and methods to improve on the distribution of funds under those programs to low-income communities, rural communities, minority communities, and communities of indigenous peoples, in accordance with Executive Order 12898 (42 U.S.C. 4321 note; 60 Fed. Reg. 6381; relating to Federal actions to address environmental justice in minority populations and low-income communities).

(b) REQUIREMENT.—The analysis under subsection (a) shall include an analysis, to the extent practicable, of communities in the United States that do not have access to drinking water or wastewater services.

(c) REPORT.—On completion of the analysis under subsection (a), the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committees on Energy and Commerce and Transportation and Infrastructure of the House of Representatives a report describing—

(1) the results of the analysis; and

(2) the criteria the Administrator used in carrying out the analysis.

**SEC. 217. STORMWATER INFRASTRUCTURE TECHNOLOGY.**

(a) DEFINITIONS.—In this section:

(1) CENTER.—The term “center” means a center of excellence for stormwater control infrastructure established under subsection (b)(1).

(2) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State, Tribal, or local government; or

(B) a local, regional, or other public entity that manages stormwater or wastewater resources or other related water infrastructure.

(3) ELIGIBLE INSTITUTION.—The term “eligible institution” means an institution of higher education, a research institution, or a nonprofit organization—

(A) that has demonstrated excellence in researching and developing new and emerging stormwater control infrastructure technologies; and

(B) with respect to a nonprofit organization, the core mission of which includes water management, as determined by the Administrator.

(b) CENTERS OF EXCELLENCE FOR STORMWATER CONTROL INFRASTRUCTURE TECHNOLOGIES.—

(1) ESTABLISHMENT OF CENTERS.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Administrator

shall provide grants, on a competitive basis, to eligible institutions to establish and maintain not less than 3, and not more than 5, centers of excellence for new and emerging stormwater control infrastructure technologies, to be located in various regions throughout the United States.

(B) GENERAL OPERATION.—Each center shall—

(i) conduct research on new and emerging stormwater control infrastructure technologies that are relevant to the geographical region in which the center is located, including stormwater and sewer overflow reduction, other approaches to water resource enhancement, alternative funding approaches, and other environmental, economic, and social benefits, with the goal of improving the effectiveness, cost efficiency, and protection of public safety and water quality;

(ii) maintain a listing of—

(I) stormwater control infrastructure needs; and

(II) an analysis of new and emerging stormwater control infrastructure technologies that are available;

(iii) analyze whether additional financial programs for the implementation of new and emerging, but proven, stormwater control infrastructure technologies would be useful;

(iv) provide information regarding research conducted under clause (i) to the national electronic clearinghouse center for publication on the Internet website established under paragraph (3)(B)(i) to provide to the Federal Government and State, Tribal, and local governments and the private sector information regarding new and emerging, but proven, stormwater control infrastructure technologies;

(v) provide technical assistance to State, Tribal, and local governments to assist with the design, construction, operation, and maintenance of stormwater control infrastructure projects that use innovative technologies;

(vi) collaborate with institutions of higher education and private and public organizations, including community-based public-private partnerships and other stakeholders, in the geographical region in which the center is located; and

(vii) coordinate with the other centers to avoid duplication of efforts.

(2) APPLICATION.—To be eligible to receive a grant under this subsection, an eligible institution shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require.

(3) NATIONAL ELECTRONIC CLEARINGHOUSE CENTER.—Of the centers established under paragraph (1)(A), 1 shall—

(A) be designated as the “national electronic clearinghouse center”; and

(B) in addition to the other functions of that center—

(i) develop, operate, and maintain an Internet website and a public database that contains information relating to new and emerging, but proven, stormwater control infrastructure technologies; and

(ii) post to the website information from all centers.

(4) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2022 through 2026.

(B) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under subparagraph (A), not more than 2 percent may be used to pay the administrative costs of the Administrator.

(C) STORMWATER CONTROL INFRASTRUCTURE PROJECT GRANTS.—

(1) GRANT AUTHORITY.—Subject to the availability of appropriations, the Administrator shall provide grants, on a competitive basis, to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies in accordance with this subsection.

(2) STORMWATER CONTROL INFRASTRUCTURE PROJECTS.—

(A) PLANNING AND DEVELOPMENT GRANTS.—The Administrator may make planning and development grants under this subsection for the following projects:

(i) Planning and designing stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies, including engineering surveys, landscape plans, maps, long-term operations and maintenance plans, and implementation plans.

(ii) Identifying and developing standards necessary to accommodate stormwater control infrastructure projects, including those projects that incorporate new and emerging, but proven, stormwater control technologies.

(iii) Identifying and developing fee structures to provide financial support for design, installation, and operations and maintenance of stormwater control infrastructure, including new and emerging, but proven, stormwater control infrastructure technologies.

(iv) Developing approaches for community-based public-private partnerships for the financing and construction of stormwater control infrastructure technologies, including feasibility studies, stakeholder outreach, and needs assessments.

(v) Developing and delivering training and educational materials regarding new and emerging, but proven, stormwater control infrastructure technologies for distribution to—

(I) individuals and entities with applicable technical knowledge; and

(II) the public.

(B) IMPLEMENTATION GRANTS.—The Administrator may make implementation grants under this subsection for the following projects:

(i) Installing new and emerging, but proven, stormwater control infrastructure technologies.

(ii) Protecting or restoring interconnected networks of natural areas that protect water quality.

(iii) Monitoring and evaluating the environmental, economic, or social benefits of stormwater control infrastructure technologies that incorporate new and emerging, but proven, stormwater control technology.

(iv) Implementing a best practices standard for stormwater control infrastructure programs.

(3) APPLICATION.—Except as otherwise provided in this section, to be eligible to receive a grant under this subsection, an eligible entity shall prepare and submit to the Administrator an application at such time, in such form, and containing such information as the Administrator may require, including, as applicable—

(A) a description of the stormwater control infrastructure project that incorporates new and emerging, but proven, technologies;

(B) a plan for monitoring the impacts and pollutant load reductions associated with the stormwater control infrastructure project on the water quality and quantity;

(C) an evaluation of other environmental, economic, and social benefits of the stormwater control infrastructure project; and

(D) a plan for the long-term operation and maintenance of the stormwater control infrastructure project and a tracking system, such as asset management practices.

(4) PRIORITY.—In making grants under this subsection, the Administrator shall give priority to applications submitted on behalf of—

(A) a community that—

(i) has municipal combined storm and sanitary sewers in the collection system of the community; or

(ii) is a small, rural, or disadvantaged community, as determined by the Administrator; or

(B) an eligible entity that will use not less than 15 percent of the grant to provide service to a small, rural, or disadvantaged community, as determined by the Administrator.

(5) MAXIMUM AMOUNTS.—

(A) PLANNING AND DEVELOPMENT GRANTS.—

(i) SINGLE GRANT.—The amount of a single planning and development grant provided under this subsection shall be not more than \$200,000.

(ii) AGGREGATE AMOUNT.—The total amount of all planning and development grants provided under this subsection for a fiscal year shall be not more than ¼ of the total amount made available to carry out this subsection.

(B) IMPLEMENTATION GRANTS.—

(i) SINGLE GRANT.—The amount of a single implementation grant provided under this subsection shall be not more than \$2,000,000.

(ii) AGGREGATE AMOUNT.—The total amount of all implementation grants provided under this subsection for a fiscal year shall be not more than ⅓ of the total amount made available to carry out this subsection.

(6) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of a grant provided under this subsection shall not exceed 80 percent of the total project cost.

(B) CREDIT FOR IMPLEMENTATION GRANTS.—The Administrator shall credit toward the non-Federal share of the cost of an implementation project carried out under this subsection the cost of planning, design, and construction work completed for the project using funds other than funds provided under this section.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date on which the Administrator first awards a grant under this section, the Administrator shall submit to Congress a report that includes, with respect to the period covered by the report—

(1) a description of all grants provided under this section;

(2) a detailed description of—

(A) the projects supported by those grants; and

(B) the outcomes of those projects;

(3) a description of the improvements in technology, environmental benefits, resources conserved, efficiencies, and other benefits of the projects funded under this section;

(4) recommendations for improvements to promote and support new and emerging, but proven, stormwater control infrastructure, including research into new and emerging technologies, for the centers, grants, and activities under this section; and

(5) a description of existing challenges concerning the use of new and emerging, but proven, stormwater control infrastructure.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section (except for subsection (b)) \$10,000,000 for each of fiscal years 2022 through 2026.

(2) LIMITATION ON USE OF FUNDS.—Of the amounts made available for grants under paragraph (1), not more than 2 percent may be used to pay the administrative costs of the Administrator.

**SA 1489.** Mr. LEE submitted an amendment intended to be proposed by

him to the bill 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, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation; as follows:

Strike section 3 and insert the following:

**SEC. 3. COVID-19 MITIGATION GUIDANCE FOR CRUISE SHIPS; RESUMPTION OF CRUISE SHIP OPERATIONS.**

(a) COVID-19 MITIGATION GUIDANCE FOR CRUISE SHIPS.—

(1) IN GENERAL.—Not later than the earlier of 30 days after the date of enactment of this Act or June 1, 2021, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Director of the Centers for Disease Control and Prevention (referred to in this section as the “Director”) and in consultation with the interagency working group established under paragraph (3), shall issue recommendations for how to mitigate the risks of COVID-19 introduction, transmission, and spread among passengers and crew onboard cruise ships and ashore to communities. The Secretary may later update or modify such recommendations as necessary to mitigate such risks.

(2) APPLICABILITY.—The recommendations issued under paragraph (1) shall be applicable to all cruise ships subject to the order entitled “No Sail Order and Suspension of Further Embarkation”, issued by the Director on March 24, 2020 (85 Fed. Reg. 16628), or any modification to, or extension of, such order.

(3) WORKING GROUP.—

(A) ESTABLISHMENT.—There is hereby established, as soon as practicable after the date of enactment of this Act, an interagency working group, for purposes of developing, not later than 30 days after the date of enactment of this Act, the recommendations described in paragraph (1), in order to facilitate the resumption of passenger cruise ship operations in the United States.

(B) MEMBERS.—The interagency working group shall consist of—

(i) the Secretary (or designee) serving as Chair;

(ii) the Secretaries (or designees) of Transportation, of Homeland Security, and of Commerce; and

(iii) industry stakeholders appointed by the Secretary.

(C) SCOPE OF RECOMMENDATIONS.—In developing the recommendations described in paragraph (1), the interagency working group shall consider public health safety needs; risk mitigation strategies and health protocols for passengers and crew that are consistent with, and not substantially more burdensome than, the guidance applied by the Centers for Disease Control and Prevention to other business sectors and travel-related industries; and overall economic impacts, costs, and benefits of the recommendations.

(b) RESUMPTION OF CRUISE SHIP OPERATIONS.—On the date of enactment of this Act, the Secretary shall revoke the order entitled “Framework for Conditional Sailing and Initial Phase COVID-19 Testing Requirements for Protection of Crew”, issued by the Director on November 4, 2020 (85 Fed. Reg. 70153), under the authority of sections 361

and 365 of the Public Health Service Act (42 U.S.C. 264; 268), and any other order or regulation that prohibits the operation of all cruise ships in United States waters, requires such ships to obtain approval from the Director prior to operating, or otherwise acts as a de facto prohibition for cruise ship operations in the United States.

(c) RULES OF CONSTRUCTION.—Nothing in this section shall limit the authority of the Secretary to make and enforce such regulations that, in the judgment of the Secretary, are necessary to prevent the introduction, transmission, or spread of communicable diseases on any individual cruise ship presenting a public health threat by reason of the existence of any communicable disease.

**SA 1490.** Mr. LEE submitted an amendment intended to be proposed by him to the bill 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, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation; as follows:

Strike section 3.

**SA 1491.** Mr. LEE submitted an amendment intended to be proposed by him to the bill 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, and for other purposes; which was referred to the Committee on Commerce, Science, and Transportation; as follows:

Strike section 2 and all that follows and insert the following:

**SEC. 2. VOYAGES DEEMED FOREIGN.**

Any voyage carrying 800 or more passengers between the State of Washington and the State of Alaska shall be deemed a foreign voyage for purposes of the law of the United States for the period beginning on the date of enactment of this Act and ending on October 1, 2021.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. Kaine. Mr. President, I have 8 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 Thursday, April 29, 2021, at 9:30 a.m., to conduct a hearing.

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 10 a.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 Thursday, April 29, 2021, at 10 a.m., to conduct a hearing on a nomination.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 10 a.m., to conduct a hearing on a nomination.

**COMMITTEE ON FINANCE**

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 10 a.m., to conduct a briefing.

**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 Thursday, April 29, 2021, at 10 a.m., to conduct a hearing on a nomination.

**COMMITTEE ON THE JUDICIARY**

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 2:30 p.m., to conduct a hearing on a nomination.

**SPECIAL COMMITTEE ON AGING**

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, April 29, 2021, at 9:30 a.m., to conduct a hearing.

**APPOINTMENTS**

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to the provisions of Public Law 99-591, as amended by Public Law 102-221, appoints the following member of the United States Senate for appointment as a Senate Trustee to the James Madison Memorial Fellowship Foundation: The Honorable JOE MANCHIN III of West Virginia.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 108-286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: The Honorable JEFF MERKLEY of Oregon (Chairman); The Honorable DIANNE FEINSTEIN of California; the Honorable ANGUS S. KING JR of Maine; and The Honorable JON OSSOFF of Georgia.

The Chair, pursuant to the provisions of Public Law 116-156, on behalf of the

Majority Leader, appoints the following individual to serve as a Member of the Commission on the Social Status of Black Men and Boys: Rev. Alfred C. Sharpton of New York.

# “SIX TRIPLE EIGHT” CONGRESSIONAL GOLD MEDAL ACT OF 2021

Mr. KAINE. Madam President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 321 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 321) 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”.

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

Mr. KAINE. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 321) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 321

*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 “‘Six Triple Eight’ Congressional Gold Medal Act of 2021”.

## SEC. 2. FINDINGS.

Congress finds the following:

(1) On July 1, 1943, President Franklin D. Roosevelt signed into law legislation that established the Women's Army Corps (referred to in this section as the “WAC”) as a component in the Army. The WAC was converted from the Women's Army Auxiliary Corps (referred to in this section as the “WAAC”), which had been created in 1942 without official military status. First Lady Eleanor Roosevelt and Mary McLeod Bethune, the founder of the National Council of Negro Women, advocated for the admittance of African-American women into the newly formed WAC to serve as officers and enlisted personnel.

(2) Dubbed “10 percenters”, the recruitment of African-American women to the WAAC was limited to 10 percent of the population of the WAAC to match the proportion of African-Americans in the national population. Despite an Executive order issued by President Franklin D. Roosevelt in 1941 banning racial discrimination in civilian defense industries, the Armed Forces remained segregated. Enlisted women served in segregated units, participated in segregated training, lived in separate quarters, ate at separate tables in mess halls, and used segregated recreational facilities. Officers received their officer candidate training in integrated units but lived under segregated conditions. Specialist and technical training

schools were integrated in 1943. During World War II, a total of 6,520 African-American women served in the WAAC and the WAC.

(3) After several units of White women were sent to serve in the European Theater of Operations (referred to in this section as the “ETO”) during World War II, African-American organizations advocated for the War Department to extend the opportunity to serve overseas to African-American WAC units.

(4) In November 1944, the War Department approved sending African-American women to serve in Europe. A battalion of all African-American women drawn from the WAC, the Army Service Forces, and the Army Air Forces was created and designated as the 6888th Central Postal Directory Battalion (referred to in this section as the “6888th”), which was nicknamed the “Six Triple Eight”.

(5) Army officials reported a shortage of qualified postal officers within the ETO, which resulted in a backlog of undelivered mail. As Allied forces drove across Europe, the ever-changing locations of servicemembers hampered the delivery of mail to those servicemembers. Because 7,000,000 civilians and military personnel from the United States served in the ETO, many of those individuals had identical names. For example, 7,500 such individuals were named Robert Smith. One general predicted that the backlog in Birmingham, England, would take 6 months to process and the lack of reliable mail service was hurting morale.

(6) In February 1945, the 6888th arrived in Birmingham. Upon their arrival, the 6888th found warehouses filled with millions of pieces of mail intended for members of the Armed Forces, United States Government personnel, and Red Cross workers serving in the ETO.

(7) The 6888th created effective processes and filing systems to track individual servicemembers, organize “undeliverable” mail, determine the intended recipient for insufficiently addressed mail, and handle mail addressed to servicemembers who had died. Adhering to their motto of “No mail, low morale”, the women processed an average of 65,000 pieces of mail per shift and cleared the 6-month backlog of mail within 3 months.

(8) The 6888th traveled to Rouen, France, in May 1945 and worked through a separate backlog of undelivered mail dating back as far as 3 years.

(9) At the completion of their mission, the unit returned to the United States. The 6888th was discontinued on March 9, 1946, at Camp Kilmer, New Jersey.

(10) The accomplishments of the 6888th in Europe encouraged the General Board, United States Forces, European Theater of Operations to adopt the following premise in their study of the WAC issued in December 1945: “[T]he national security program is the joint responsibility of all Americans irrespective of color or sex” and “the continued use of colored, along with white, female military personnel is required in such strength as is proportionately appropriate to the relative population distribution between colored and white races”.

(11) With the exception of smaller units of African-American nurses who served in Africa, Australia, and England, the 6888th was the only African-American Women's Army Corps unit to serve overseas during World War II.

(12) The members of the “Six Triple Eight” received the European African Middle Eastern Campaign Medal, the Women's Army Corps Service Medal, and the World War II Victory Medal for their service.

(13) In 2019, the Army awarded the 6888th the Meritorious Unit Commendation.

## SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design in honor of the women of the 6888th Central Postal Directory Battalion (commonly known as the “Six Triple Eight”) in recognition of—

(1) the pioneering military service of those women;

(2) the devotion to duty of those women; and

(3) the contributions made by those women to increase the morale of all United States personnel stationed in the European Theater of Operations during World War II.

(b) DESIGN AND STRIKING.—For the purposes of the award described in subsection (a), the Secretary of the Treasury (referred to in this Act as the “Secretary”) shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) SMITHSONIAN INSTITUTION.—

(1) IN GENERAL.—After the award of the gold medal under subsection (a), the medal shall be given to the Smithsonian Institution, where the medal shall be available for display, as appropriate, and made available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Smithsonian Institution should make the gold medal received under paragraph (1) available elsewhere, particularly at—

(A) appropriate locations associated with the 6888th Central Postal Directory Battalion;

(B) the Women in Military Service for America Memorial;

(C) the United States Army Women's Museum;

(D) the National World War II Museum and Memorial;

(E) the National Museum of the United States Army; and

(F) any other location determined appropriate by the Smithsonian Institution.

## SEC. 4. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3 at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

## SEC. 5. NATIONAL MEDALS.

(a) NATIONAL MEDALS.—Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

## SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck under this Act.

(b) PROCEEDS OF SALE.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

## SECOND CHANCE MONTH

Mr. KAINE. Madam President, I ask unanimous consent that the Judiciary

Committee be discharged from further consideration and the Senate now proceed to S. Res. 146.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 146) designating April 2021 as "Second Chance Month".

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

Mr. Kaine. Madam President, 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. 146) 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.")

#### RESOLUTIONS SUBMITTED TODAY

Mr. Kaine. Madam President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 196, S. Res. 197, S. Res. 198, S. Res. 199, and S. Res. 200.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. Kaine. I ask unanimous consent that the resolutions be agreed to, that the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. Kaine. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 42 and 43; Calendar No. 71, with the exception of Col. Jonathan C. Rice, IV; Calendar Nos. 72 through 106; and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that the President be immediately notified of the Senate's

action; and that the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

#### IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be major general*

Brig. Gen. Sharon R. Bannister  
Brig. Gen. Paul A. Friedrichs

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be major general*

Brig. Gen. John J. Allen  
Brig. Gen. Jason R. Armagost  
Brig. Gen. Matthew W. Davidson  
Brig. Gen. Evan C. Dertien  
Brig. Gen. Michael L. Downs  
Brig. Gen. Troy E. Dunn  
Brig. Gen. Peter M. Fesler  
Brig. Gen. David M. Gaedecke  
Brig. Gen. Anthony W. Genatempo  
Brig. Gen. David A. Harris, Jr.  
Brig. Gen. Thomas K. Hensley  
Brig. Gen. Robert S. Jobe  
Brig. Gen. Jeffrey R. King  
Brig. Gen. Leonard J. Kosinski  
Brig. Gen. Thomas E. Kunkel  
Brig. Gen. Laura L. Lenderman  
Brig. Gen. Brook J. Leonard  
Brig. Gen. David B. Lyons  
Brig. Gen. Michael E. Martin  
Brig. Gen. Albert G. Miller  
Brig. Gen. Heather L. Pringle  
Brig. Gen. Clark J. Quinn  
Brig. Gen. Adrian L. Spain  
Brig. Gen. Daniel H. Tulley

#### IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Terrence A. Adams  
Col. Curtis R. Bass  
Col. Steven G. Behmer  
Col. Joseph L. Campo  
Col. Andrew M. Clark  
Col. Tad D. Clark  
Col. Luke C. G. Cropsey  
Col. Melissa S. Cunningham  
Col. Robert D. Davis  
Col. George T. M. Dietrich, III  
Col. Aaron D. Drake  
Col. Lyle K. Drew  
Col. Steven M. Gorski  
Col. Glenn T. Harris  
Col. Brian S. Hartless  
Col. Justin R. Hoffman  
Col. Otis C. Jones  
Col. Brian S. Laidlaw  
Col. Jason E. Lindsey  
Col. Debra A. Lovette  
Col. William L. Marshall  
Col. Robert A. Masaitis  
Col. Michael A. Miller  
Col. Ricky L. Mills  
Col. Randy P. Oakland  
Col. Max E. Pearson  
Col. Jason M. Rueschhoff  
Col. Joel W. Safranek  
Col. Timothy A. Sejba  
Col. Stephen P. Snelson  
Col. Benjamin W. Spencer  
Col. Frank R. Verdugo

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Maria L. Aguayo

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Joseph B. Hornbuckle  
Capt. Anthony E. Rossi

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Stuart C. Satterwhite

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral*

Rear Adm. (lh) Dean A. VanderLey

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral*

Rear Adm. (lh) Christopher C. French

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral*

Rear Adm. (lh) William C. Greene  
Rear Adm. (lh) Scott W. Pappano

#### IN THE AIR FORCE

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

#### *To be major general*

Brig. Gen. John M. Breazeale  
Brig. Gen. Matthew J. Burger.  
Brig. Gen. Kenneth R. Council, Jr.  
Brig. Gen. Daniel J. Heires  
Brig. Gen. Erich C. Novak  
Brig. Gen. Jeffrey T. Pennington  
Brig. Gen. John N. Tree  
Brig. Gen. Constance M. Von Hoffman

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Robert K. Bogart

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. John R. Andrus  
Col. Thomas W. Harrell

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Alfred K. Flowers, Jr.

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Gail E. Crawford

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. Theodore D. Martin

The following named officer for appointment in the Reserve of the Army to the



grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. A. C. Roper, Jr.

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Erik C. Peterson

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Patrick E. Matlock

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

*To be major general*

Brig. Gen. Michael J. Talley

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Stephanie R. Ahern  
Col. Richard T. Appelhans  
Col. James B. Bartholomees  
Col. Lance K. Calvert  
Col. John M. Cushing  
Col. Michelle K. Donahue  
Col. Patrick J. Ellis  
Col. Thomas M. Feltey  
Col. Lawrence G. Ferguson  
Col. Andrew C. Gainey  
Col. David W. Gardner  
Col. Gavin J. Gardner  
Col. Kirk E. Gibbs  
Col. William R. Glaser  
Col. Richard A. Harrison  
Col. Joseph E. Hilbert  
Col. Jasper Jeffers, III  
Col. Jason E. Kelly  
Col. Niave F. Knell  
Col. Eric D. Little  
Col. Charles T. Lombardo  
Col. Constantin E. Nicolet  
Col. Richard J. Quirk, IV  
Col. Christopher R. Reid  
Col. John T. Reim, Jr.  
Col. Lori L. Robinson  
Col. Monte L. Rone  
Col. Philip J. Ryan  
Col. Eric P. Shirley  
Col. Frank J. Stanco, Jr.  
Col. Eric S. Strong  
Col. Brandon R. Tegtmeier

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Ronald P. Clark

The following named officer for appointment as Deputy Judge Advocate General, United States Army, and for appointment in the United States Army to the grade indicated in accordance with title 10, U.S.C., sections 7037 and 7064:

*To be major general*

Brig. Gen. Joseph B. Berger, III

The following named officer for appointment as Dean of the Academic Board, United States Military Academy, and appointment to the grade indicated under title 10, U.S.C., section 7435:

*To be brigadier general*

Col. Shane R. Reeves

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 vice admiral*

Vice Adm. Scott D. Conn

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 vice admiral*

Rear Adm. Karl O. Thomas

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 vice admiral*

Rear Adm. Charles B. Cooper, II

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 vice admiral*

Rear Adm. Kelly A. Aeschbach

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 vice admiral*

Rear Adm. Stephen T. Koehler

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 vice admiral*

Rear Adm. John V. Fuller

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps Reserve to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8084:

*To be lieutenant general*

Lt. Gen. David G. Bellon

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. William M. Jurney

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Kevin M. Iiams

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. George W. Smith, Jr.

IN THE SPACE FORCE

The following named officer for appointment in the permanent grade indicated in the United States Space Force under title 10, U.S.C., section 716:

*To be major general*

Gen. John W. Raymond

The following named officers for appointment in the grade indicated in the United States Space Force under title 10, U.S.C., section 716:

*To be major general*

Maj. Gen. DeAnna M. Burt  
Maj. Gen. Philip A. Garrant  
Maj. Gen. Michael A. Guetlein

The following named officers for appointment in the grade indicated in the United States Space Force under title 10, U.S.C., section 716:

*To be brigadier general*

Brig. Gen. Donald J. Cothern  
Brig. Gen. Troy L. Endicott  
Brig. Gen. David N. Miller, Jr.  
Brig. Gen. Christopher S. Povak  
Brig. Gen. Stephen G. Purdy, Jr.  
Brig. Gen. Steven P. Whitney

The following named officer for appointment in the United States Space Force to the grade under title 10, U.S.C., section 624:

*To be major general*

Brig. Gen. David N. Miller, Jr.

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 vice admiral*

Rear Adm. William J. Houston

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN276 AIR FORCE nomination of Brandon R. Rocker, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN277 AIR FORCE nomination of Damien P. Herbert, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN278 AIR FORCE nominations (2) beginning EMILY P. WARD, and ending BRIAN F. WATSON, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN279 AIR FORCE nominations (4) beginning ROLANDIS J. CRAWL, and ending BRUS E. VIDAL, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN280 AIR FORCE nomination of Miguel A. Zapata, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN281 AIR FORCE nomination of Laserian I. Nwoga, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN282 AIR FORCE nomination of Becky M. Bautch, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN283 AIR FORCE nomination of Michelle D. Dimoff, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

IN THE ARMY

PN285 ARMY nominations (5) beginning RUSSELL W. GIBSON, and ending LYNDSLEY A. OLSON, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN286 ARMY nomination of Mark C. Turner, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN287 ARMY nomination of Valerie L. Seery, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN288 ARMY nomination of William F. Coryell, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN289 ARMY nomination of Alfred S. Boone, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN290 ARMY nomination of Brandon C. Grooms, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN291 ARMY nomination of D013410, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN292 ARMY nomination of Jee R. Yoo, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN295 ARMY nomination of Mark A. Folkerts, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN296 ARMY nomination of Shaun X. Adams, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN297 ARMY nomination of Russell Giese, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN298 ARMY nomination of Seth J. Kadavy, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN299 ARMY nominations (8) beginning KENNETH ANDERSON, and ending TODD M. WOLF, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN300 ARMY nominations (2) beginning MICHAEL J. DUCHARME, and ending JASON B. LOGAN, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN301 ARMY nominations (6) beginning TIMOTHY L. BAER, and ending NICOLA Q. SPLETSTOSER, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN302 ARMY nominations (10) beginning MICHAEL L. ALLEN, and ending CHRISTOPHER J. WEAVER, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN303 ARMY nominations (2) beginning EVERETT S. DEJONG, and ending KURT S. HENSEL, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN304 ARMY nomination of Michael F. Ksycki, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN305 ARMY nominations (10) beginning CHRISTIE L. BROWN, and ending RODNEY K. TATUM, JR., which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN306 ARMY nomination of Daniel C. Hart, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN307 ARMY nomination of Nicholas D. Vandeburgh, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN354 ARMY nominations (19) beginning BRIAN P. ADAMS, and ending ELIZABETH A. WALKER, which nominations were received by the Senate and appeared in the Congressional Record of April 13, 2021.

#### IN THE MARINE CORPS

PN59 MARINE CORPS nomination of Aaron B. Stokes, which was received by the Senate and appeared in the Congressional Record of January 6, 2021.

PN66 MARINE CORPS nomination of James A. Berry, which was received by the Senate and appeared in the Congressional Record of January 6, 2021.

PN213-1 MARINE CORPS nominations (351) beginning ARTEM S. AGOULNIK, and ending PATRICK J. ZUBER, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2021.

PN317 MARINE CORPS nominations (95) beginning BRETT A. ALLISON, and ending BARIAN A. WOODWARD, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN318 MARINE CORPS nomination of Nicholas A. Turner, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN319 MARINE CORPS nomination of Mark T. Schnakenberg, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN321 MARINE CORPS nomination of Dave W. Burton, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN322 MARINE CORPS nomination of Zachary W. Peters, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

#### IN THE NAVY

PN308 NAVY nomination of Joseph G. Ruggeri which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN309 NAVY nominations (38) beginning JASON W. DEBLOCK, and ending DANNY S. VARNADORE, which nominations were received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN310 NAVY nomination of Seth J. Rosenberry, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN311 NAVY nomination of Stephen H. Murray, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN313 NAVY nomination of Gregory M. Saracco, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

PN316 NAVY nomination of Adam L. Atwood, which was received by the Senate and appeared in the Congressional Record of April 12, 2021.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 66.

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

The clerk will report the nomination. The senior assistant legislative clerk read the nomination of Victoria Nuland, of Virginia, to be an Under Secretary of State (Political Affairs).

There being no objection, the Senate proceeded to consider the nomination.

Mr. KAINE. I know of no further debate.

The PRESIDING OFFICER. Is there further debate on the nomination?

If not, the question is, Will the Senate advise and consent to the Nuland nomination?

The nomination was confirmed.

Mr. KAINE. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 113; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

#### IN THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Bill Nelson, of Florida, to be Administrator of the National Aeronautics and Space Administration.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 70; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

IN THE DEPARTMENT OF VETERANS AFFAIRS

Richard A. Sauber, of the District of Columbia, to be General Counsel, Department of Veterans Affairs.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

### ORDERS FOR MONDAY, MAY 3, 2021

Mr. Kaine. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being considered, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, May 3, at 12:45 p.m., and Thursday, May 6, at 4 p.m.

I further ask that when the Senate adjourn on Thursday, May 6, it next convene at 3 p.m., Monday, May 10; further, 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 that day, and morning business be closed; further, that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of Executive Calendar No. 69, Andrea Joan Palm, of Wisconsin, to be Deputy Secretary of Health and Human Services; finally, that the cloture motions filed during today's session ripen at 5:30 p.m.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. Kaine. Madam President, 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. Kaine. 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 Senator from Virginia.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. Kaine. Madam President, I ask unanimous consent that the Committee on Environment and Public Works be discharged and the Senate proceed to the following nomination: PN 267, the nomination of Gayle Manchin, to be Federal Cochairman of the Appalachian Regional Commission.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Gayle C. Manchin, of West Virginia, to be Federal Cochairman of the Appalachian Regional Commission.

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

Mr. Kaine. I know of no further debate.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the Manchin nomination?

The nomination was confirmed.

Mr. Kaine. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

### ADJOURNMENT UNTIL MONDAY, MAY 3, 2021, AT 12:45 P.M.

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

There being no objection, the Senate, at 5:11 p.m., adjourned until Monday, May 3, 2021, at 12:45 p.m.

### NOMINATIONS

Executive nominations received by the Senate:

#### METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

SEAN BURTON, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2024, VICE NINA MITCHELL WELLS, TERM EXPIRED.

#### SURFACE TRANSPORTATION BOARD

KAREN JEAN HEDLUND, OF COLORADO, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2025, VICE ANN BEGEMAN, TERM EXPIRED.

#### DEPARTMENT OF ENERGY

GERALDINE RICHMOND, OF OREGON, TO BE UNDER SECRETARY FOR SCIENCE, DEPARTMENT OF ENERGY, VICE PAUL DABBAR.

ANDREW EILPERIN LIGHT, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS), VICE THEODORE J. GARRISH.

#### ENVIRONMENTAL PROTECTION AGENCY

JANE TOSHIKO NISHIDA, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE WILLIAM CHARLES MCINTOSH.

#### CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

STEPHEN A. OWENS, OF ARIZONA, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE RICHARD J. ENGLER, TERM EXPIRED.

#### ENVIRONMENTAL PROTECTION AGENCY

JEFFREY M. PRIETO, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE MATTHEW Z. LEOPOLD.

#### CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

JENNIFER BETH SASS, OF MARYLAND, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE KRISTEN MARIE KULINOWSKI, TERM EXPIRED.

SYLVIA E. JOHNSON, OF NORTH CAROLINA, TO BE A MEMBER OF THE CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD FOR A TERM OF FIVE YEARS, VICE VANESSA LORRAINE ALLEN SUTHERLAND, TERM EXPIRED.

#### AFRICAN DEVELOPMENT FOUNDATION

MARY CATHERINE PHEE, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 27, 2026. (RE-APPOINTMENT)

MARY CATHERINE PHEE, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE AFRICAN DEVELOPMENT FOUNDATION FOR A TERM EXPIRING SEPTEMBER 27, 2021, VICE LINDA THOMAS-GREENFIELD, RESIGNED.

#### DEPARTMENT OF STATE

MARY CATHERINE PHEE, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), VICE TIBOR PETER NAGY, JR.

LEE SATTERFIELD, OF SOUTH CAROLINA, TO BE AN ASSISTANT SECRETARY OF STATE (EDUCATIONAL AND CULTURAL AFFAIRS), VICE MARIE ROYCE.

ADAM SCHEINMAN, OF VIRGINIA, TO BE SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR NUCLEAR NON-PROLIFERATION, WITH THE RANK OF AMBASSADOR.

KAREN ERIKA DONFRIED, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (EUROPEAN AFFAIRS AND EURASIAN AFFAIRS), VICE A. WESS MITCHELL, RESIGNED.

BARBARA A. LEAF, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (NEAR EASTERN AFFAIRS), VICE DAVID SCHENKER.

JESSICA LEWIS, OF OHIO, TO BE AN ASSISTANT SECRETARY OF STATE (POLITICAL-MILITARY AFFAIRS), VICE R. CLARKE COOPER.

DONALD LU, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS, VICE NISHA DESAI BISWAL.

CHRISTOPHER P. LU, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

CHRISTOPHER P. LU, OF VIRGINIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM.

SARAH MARGON, OF NEW YORK, TO BE ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR, VICE ROBERT A. DESTRO.

#### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

LYNETTE YOUNG OVERBY, OF DELAWARE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026, PHYLLIS KAMINSKY, TERM EXPIRED.

DARYL W. BALDWIN, OF OHIO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026, VICE DAVID ARMAND DEKEYSER, TERM EXPIRED.

GENINE MACKS FIDLER, OF FLORIDA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026, VICE JOYCE MALCOLM, TERM EXPIRED.

BEVERLY GAGE, OF CONNECTICUT, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2026, VICE NOEL VALIS, TERM EXPIRED.

#### DEPARTMENT OF EDUCATION

ROBERTO JOSUE RODRIGUEZ, OF THE DISTRICT OF COLUMBIA, TO BE ASSISTANT SECRETARY FOR PLANNING, EVALUATION, AND POLICY DEVELOPMENT, DEPARTMENT OF EDUCATION, VICE JAMES BLEW.

#### DEPARTMENT OF HOMELAND SECURITY

JONATHAN EUGENE MEYER, OF OHIO, TO BE GENERAL COUNSEL, DEPARTMENT OF HOMELAND SECURITY, VICE JOHN MARSHALL MITNICK.

#### THE JUDICIARY

CHRISTINE P. O'HEARN, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE ROBERT B. KUGLER, RETIRED.

DAVID G. ESTUDILLO, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE RONALD B. LEIGHTON, RETIRED.

TANA LIN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON, VICE MARSHA J. PECHMAN, RETIRED.

### DISCHARGED NOMINATION

The Senate Committee on Environment and Public Works was discharged

from further consideration of the following nomination by voice vote Vote and the nomination was confirmed:

GAYLE C. MANCHIN, OF WEST VIRGINIA, TO BE FEDERAL COCHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION.

## CONFIRMATIONS

Executive nominations confirmed by the Senate April 29, 2021:

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be major general*

BRIG. GEN. SHARON R. BANNISTER  
BRIG. GEN. PAUL A. FRIEDRICH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be major general*

BRIG. GEN. JOHN J. ALLEN  
BRIG. GEN. JASON R. ARMAGOST  
BRIG. GEN. MATTHEW W. DAVIDSON  
BRIG. GEN. EVAN C. DERTEN  
BRIG. GEN. MICHAEL L. DOWNS  
BRIG. GEN. TROY E. DUNN  
BRIG. GEN. PETER M. FESLER  
BRIG. GEN. DAVID M. GAEDECHE  
BRIG. GEN. ANTHONY W. GENATEMPO  
BRIG. GEN. DAVID A. HARRIS, JR.  
BRIG. GEN. THOMAS K. HENSLEY  
BRIG. GEN. ROBERT S. JOBE  
BRIG. GEN. JEFFREY R. KING  
BRIG. GEN. LEONARD J. KOSINSKI  
BRIG. GEN. THOMAS E. KUNKEL  
BRIG. GEN. LAURA L. LENDERMAN  
BRIG. GEN. BROOK J. LEONARD  
BRIG. GEN. DAVID B. LYONS  
BRIG. GEN. MICHAEL E. MARTIN  
BRIG. GEN. ALBERT G. MILLER  
BRIG. GEN. HEATHER L. PRINGLE  
BRIG. GEN. CLARK J. QUINN  
BRIG. GEN. ADRIAN L. SPAIN  
BRIG. GEN. DANIEL H. TULLEY

### DEPARTMENT OF STATE

VICTORIA NULAND, OF VIRGINIA, TO BE AN UNDER SECRETARY OF STATE (POLITICAL AFFAIRS).

### DEPARTMENT OF VETERANS AFFAIRS

RICHARD A. SAUBER, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL, DEPARTMENT OF VETERANS AFFAIRS.

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be brigadier general*

COL. TERRENCE A. ADAMS  
COL. CURTIS R. BASS  
COL. STEVEN G. BEHMER  
COL. JOSEPH L. CAMPO  
COL. ANDREW M. CLARK  
COL. TAD D. CLARK  
COL. LUKE C. G. CROUSEY  
COL. MELISSA S. CUNNINGHAM  
COL. ROBERT D. DAVIS  
COL. GEORGE T. M. DIETRICH III  
COL. AARON D. DRAKE  
COL. LYLE K. DREW  
COL. STEVEN M. GORSKI  
COL. GLENN T. HARRIS  
COL. BRIAN S. HARTLESS  
COL. JUSTIN R. HOFFMAN  
COL. OTIS C. JONES  
COL. BRIAN S. LAIDLAW  
COL. JASON E. LINDSEY  
COL. DEBRA A. LOVETTE  
COL. WILLIAM L. MARSHALL  
COL. ROBERT A. MASATIS  
COL. MICHAEL A. MILLER  
COL. RICKY L. MILLS  
COL. RANDY P. OAKLAND  
COL. MAX E. PEARSON  
COL. JASON M. RUESCHHOFF  
COL. JOEL W. SAFRANEK  
COL. TIMOTHY A. SEJBA  
COL. STEPHEN P. SNELSON  
COL. BENJAMIN W. SPENCER  
COL. FRANK R. VERDUGO

### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be rear admiral (lower half)*

CAPT. MARIA L. AGUAYO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be rear admiral (lower half)*

CAPT. JOSEPH B. HORNBuckle  
CAPT. ANTHONY E. ROSSI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be rear admiral (lower half)*

CAPT. STUART C. SATTERWHITE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be rear admiral*

REAR ADM. (LH) DEAN A. VANDERLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be rear admiral*

REAR ADM. (LH) CHRISTOPHER C. FRENCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be rear admiral*

REAR ADM. (LH) WILLIAM C. GREENE  
REAR ADM. (LH) SCOTT W. PAPPANO

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be major general*

BRIG. GEN. JOHN M. BREAZEALE  
BRIG. GEN. MATTHEW J. BURGER  
BRIG. GEN. KENNETH R. COUNCIL, JR.  
BRIG. GEN. DANIEL J. HEIRES  
BRIG. GEN. ERICH C. NOVAK  
BRIG. GEN. JEFFREY T. PENNINGTON  
BRIG. GEN. JOHN N. TREE  
BRIG. GEN. CONSTANCE M. VON HOFFMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be brigadier general*

COL. ROBERT K. BOGART

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be brigadier general*

COL. JOHN R. ANDRUS  
COL. THOMAS W. HARRELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be brigadier general*

COL. ALFRED K. FLOWERS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be brigadier general*

COL. GAIL E. CRAWFORD

### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

L.T. GEN. THEODORE D. MARTIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. A. C. ROPER, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. ERIC C. PETERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. PATRICK E. MATLOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be major general*

BRIG. GEN. MICHAEL J. TALLEY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be brigadier general*

COL. STEPHANIE R. AHERN  
COL. RICHARD T. APPELHANS  
COL. JAMES B. BARTHOLOMEES  
COL. LANCE K. CALVERT  
COL. JOHN M. CUSHING  
COL. MICHELLE K. DONAHUE  
COL. PATRICK J. ELLIS  
COL. THOMAS M. FELTEY  
COL. LAWRENCE G. FERGUSON  
COL. ANDREW C. GAINES  
COL. DAVID W. GARDNER  
COL. GAVIN J. GARDNER  
COL. KIRK E. GIBBS  
COL. WILLIAM R. GLASER  
COL. RICHARD A. HARRISON  
COL. JOSEPH E. HILBERT  
COL. JASPER JEFFERS III  
COL. JASON E. KELLY  
COL. NIAVE F. KNELL  
COL. ERIC D. LITTLE  
COL. CHARLES T. LOMBARDO  
COL. CONSTANTIN E. NICOLET  
COL. RICHARD J. QUIRK IV  
COL. CHRISTOPHER R. REID  
COL. JOHN T. REIM, JR.  
COL. LORI L. ROBINSON  
COL. MONTE L. RONE  
COL. PHILIP J. RYAN  
COL. ERIC P. SHIRLEY  
COL. FRANK J. STANCO, JR.  
COL. ERIC S. STRONG  
COL. BRANDON R. TEGTMEIER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. RONALD P. CLARK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY, AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED IN ACCORDANCE WITH TITLE 10, U.S.C., SECTIONS 7037 AND 7064:

#### *To be major general*

BRIG. GEN. JOSEPH B. BERGER III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS DEAN OF THE ACADEMIC BOARD, UNITED STATES MILITARY ACADEMY, AND APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 7435:

#### *To be brigadier general*

COL. SHANE R. REEVES

### 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 vice admiral*

VICE ADM. SCOTT D. CONN

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 vice admiral*

REAR ADM. KARL O. THOMAS

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 vice admiral*

REAR ADM. CHARLES B. COOPER II

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 vice admiral*

REAR ADM. KELLY A. AESCHBACH

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 vice admiral*

REAR ADM. STEPHEN T. KOEHLER

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 vice admiral*

REAR ADM. JOHN V. FULLER

### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8084:

#### *To be lieutenant general*

L.T. GEN. DAVID G. BELLON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. WILLIAM M. JURNEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. KEVIN M. IIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

L.T. GEN. GEORGE W. SMITH, JR.

SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE PERMANENT GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 716:

*To be major general*

GEN. JOHN W. RAYMOND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 716:

*To be major general*

MAJ. GEN. DEANNA M. BURT  
MAJ. GEN. PHILIP A. GARRANT  
MAJ. GEN. MICHAEL A. GUETLEIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 716:

*To be brigadier general*

BRIG. GEN. DONALD J. COTHERN  
BRIG. GEN. TROY L. ENDICOTT  
BRIG. GEN. DAVID N. MILLER, JR.  
BRIG. GEN. CHRISTOPHER S. POVAK  
BRIG. GEN. STEPHEN G. PURDY, JR.  
BRIG. GEN. STEVEN P. WHITNEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. DAVID N. MILLER, JR.

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 vice admiral*

REAR ADM. WILLIAM J. HOUSTON

NATIONAL AERONAUTICS AND SPACE  
ADMINISTRATION

BILL NELSON, OF FLORIDA, TO BE ADMINISTRATOR OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

IN THE AIR FORCE

AIR FORCE NOMINATION OF BRANDON R. ROCKER, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF DAMIEN P. HERBERT, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH EMILY P. WARD AND ENDING WITH BRIAN F. WATSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

AIR FORCE NOMINATIONS BEGINNING WITH ROLANDIS J. CRAWL AND ENDING WITH BRUS E. VIDAL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

AIR FORCE NOMINATION OF MIGUEL A. ZAPATA, TO BE MAJOR.

AIR FORCE NOMINATION OF LASERIAN I. NWOGA, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF BECKY M. BAUTCH, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF MICHELLE D. DIMOFF, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATIONS BEGINNING WITH RUSSELL W. GIBSON AND ENDING WITH LINDSEY A. OLSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

ARMY NOMINATION OF MARK C. TURNER, TO BE COLONEL.

ARMY NOMINATION OF VALERIE L. SEERY, TO BE COLONEL.

ARMY NOMINATION OF WILLIAM F. CORYELL, TO BE COLONEL.

ARMY NOMINATION OF ALFRED S. BOONE, TO BE COLONEL.

ARMY NOMINATION OF BRANDON C. GROOMS, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF D013410, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF JEE R. YOO, TO BE MAJOR.

ARMY NOMINATION OF MARK A. FOLKERTS, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF SHAUN X. ADAMS, TO BE MAJOR.

ARMY NOMINATION OF RUSSELL GIESE, TO BE COLONEL.

ARMY NOMINATION OF SETH J. KADAVY, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH KENNETH ANDERSON AND ENDING WITH TODD M. WOLF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

ARMY NOMINATIONS BEGINNING WITH MICHAEL J. DUCHARME AND ENDING WITH JASON B. LOGAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

ARMY NOMINATIONS BEGINNING WITH TIMOTHY L. BAER AND ENDING WITH NICOLA Q. SPLETSTOSER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

ARMY NOMINATIONS BEGINNING WITH MICHAEL L. ALLEN AND ENDING WITH CHRISTOPHER J. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

ARMY NOMINATIONS BEGINNING WITH EVERETT S. DEJONG AND ENDING WITH KURT S. HENSEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

ARMY NOMINATION OF MICHAEL F. KSYCKI, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH CHRISTIE L. BROWN AND ENDING WITH RODNEY K. TATUM, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

ARMY NOMINATION OF DANIEL C. HART, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF NICHOLAS D. VANDEBURGH, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH BRIAN P. ADAMS AND ENDING WITH ELIZABETH A. WALKER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 13, 2021.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF AARON B. STOKES, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF JAMES A. BERRY, TO BE MAJOR.

MARINE CORPS NOMINATIONS BEGINNING WITH ARTEM S. AGOULNIK AND ENDING WITH PATRICK J. ZUBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2021.

MARINE CORPS NOMINATIONS BEGINNING WITH BRETT A. ALLISON AND ENDING WITH BARIAN A. WOODWARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

MARINE CORPS NOMINATION OF NICHOLAS A. TURNER, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF MARK T. SCHNACKENBERG, TO BE COLONEL.

MARINE CORPS NOMINATION OF DAVE W. BURTON, TO BE COLONEL.

MARINE CORPS NOMINATION OF ZACHARY W. PETERS, TO BE MAJOR.

IN THE NAVY

NAVY NOMINATION OF JOSEPH G. RUGGERI, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JASON W. DEBLOCK AND ENDING WITH DANNY S. VARNADORE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 12, 2021.

NAVY NOMINATION OF SETH J. ROSENBERY, TO BE COMMANDER.

NAVY NOMINATION OF STEPHEN H. MURRAY, TO BE CAPTAIN.

NAVY NOMINATION OF GREGORY M. SARACCO, TO BE CAPTAIN.

NAVY NOMINATION OF ADAM L. ATWOOD, TO BE LIEUTENANT COMMANDER.

APPALACHIAN REGIONAL COMMISSION

GAYLE C. MANCHIN, OF WEST VIRGINIA, TO BE FEDERAL COCHAIRMAN OF THE APPALACHIAN REGIONAL COMMISSION.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on April 29, 2021 withdrawing from further Senate consideration the following nomination:

JON EUGENE MEYER, OF OHIO, TO BE GENERAL COUNSEL, DEPARTMENT OF HOMELAND SECURITY, VICE JOHN MARSHALL MITNICK, WHICH WAS SENT TO THE SENATE ON APRIL 19, 2021.