



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, TUESDAY, JULY 26, 2022

No. 124

Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Holy God, all Your works do praise Your Name on the Earth, in the sky, and on the sea. Great is Your faithfulness.

Stir Your edifying spirit among our Senators, liberating them from shortsightedness as they work diligently for freedom and justice for all. Lord, make our Senators citizens of Your kingdom so that Your will may be done on Earth, even as it is done in Heaven. Help them to draw near to You with true hearts and full assurance that their times are in Your hands. May this confidence in Your prevailing providence inspire them to pay the price of eternal vigilance for freedom.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 26, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the

Senate, I hereby appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WARNOCK thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

SERGEANT FIRST CLASS HEATH ROBINSON HONORING OUR PROMISE TO ADDRESS COMPREHENSIVE TOXICS ACT OF 2022

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany S. 3373, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany S. 3373, a bill to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant.

Pending:

Schumer motion to concur in the House amendment to the bill.

Schumer motion to concur in the House amendment to the bill, with Schumer Amendment No. 5148 (to the House amendment to the Senate amendment), to add an effective date.

Schumer Amendment No. 5149 (to Schumer Amendment No. 5148), to modify the effective date.

Schumer motion to refer the bill to the Committee on Veterans' Affairs, with in-

structions, Schumer Amendment No. 5150, to add an effective date.

Schumer Amendment No. 5151 (to the instructions (Schumer Amendment No. 5150) of the motion to refer), to modify the effective date.

Schumer Amendment No. 5152 (to Amendment No. 5151), to modify the effective date.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

CHIPS ACT OF 2022

Mr. SCHUMER. Mr. President, this morning—this morning—the Senate will draw a clear line in the sand that America's chip crisis and America's dwindling commitment to science and innovation will not continue under our watch. Within the next hour, the Senate will vote, finally—finally—to move toward final passage of our CHIPS and Science bill. That is what we are calling it, the CHIPS and Science bill. That will put us in a position to finish the work on this bill before the end of the week. It is a major step for our economic security, our national security, our supply chains, and, in fact, for America's future—for America's future.

I want to be clear. The proposal we are passing this week contains the majority of key science and innovation measures that the Senate passed last summer. It will make historic investments to scientific research. It will take direct aim at our Nation's chip crisis. Alongside the infrastructure law and our recent gun safety bill, among others, it is one of the most consequential bipartisan achievements of this Congress. I thank all of my Senate colleagues on both sides of the aisle who are helping to make this happen.

I am confident that future generations will look back on the passage of this CHIPS and Science bill as a turning point for American leadership in the 21st century, but it didn't come together overnight. The legislation has been several years in the making.

In 2019, I approached my Republican colleague TODD YOUNG with a proposal

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



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to work together on legislation to revive America's commitment to science and innovation. Together, we drafted the first iteration of many policies we are passing this week, the Endless Frontier Act.

A year later, I joined with my colleagues Senators CORNYN and WARNER to push for the authorization of new Federal chips initiatives as part of the NDAA to address our Nation's growing chip shortage.

We all knew that America faced a choice: We could keep underfunding science and innovation and continue to let America fall behind our global competitors, or we could wake up to the challenges of this century and empower the American people to unleash the next wave of discovery and scientific achievement. We knew that if we didn't get there first, our rivals—chief among them the Chinese Communist Party—would likely beat us to the punch and reshape the world in their authoritarian image.

In February of 2021, less than a month after I became majority leader, I directed the chairs and members of our relevant committees to start drafting a legislative package to outcompete China and create new American jobs, with the Endless Frontier Act serving as the core of this effort. I also instructed them to draft legislation to rebuild the capacity of the U.S. semiconductor industry. The pandemic made clear with unforgiving clarity how America's chip shortage was creating a crisis in our economy and national security.

So Members on both sides of the aisle—this has been a bipartisan effort from the get-go—got to work. We made a commitment last February that if both sides worked together, we would bring a bill to the floor for a vote in the spring. And that is what we did, and we passed the U.S. Innovation and Competition Act with overwhelming bipartisan support in June of 2021.

A year later, the legislation we are passing this week has many of the same important measures contained in the bill we worked on last summer. For example, last year's bill secured historic investments for science and innovation. This bill does too.

Last year's bill offered tens of billions to encourage American chip manufacturing and R&D. This bill does that too and even more with the investment tax credit provisions.

Last year's bill provided funding to help build a wireless communications supply chain to counter Huawei. This bill does too.

Last year's bill created the National Science Foundation tech directorate and provided funding to the Department of Energy National Labs to help compete with foreign rivals in key technologies like AI and quantum computing. This bill does too.

Last year's bill made major new investments in Manufacturing USA and the Manufacturing Extension Partnership to strengthen domestic supply chains. This bill does too.

Last year's bill created the first-ever program to cultivate the tech hubs of tomorrow in regions around the United States that have enormous potential but have largely been overlooked—not the big megalopolises which have a lot of tech in them, like New York City and San Francisco, but smaller regions that have great talent but have been overlooked. They might be in Upstate New York. They might be in Indiana and many other parts of the country. This bill is making sure that happens.

Now, let me be clear. While this bill contains the two major components of the Science and CHIPS bill, there are other major proposals from both sides that are still being worked on in the conference committee. Make no mistake that there are many Democrats and Republicans who have provisions that will be contained in the conference report under Chair CANTWELL's leadership, and it is my intention to put the conference committee bill on the floor of the Senate.

As I said a moment ago, I firmly believe that passing this bill will be a turning point for American leadership in this century. The benefits of this legislation will reverberate across the country for years and decades to come.

For much of the 20th century, America was without peer in our commitment to scientific research, to innovation, and to new, cutting-edge manufacturing, and it led to tens of millions of good-paying jobs and made the United States the unquestioned economic leader of the world.

Today, the story is different. Nations around the world are spending tens of billions of dollars to secure this century, much like America secured the last one. Sadly, the Federal Government's commitment to science has waned in recent decades. In fact, as a percentage of GDP, we spend less than half as much as the Chinese Communist Party on basic research—less than half—which is even more devastating given China has spent decades stealing America's intellectual property.

With this bill, that is finally going to change. We will not only create the good-paying jobs of tomorrow; we will not only fix our supply chains and bring costs down for American families with this bill; with this bill, we will reawaken the spirit of discovery, innovation, invention, and optimism that made America the envy of the world.

We don't mean to let the days of American leadership end on our watch. We don't mean to see America become a middling nation in this century. We mean for America to lead this century. For that reason, I urge my colleagues to give a resounding vote "yes" on cloture at 11 a.m. today.

PACT ACT

Mr. President, now on the PACT Act, last night, I filed cloture to prepare the Senate to once again pass the PACT Act, the largest and most important expansion of veteran healthcare benefits in decades and a bipartisan issue to the core—another bipartisan issue.

As my colleagues already know, because of a technical error, the House of Representatives was unable to take up our version of the bill that we passed in the spring. The House has now fixed their error and returned the PACT Act back to the Senate. We want to finish our work on the PACT Act before the end of the week.

Our Nation's veterans have waited long enough to get the benefits they need to treat complications from toxic exposure in the line of duty. So we have every reason in the world to get this bill done quickly, with the same bipartisan support as the first time around.

The need for the PACT Act is beyond question. Burn pits have affected up to 3½ million veterans since 9/11. Yet the VA has rejected nearly 80 percent of all disability claims connected to burn pits. That is unacceptable and must change.

I hope Members work together to fast-track this bill as soon as possible because there is no reason to delay a measure that the vast majority of Senators from both parties agree is necessary. Our veterans, their families, and our veterans service organizations have been urging us to finish work on this bill. Let's keep our promise to those valiant servicemembers and send the PACT Act quickly to the President's desk.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that at 11 a.m. the Senate vote on the motion to invoke cloture on the motion to concur with respect to H.R. 4346, the CHIPS and Science legislation.

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

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

INFLATION

Mr. McCONNELL. Mr. President, 93 percent of the American people are concerned about inflation; 42 percent say they are struggling just to stand

still financially; 63 percent say that gas prices, inflation, bills, or the economy are their biggest concerns. That is because 100 percent of the American people live in a country experiencing the worst inflation in more than 40 years, and 100 percent of the American people live in a country where things did not have to be this bad but for Democrats' deliberate policy choices.

Don't take it from me. Listen to Larry Summers, Treasury Secretary to President Clinton and NEC Director to President Obama. Here is what Larry Summers had to say:

There wouldn't have been nearly the same kinds of supply chain problems . . . if we weren't giving people who were laid off unemployment insurance that was far more than the salaries they had been earning . . . if we weren't mailing checks willy-nilly . . . there would have been less spending, that would have meant less bottlenecks.

He continued:

Printing money and distributing it well ahead of the supply of goods is a prescription for inflation—and that's what we did. We injected enough money into the economy to make total spending grow at an 11.6 percent rate last year. When you have 11.6 percent growth rate in spending, then on any reasonable theory of how much capacity there is, you're going to have a lot of inflation. And that's what we did.

That is a top Democrat talking, but he is intellectually honest. He tried to advise Washington Democrats not to dump nearly \$2 trillion onto the economy, but, of course, they didn't listen. And now working families are stuck with skyrocketing costs and bills as a consequence.

You would think the worst inflation in 40 years would be enough to convince Democrats to stop running these painful experiments on American families. But, if you can believe it, almost every House and Senate Democrat would like to follow up this historic inflation with massive new tax hikes. The same people who spent us into inflation want to tax us all the way into recession.

So let's hope this small handful of Democrats who see the insanity of this approach continue to stand strong for our country.

UKRAINE

Mr. President, on an entirely different matter, this past Saturday brought yet another escalation in Russia's brutal war in Ukraine. The ink had barely dried on a deal securing safe passage for Ukrainian grain exports when Russian missiles hit the port city of Odesa.

Ukraine produces one-fifth of the world's high-grade wheat. Russia's Black Sea blockade and the destruction of Ukraine's crops have left vulnerable regions of the world literally on the verge of crisis. But Vladimir Putin only managed to resist the urge to commit senseless violence for about 24 hours.

Now, the fact that Putin was even compelled to negotiate was thanks to the introduction of HIMARS long-range rockets and Harpoon anti-ship

missiles into Ukraine's arsenal. If Ukraine had had weapons like these earlier, the blockade of Odesa could have been prevented in the first place.

The Biden administration says its decision making throughout the process has been deliberate and nuanced. History will likely judge otherwise. The months before Putin's escalation clearly called for boldness and resolve, to say nothing of the months since. But, too often, the administration's first instincts have been to plot along slowly and vacillate.

The Ukrainians have fought bravely to stop Russia's advance despite being undermanned and outgunned. Just think what they could have accomplished if the West had acted boldly to support Ukraine as storm clouds were first gathering, or right away when the storm broke.

But, now, no one should need a reminder of the far-reaching impacts of the war in Ukraine. Our eastern flank allies certainly don't. They have been preparing to defend themselves literally for generations, and from the beginning of Russia's latest offensive, they have reached deep into their own inventories to help equip Ukraine.

Elsewhere in Europe, treaty allies have finally taken an important lesson about investing in deterrence and self-defense to heart. Countries like Germany have made historic commitments to increase military spending. The Germans, Swedes, and others have also broken historic precedent to share their stockpiles with Ukraine.

And, of course, Russia's war has led other major European states to announce their intention to join the ranks of the strongest alliance in world history. Last week, our colleagues on the Foreign Relations Committee advanced the necessary protocols to ratify Sweden and Finland's accession to NATO. There is now nothing preventing the Democratic leader from calling these measures up for immediate consideration and passage by the full Senate. The legislatures of other NATO allies like Canada, Norway, Poland, and Germany have already ratified them.

The United States would be fortunate to have two new treaty allies as impressive and capable as Finland and Sweden. Both countries' high-tech economies and extensive American-made systems will improve the alliance's interoperability and instantly improve the state of burden-sharing the day they come in.

American leadership in the world has made possible the peace and security our country enjoys today. That leadership is helping encourage our allies to make sufficient investments in their own capabilities to face down the shared threats, but American leadership is only as strong as our willingness to make robust investments in our own capabilities.

President Biden has submitted a defense budget request that fails to keep pace with growing threats and fails to

keep pace with Democrats' own inflation, and Senate Democrats are giving short shrift to the need for a strong, bipartisan Defense authorization bill.

Russian aggression isn't the only threat to American interests today. Rogue states like Iran and North Korea continue to march toward devastating weapons. China's provocative behavior in the Indo-Pacific continues to raise the stakes for long-term competition.

So there is no time—no time—to waste on either of these measures—neither the Sweden and Finland protocols nor a strong, bipartisan NDAA. We need to do all three as soon as possible.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

UNANIMOUS CONSENT AGREEMENT—H.R. 1892

Ms. ROSEN. Mr. President, I ask unanimous consent that if the Senate receives a message from the House that it has passed H.R. 1842, and if the text of that bill is identical to S. 697, that the bill be considered read three times and the Senate vote on passage of the bill without intervening action or debate, and that the motion to reconsider be considered made and laid upon the table.

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

CHIPS ACT OF 2022

Ms. ROSEN. Mr. President, for months, our country has experienced a severe computer chip shortage, one that has impacted nearly every American industry and increased costs for nearly every American. From cell phones to cars to televisions, even our refrigerators and washing machines—products we use every day—well, they need computer chips to function.

They are also used in critically important technology like the medical equipment at our hospitals and the technology used by our military. This is why the computer chip shortage we are facing is a critical economic and national security issue. It has caused prices to rise, contributed to supply chain issues, and limited the availability of many products, something that anyone who has tried to buy or rent a car over the past couple of years knows all too well.

This shortage was directly impacting hard-working families and the businesses that support jobs across our Nation.

It has hurt companies that employ people in my State of Nevada, like Varian Medical Systems, which uses computer chips to manufacture cancer-fighting and other critical medical technologies. This shortage is impacting lives and livelihoods.

For decades, America was a global leader in manufacturing and innovation; but over the years, we outsourced the production of computer chips to countries like China, costing us millions of potential American jobs and increasing our reliance on foreign nations for technology that is critical—critical for our national security and

for our safety. All of this has been exacerbated by a global pandemic and the war in Ukraine.

We can't afford to wait any longer to bring manufacturing of computer chips back to the United States. The Senate will be voting on bipartisan legislation to bring computer chip manufacturing back to the U.S. and help existing manufacturers compete, creating thousands of new American jobs and enhancing both our economic and our national security.

We will also improve our supply chain, which will help businesses like Varian Medical Systems, and it will minimize the supply chain disruptions which will ultimately help lower prices for consumers. This bill will do so much more to spur innovation and invest in our American economy.

As the first and only former computer programmer to serve in the U.S. Senate, I am so excited about what this legislation will do for the future of American technology and innovation. It will establish a first-of-its-kind effort to accelerate our development of critical technologies, like artificial intelligence, quantum computing, and advanced manufacturing. We will invest heavily in STEM education and in our cybersecurity workforce. And it will help build regional technology hubs all across this country to spark innovation.

I am also so proud that this bill includes bipartisan provisions that I worked on in the committee that wrote the bulk of the legislation, which includes these: my bipartisan Rural STEM Education Act with Senator WICKER to increase access to quality STEM education for rural schools so it is accessible to all of our students no matter where they live. It also includes provisions I worked on with Senator BLACKBURN to support advanced manufacturing workforce development and a bipartisan amendment I introduced with Senator LUMMIS to develop a secure and reliable critical mineral supply chain.

This historic bipartisan legislation is just common sense. So let's build up our communities; let's strengthen America's competitiveness; let's invest in American innovation; let's lower prices for hard-working families; and let's bolster our domestic supply chain. Let's pass this critical piece of legislation now.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. THUNE. Mr. President, I ask unanimous consent that I be able to speak for up to 15 minutes prior to the scheduled rollcall vote.

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

INFLATION

Mr. THUNE. Mr. President, "our experts believe and the data shows that most of the price increases we've seen . . . [are] expected to be temporary"—that is what President Biden said 1 year ago this month, something his administration has repeatedly echoed.

Unfortunately, it long ago became clear that was wishful thinking on the President's part. Far from being temporary, inflation has become a fact of life in the Biden economy.

Last month, inflation hit its highest level yet under President Biden, climbing to 9.1 percent, the worst inflation in more than 40 years. The impact of inflation is being felt in every corner of our economy. Businesses of every size are dealing with the effects of inflation. Small businesses, of course, are being hit particularly hard. And 75 percent of small business owners report inflation has had a negative effect on the financial health of their business over the past 6 months. And 75 percent report that inflation pressures are getting worse.

It is not surprising. Everything from inputs to transportation to electricity has become more expensive in the Biden economy, and that has a huge impact on businesses' ability to pay their expenses and run their operations.

As one South Dakota business owner who wrote to me noted:

It makes it hard for me to grow my USA-made business when I don't have the funds to pay my employees more, add more benefits, purchase more machinery, and buy more material in buck as inflation continues to rise.

Farmers and ranchers in my State are also struggling. As of March, the price of fertilizer had risen to an astounding 162 percent since January 2021. The prices of two common herbicides have risen more than 50 percent since last year. And the price of diesel, which powers a lot of farming and ranching equipment, has doubled since President Biden took office. Farming and ranching are tough jobs already, often with tight margins and a lot of weather-related risks. Inflation is making things exponentially hard.

The list of inflation's impacts goes on. For example, last week I talked about how inflation is affecting our military, which is able to do less with the funds appropriated for it, thanks to soaring prices across the economy. That, in turn, can affect troop readiness and the military's ability to keep up with needed programs and purchases from weapons to vehicles to aircraft, and ships.

Of course, I haven't even yet mentioned the most basic impact of inflation and that is the misery faced by hard-working Americans who confront sky-high prices at the grocery store and the gas pump and wonder how they are going to feed their family this month or whether they will be able to afford to get to work.

Bloomberg reported last week that nearly 6 in 10 American workers are concerned that their paychecks won't stretch far enough to support themselves and their families. Another recent poll reported that 70 percent of Americans have had to cut back on other spending to afford necessities.

Life in the Biden economy is grim. At this point, how we got here is well-

established. One of the main reasons we are in the midst of this inflation crisis is Democrats' decision to pass a massive partisan \$1.9 trillion spending bill last March under the guise of COVID relief, despite the fact that Congress had just passed a fifth bipartisan COVID bill that met essentially all current pressing COVID needs. Democrats were warned that their bill would cause inflation; and they proceeded anyway. The so-called American Rescue Plan flooded the economy with unnecessary government money, and the economy overheated as a result.

So here we are with Americans struggling under the weight of the worst inflation in 40 years, and Democrats want to double down on the spending strategy that helped get us into this mess in the first place. That is right. Despite the fact that even Democrat economists have stated that the American Rescue Plan helped create our current inflation crisis, Democrats want to pass another massive government spending bill filled with excessive spending and tax hikes—a trillion dollars in tax hikes in recent discussions.

Apparently, Democrats are not content with spending us into an inflation crisis, they would also like to tax us into a recession. There is already reason to worry about the negative economic impacts of new climate measures the President is contemplating imposing, but on top of that, Democrats want to spend even more government money and impose a trillion dollars in tax hikes, a substantial part of which would fall on small businesses.

At this rate, there is no telling when our inflation crisis will end. Democrats are so committed to big spending that even if their legislation fails this time around, they are already planning to run on their big spending agenda in November.

I am not sure I would want to try to convince voters to elect me by touting the same spending strategy that helped land our country in this inflation crisis in the first place. But Democrats' belief in big spending is so deeply ingrained that it apparently can't be swayed even when they see the negative consequences.

It is incomprehensible that Democrats are contemplating doubling down on the spending strategy that helped get us in this mess in the first place. The first spending spree has been a disaster for our country, and I can only imagine how much Americans would suffer from their next one.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the scheduled 11 o'clock vote.

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

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair

lays before the Senate the pending cloture motion, which the clerk will state.

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 motion to concur in the House amendment to the Senate amendment to H.R. 4346, a bill making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes, with amendment No. 5135.

Charles E. Schumer, Maria Cantwell, Ben Ray Lujan, Jon Tester, Richard Blumenthal, Robert P. Casey, Jr., Tina Smith, John W. Hickenlooper, Mazie Hirono, Mark R. Warner, Debbie Stabenow, Jack Reed, Tammy Baldwin, Jacky Rosen, Raphael G. Warnock, Tammy Duckworth, Christopher Murphy.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 4346, a bill making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes, with amendment No. 5135, offered by the Senator from New York [Mr. SCHUMER], shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Missouri (Mr. HAWLEY).

Further, if present and voting, the Senator from Missouri (Mr. HAWLEY) would have voted "nay."

The yeas and nays resulted—yeas 64, nays 32, as follows:

[Rollcall Vote No. 268 Leg.]

YEAS—64

Baldwin	Graham	Reed
Bennet	Hagerty	Romney
Blumenthal	Hassan	Rosen
Blunt	Heinrich	Sasse
Booker	Hickenlooper	Schatz
Brown	Hirono	Schumer
Burr	Kaine	Shaheen
Cantwell	Kelly	Sinema
Capito	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Lujan	Tester
Casey	Markey	Tillis
Cassidy	McConnell	Van Hollen
Collins	Menendez	Warner
Coons	Merkley	Warnock
Cornyn	Moran	Warren
Cortez Masto	Murphy	Whitehouse
Daines	Murray	Wicker
Duckworth	Ossoff	Wyden
Durbin	Padilla	Peters
Feinstein	Peters	Young
Gillibrand	Portman	

NAYS—32

Barrasso	Cotton	Ernst
Blackburn	Cramer	Fischer
Boozman	Crapo	Grassley
Braun	Cruz	Hoeben

Hyde-Smith	Marshall	Scott (SC)
Inhofe	Paul	Shelby
Johnson	Risch	Sullivan
Kennedy	Rounds	Thune
Lankford	Rubio	Toomey
Lee	Sanders	Tuberville
Lummis	Scott (FL)	

NOT VOTING—4

Hawley	Manchin
Leahy	Murkowski

(Mr. PADILLA assumed the Chair.)

The PRESIDING OFFICER (Mr. LUJAN). On this vote, the yeas are 64, the nays are 32.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

CHIPS ACT OF 2022—Resumed

The PRESIDING OFFICER. Cloture having been invoked, the Senate will resume consideration of the House message to accompany H.R. 4346, which the clerk will report.

The legislative clerk read as follows:

House message to accompany H.R. 4346, a bill making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Schumer amendment No. 5135 (to the House amendment to the Senate amendment), relating to the CHIPS Act of 2022.

Schumer amendment No. 5136 (to amendment No. 5135), to add an effective date.

Schumer motion to refer the bill to the Committee on Commerce, Science, and Transportation, with instructions, Schumer amendment No. 5137, to add an effective date.

Schumer amendment No. 5138 (to the instructions) amendment No. 5137), to modify the effective date.

The PRESIDING OFFICER. Cloture having been invoked, the motion to refer and the amendments pending thereto fall.

The Senator from Wyoming.

ENERGY

Mr. BARRASSO. Mr. President, I come to the floor today to talk about the Biden energy crisis that is affecting our country.

Now, Joe Biden has been threatening to declare a climate emergency. Democrats from New England, Members of this body, have been practically begging him to do so. They actually went to Massachusetts with him last week to try to twist his arm.

Democrats say this would give Joe Biden even more legal authority to restrict American energy. So that is what the Democrats want these days: less American energy—more expensive American energy, less American energy, and more power for Joe Biden.

Well, I have got bad news for the Democrats. The Supreme Court has ruled very recently, less than a month ago, that energy regulation requires "clear congressional authorization."

Congress writes the laws. It is the President who is just supposed to carry out the laws that are written by Congress. The President doesn't have the

authority to just do whatever he wants by saying we have a climate crisis and then calling it an emergency. But Democrats are far too eager to give more and more of the Senate's power to the least popular President in the last 70 years.

Democrats say we have a crisis right now. Well, they are right about the fact that we have a crisis. We have a lot of crises in this country, and they are crises because of Joe Biden and because of the Democrats and the policies of this administration. We have an energy crisis. We have an inflation crisis. We have a crisis at the southern border. We have a crisis of crime in the cities. And as we come to the end of another month, millions of families are facing a crisis at home trying to pay their bills. The result is that Democrats have a crisis too. It is a crisis in the White House and in the party, a crisis of competence and a crisis of credibility.

Two-thirds of Americans say that this President and the Democrats are focusing on the wrong things. There was a poll last week in the New York Times. It showed that only 1 percent of Americans—1 percent—say climate change is their No. 1 priority. Now, that is of all people. What about Democrats? Only 3 percent of Democrats say that the idea of what the President is focusing on and trying to declare an emergency on, a national emergency—only 3 percent of Democrats say it is their top priority. What about the young people, the people who the Democrats always say: We appeal to the young people? Only 3 percent of people under the age of 30, voters under the age of 30, say that climate is their No. 1 concern.

The numbers are astonishing, and the President continues to ignore it. Working families aren't thinking about what the White House is calling the liberal world order, which is why the President wants to declare a climate crisis. Working families are trying to balance their checkbooks, trying to make it to the end of the month with some money left over to pay the bills.

People say: What do families want? I know, in my home State of Wyoming, I talk to families at the grocery on Sunday, traveling the State Saturday. We had folks all around the State coming together for Frontier Days in Cheyenne. People want to be able to pay for a full tank of gas. They want to be able to go to the grocery store and buy groceries for a week. And they want to have money left over at the end of the month—and the end of the month is coming—to pay their bills. That is all they are asking. Under this administration, they have been falling further and further behind, and it is becoming almost impossible to do those three simple things.

A survey from Bloomberg last week found that 60 percent of workers say they are worried that they can't support their family. They were doing it beforehand, but they can't do it now.

You read stories of people losing sleep over the economy and their own financial well-being—or not-so-well-being.

People are putting off their dreams; they are giving up on their dreams and their hopes for themselves and their kids. The Joint Tax Committee has looked into this and said the average American family has already paid \$1,500 extra for energy under Joe Biden as President. People are paying about \$100 a week extra, more than they were when Joe Biden came into office, just to buy the things that they were buying last year.

So now here we are about halfway through this year, and it is really adding up. As a result, the savings rate is the lowest it has been since the great recession in 2009. No wonder consumer confidence has dropped again. The numbers are out this morning, and you look at the headlines. Here is one. It says, in July, consumer confidence slipped for the third month in a row, nearing pandemic lows. It goes on to say confidence is down 24 percent since last July. Inflation continues to bite. Inflation continues to bite.

That is why credit card debt is at a record high. This year, American people have opened millions of new credit card accounts just to pay for the daily issues of life struggles.

So my question is: Who are the 3 percent of Democrats who think climate change is their top priority? I know some are Members of this body. Well, they all seem to work here in Washington.

One of them is John Kerry, clearly. Last week, we found out that John Kerry—who I think is a climate czar or whatever his title is at the White House—has now taken 48 official trips on a private jet, his private jet as Joe Biden's climate czar. In total, those 48 trips have put 325 metric tons of carbon into the atmosphere.

Thank you, John Kerry. You know better than we do, though.

Now, this is what a vehicle would emit in 20 years. So John Kerry is flying around lecturing the rest of us from his position of smug superiority, and he emits more carbon and a lot more hot air than almost anyone on the face of the Earth.

If Democrats cared about our climate, they would tell John Kerry to park the plane and go home to one of your mansions. Even for Democrats, the hypocrisy is astonishing.

What about another one of these people who are focused on such a small amount of the 3 percent as well? How about Pete Buttigieg, Secretary of Transportation, Mayor Pete? Last week, he said this:

The more pain that we are all experiencing from the high price of gas, the more benefit there is—

The more pain you are suffering, men and women and families all around America, the more benefit there is—for those who can access electric vehicles.

How tone deaf. And this guy wants to be President. I would remind Mayor

Pete that the wealthy who can afford electric vehicles will be just fine; it is everybody else who is suffering right now. Mayor Pete seems to think pain at the pump is a good thing for America—not the America that I live in, not the America that the people of Wyoming live in. The great majority of the American people don't feel that pain at the pump is a good thing, but probably a number of Members of this Senate body do.

Mayor Pete seems to like these high prices. He testified before the House last week and was asked about the cost of electric vehicles. Well, the average cost of electric vehicles is about \$55,000. Oh, the price of electric vehicles, you may have noted, Mr. President, is up 18 percent this year due to Joe Biden inflation. Inflation is hitting everything and everyone. Even the electric vehicles are much more expensive now.

Does Mayor Pete think people have that kind of money sitting around? Do Members of this body, the Democrats, think that people have that kind of money available? People can't afford to eat. They can't afford to drive their cars. They can't afford to buy a full tank of gasoline.

PBS ran a story last week about senior citizens moving in together. Why? Because they couldn't afford their rent expenses. That is what people are experiencing under Joe Biden's Presidency.

And where does Mayor Pete think electricity comes from? He was a mayor; he should know. Right now in Texas, people with electric vehicles are being told not to plug in their electric vehicles between 3 p.m. and 8 p.m. Don't plug them in. Well, why? To avoid overtaxing the grid, to avoid a brownout in communities.

This is at a point where you don't have that many electric vehicles in the economy and in the country. What if Biden got his way and more and more people were driving electric vehicles? We would have a blackout every day in the Joe Biden economy.

Now, electric vehicles can take hours and hours and hours to fully charge. Not everybody can wait that long. Not everybody has a job where they can email it in. A lot of people have to show up in person. They certainly have to in Wyoming. They have to work with their hands.

There is still a big gap in this country between renewable energy and reliable energy, and we need reliable energy. We need it all. Two-thirds of our energy grid still comes from traditional forms of energy.

Higher cost for energy? What does it mean? It means higher costs for everything else. And that is what people are seeing all around the country in Joe Biden's economy. For 15 months in a row now, prices have gone up faster than wages. So for 15 months in a row—that means for each of those months, people can afford less than they could the month before. Right now for the American people, as you saw from the

consumer confidence numbers that are out today, there is no end in sight.

Later this week, we are going to find out a couple of things about the economy. Tomorrow, we are going to find out how much the Federal Reserve is going to raise rates. In the last 4 months, we have seen the largest increase in 40 years, and they are likely to go up again this week. Mortgage rates have doubled in the last 7 months.

Why is the Federal Reserve doing this? Well, they are taking desperate measures to try to fix the inflation that Joe Biden and the Democrats have forced onto the country. If there had been no inflation crisis, the Fed wouldn't be raising rates like this. So the blame for the rate increase is not on the Fed; it is on the Democrats. They are the ones whose policies—the Democrats in this body and the Democrats in the White House and the Democrats in the House—made the rate hikes necessary. The Federal Reserve is just trying to throw on the emergency brake because of inflation.

Joe Biden—and his spending, and he wants to spend more—is the guy who is fueling the inflation in a car that we just cannot afford to see crash. On Thursday, we are going to find out if maybe the car has already crashed because on Thursday, we will find out if we are officially in a recession. But it doesn't really matter if it is official or not because the American people can already feel the pain of a recession.

Two-thirds of the public has already made a decision in their own mind that we are in a recession right now. That is how they are feeling the impact on their lives. Four out of five Americans think that this country is on the wrong track under the Democrats and under Joe Biden. Yet the Democrats, with their desire to do more and more spending, and Joe Biden trying to do his Build Back Better routine—they want to keep us going right over the cliff. The Biden administration has to be the most out-of-touch administration since at least Herbert Hoover.

It is time to reverse course. Stop the attacks on American energy. We have some of the largest energy reserves in the world here in the United States. We have plenty of it in my home State of Wyoming. We ought to be using it. We have the best energy workers. We have the highest environmental standards of anywhere on planet Earth.

So the crisis facing our Nation right now is a crisis of choice: an energy crisis, an inflation crisis, a border crisis, a crime crisis—all chosen by the Democrats and their policies.

Elections are coming. Midterm elections are a report card of the President halfway through a 4-year term. People are going to send a message that they are eager to change direction from the many crises that have been brought upon this Nation by Joe Biden and his liberal Democrat enablers—a crisis that the President and the Democrats are unwilling and unable to correct.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I appreciate so much the comments of my colleague. I think this shows you that whether you are talking about Wyoming and the people who are there or Tennessee, my State, the economy is one of the top issues people are discussing.

Joe Biden addressed the Nation just over a year ago, and he had all of these bold claims about how he expected the economy to respond to his what I thought were reckless taxing-and-spending sprees. He made this statement, and I am going to quote him because he was trying to make the point that inflation was transitory, that it was going to be temporary. Here is what he said:

I want to be clear: my administration understands that were we ever to experience unchecked inflation in the long term, that would pose a real challenge for our economy. While we're confident that isn't what we're seeing today, we're going to remain vigilant about any response that is needed.

Well, let's fast-forward a year from that very bold, brash statement, and we know that it was a falsehood that was meant to distract "we the people" while the President and the Democrats worked overtime to make things worse.

Now, this week, economists expect to confirm what we have known for a long time and, as Senator BARRASSO was saying, what people are feeling in their personal economy—that the U.S. economy isn't just struggling, it is shrinking. Buying power for households is shrinking. Options and choices are shrinking. If the numbers say what we think they will, we will see the second consecutive month of a shrinking GDP and another month of runaway inflation. Just a few hours ago, we learned that consumer confidence dropped again this month. Expectations are down again.

These are the warning signs of a recession. The White House doesn't want us to say it. The pundits don't want to say it. But that is the reality that Joe Biden has created. Do you know who is saying it? Thousands of Tennesseans because they are living it every day.

Now, I would suggest to my colleagues that if they find themselves questioning this reality, they should get out of the city and spend some time talking to people who live in their State—people who don't exist in the political bubble, the people who are having to make a choice between filling up the gas tank and filling up the grocery cart. Go talk to the farmers and the truckdrivers and the small business owners, and listen to them when they tell you how very difficult life is right now. Talk to the moms and the grandmoms in those smalltown grocery stores and listen to them when they tell you how hard it is to keep their household running.

One of the many reasons this is so frustrating for Tennesseans is that

under President Trump, economic success was pretty much a given. The country was recovering from the pandemic. We had a plan to repair our supply chains. The American people were starting to have hope that the dystopian nightmare they had been living through was finally over.

But it is clear to them that if we ever find any sort of success under President Biden, it is going to come as a pleasant surprise because right now they are not seeing light at the end of the tunnel. Every week, it is harder, whether you are trying to find baby formula or you are trying to find basic staples or you are trying to make some of those pre-back-to-school purchases for your children.

I talk to people every day. They worry about what is coming next because they cannot believe how fast the change has come about under the Biden administration. One of the things they mention is that Joe Biden and the Democrats have eliminated predictability and replaced it with certainty that whatever this administration comes up with next is going to be something that makes their lives worse.

When I go home and I talk to my friends at church or at the store, people ask me: Why is this administration doing this? How could they possibly be making such terrible decisions?

The answer is really quite simple. They don't believe that the purpose of the Federal Government is to serve "we the people"; they believe its purpose is to control our lives from the moment we get up in the morning until we put our head on the pillow at night, 24/7, 365. They have a long history of using their power to incentivize dependency on the government, but this administration has taken it even further.

What they perceive is happening is that they are being punished—punishing families, small businesses, and local governments that speak out by forcing them to pay for a socialist agenda that picks winners and losers. And who loses? Families. Small businesses. Local governments. They lose every single time.

At every stop so far on my 95-county tour, county mayors and other local leaders have described to me how this agenda has made planning for the future virtually impossible. Those are their words, not mine: It is impossible. A few years ago, they were focused on improving their communities, and now they are just praying that they will be able to keep providing basic services.

Fuel is too expensive. Construction supplies are too expensive. And if they are available, utilities are breaking the budget.

In McNairy County, a 3-year supply chain delay on a new firetruck has frozen the flow of much needed grant funding. Local leaders were counting on that money to finish a few projects, get more first responders on the road, and lower the cost of living for the

30,000 people they are responsible for, but now they are stuck.

It is the same story for hundreds of small businesses and farms all across the State. We have farmers who decided not to put their crops in the ground this year because the cost of diesel, fertilizer, chemicals, and pesticides is just too high. Now think about that. The people responsible for maintaining our food supply are no longer able to supply food because this administration had other priorities. Retailers and other small business owners aren't faring any better. Because things are more expensive for them, they are more expensive for each and every one of us.

More and more often, Tennessee families are finding too much month left at the end of their paycheck rather than paycheck that is left at the end of the month. This has led to some hard choices, not just about the little luxuries they once enjoyed but about the essentials. Will they cook a balanced meal or will they pay the electric bill? Will they put gas in the car or do they need to send that money to school for their kids' lunch? No one should have to make these choices, but this is the reality for millions of families.

But President Biden and the Democrats aren't worried about that. It doesn't appear they have ever been. Once they took control of the Federal Government, they immediately started spending money on things that sounded great to their base but that the American people did not vote for and still simply do not want. They knew this would sabotage our economic recovery, it would drive inflation, but still they found plenty of money to start chipping away at their wish list.

They couldn't bring themselves to let America stay energy independent, so they canceled the Keystone Pipeline, and they sent the regulatory state after domestic energy producers. Indeed, 42 of the 69 regulations that this President has put in place have been focused on the energy sector.

Time and time again, President Biden and the Democrats have made it clear that their priorities do not align with the wants and needs of this country.

They gave a green light to the Green New Deal, to critical race theory in public schools, to an open border, and to force decimating vaccine mandates on the National Guard and the Reserves.

Meanwhile, the American economy has stopped dead in its tracks. This has to end. We are not just losing money; we are running out of time. The American people are beginning to feel this administration has abandoned them, that they are being punished. But they also want you to know that in spite of all that, they are not ready to submit to this agenda. They are concerned about their families and their communities. It is time to move away from this reckless, destructive agenda and choose the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that I am able to speak and followed by Senator CORTEZ MASTO to be able to speak before the Senate adjourns for the weekly caucus lunches.

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

H.R. 4346

Mr. WARNER. Mr. President, today we took another giant step on something that has been a lot harder than it should have been and could have been because it actually started last June when I rose before this body—June of 2021—to speak about the critical need to pass the U.S. Innovation and Competition Act, as it was known back then, USICA, in order to shore up U.S. investment in research and development and manufacturing of critical technologies.

On this bill—a few name changes later, and, unfortunately, more than a year later—I rise again before this body to express my strong support for this revised CHIPS+ legislation—that we just cleared an important hurdle for over the last hour—and urge my colleagues to pass this bill as quickly as possible so we can get it out of the Senate, get it over to the House, and get it to the President's desk.

We cannot afford to waste any more time because this funding sends a message that the United States is putting a strong down payment on maintaining our edge in the global technology race and preventing global supply chains from being weaponized against the United States or, for that matter, against our allies.

Over the past few years, China has continued to increase investments in its domestic industries and, particularly, in areas that confer long-term strategic influence. This includes the semiconductor industry, which I have been particularly focused on over the past few years.

Now, let me be clear. When I talk about China—let me be clear—my beef is with the Communist Party of China, Xi Jinping, and their approach. It is not with the Chinese people; it is not with the Chinese diaspora. As a matter of fact, when people don't make that distinction, you may play exactly into the CCP's agenda that somehow these are all simply anti-Chinese activists. These are not. These are activities against the Government of China and, particularly, the Communist Party of China.

Coming back to semiconductors: Semiconductors, often called chips, are the backbone of our modern lives. They can be found in literally everything with an on-and-off switch: from cars and trucks to washers and dryers to smartphones and laptops. Chips are an essential component in so many of the devices we use today.

The growth in chips is going to be exponential. Many have fought and

talked about the whole notion of the internet of things. The internet of things require devices that are connected to the internet. Obviously, autonomous driving would be one example. For every connection, there needs to be a center, most of those requiring a semiconductor chip.

Unfortunately, looking backwards, for many years, American semiconductor companies led the world in both design and manufacturing of this critical technology. But the truth is, our leadership has languished. In recent years, we continue to lose ground, particularly not just to China but to East Asian markets in total.

As a country, we have gone—from 1990, when we produced literally 37 percent of all the chips in the world, to today—in the whole field of microelectronics, we are down to about 12 percent.

On the other hand, China has ramped up its investment in chips, providing an estimated \$200 billion in financial support between just 2015 and going forward projection up to 2025. Chinese orders for semiconductor manufacturing equipment rose 58 percent in 2021 in the midst of the COVID crisis. China has a goal to produce at least 70 percent of its use of semiconductors in the country by 2030.

The truth is, it is not just China. This is global competition. Japan recently passed a \$6.8 billion investment package that will fund innovative chip manufacturing, as well as research and development. South Korea, which has also been one of the great leaders in this movement for it, has similar-type investments.

Unfortunately, one of the challenges we face is the country or the entity that has evolved some of the fastest has been Taiwan, where, unfortunately, we now rely on many of the most cutting-edge, leading-edge chips coming out of the Taiwan.

As we have seen with President Xi's aggressive—at least indications, about trying to subjugate Taiwan—when we think of it in the context of the Russian-Ukraine battle, the notion that could take place beyond what it would do to the democracy that exists in Taiwan, what it would do in terms of that critical semiconductor production—it would cause not only a recession but depression around the world.

It is not just South Korea, Japan, and Taiwan. India has recently passed legislation investing \$30 billion in their domestic electronics manufacturing industry, with \$10 billion of that dedicated to chips manufacturing and display manufacturing.

The truth is—and this is one of the things I think was the great irony—is that when I spoke about this bill 13 months ago, then, obviously, the Senate, with the leadership of the Presiding Officer and others, we actually passed this bill back in July of last year. Our passage of that bill and raising the expectation that America was going to really get in the game, set off

alarm bells, not only in terms of what is coming out of Asia but from some of our allies in Europe.

The truth is, European bureaucrats, particularly coming out of Brussels, are not normally viewed as moving with a great deal of speed. But because we have taken now 12 months to actually get our act together and get this bill to this stage of passage, we have seen European countries—Germany, for example, has already selected 32 semiconductor projects and put \$12 billion in draft investments. And even our friends in France recently announced a major U.S. global foundry investment in France.

This has proven out—the lack of investment by the U.S. has had a huge impact. From 2010 to 2020, only 17 major semiconductor plants—they call them fabs, manufacturing fabs—were built in the United States. Over that same time, we have seen 122 built elsewhere around the world. And the handful of major projects announced in the last year as a direct result of our efforts a year ago to say we are going to put our money where our mouth is in terms of these kind of investments—major facilities in Ohio, Arizona, and elsewhere, candidly, are very much at risk at this point, unless we can get this legislation to the President's desk.

Right now, the truth is: The cost of new fabs is 25 percent to 50 percent higher in the United States; and that is partially due to the enormous financial incentives offered by our competitive ventures.

The truth is, in a perfect world, we wouldn't want governments subsidizing some of these investments. We don't live in a perfect world. We live in a real world where competitors like China and even our allies around the world are making investments, candidly, that on a per capita basis even make this investment by the United States seem relatively small.

Many ask, so why is it so important for the United States to maintain investment in semiconductor production when on a lot of accounts, the PRC—China—is several generations behind? Because the truth is, U.S. semiconductor firms—and firms in the adjacent areas of lithography, packaging, and metrology—still lead the world.

I can tell you, as chairman of the Intelligence Committee, I can tell you unequivocally that the Communist Party of China and the PRC is acutely aware of that gap and aggressively are working, not just to close it, but to eventually leapfrog the United States and our allies to lead in chip production.

As a matter of fact, just over this past week, there was an extraordinary story coming out of Bloomberg that indicated that the Chinese may have already moved dramatically forward in terms of 7-nanometer production. For those aware, if that is true, that could have a huge, huge effect. We should expect that because last year, President Xi announced a \$1.4 trillion commitment through 2025 to develop advanced

technologies, not only in chips, but in next-generation wireless networks and artificial intelligence—technologies that will candidly determine who is not only the economic but the security winner of the 21st century.

I firmly believe that this is the time of technology competition across the series of domains, and China has a plan they articulated in their China 2025 document. We, in this country, are still trying to determine what are those domains.

The truth is, semiconductors—which enable advancements in artificial intelligence or high-performance computing, hypersonics, and everything else, again, with an on-off switch—is arguably the centerpiece of President Xi's effort to ultimately control innovation system development.

Meanwhile, many of the key ingredients to U.S. historical success, including Federal support for R&D, investment in basic research and support for advanced manufacturing, have declined over the last 20 years. Why? I am focusing on chips and the 5G and beyond. Here, there is a whole series of components in this legislation we have advanced today that includes beefing up R&D, advanced manufacturing, and other critical areas.

It brings me down to my closing comments before I turn it over to the Senator from Nevada. That is why the \$52 billion in funding for CHIPS for America Act—a bipartisan effort my friend, Senator CORNYN and I, along with Senator SCHUMER and Senator COTTON—we have been working on this, literally, for years, way beyond the 13 months, when I rose on this topic 13 months ago—is so important and why a parallel effort also in this bill to catalyze U.S. and allied innovation in a more diverse and resilient telecommunications ecosystem is so virtually important.

I would also note this simply isn't an economic competitiveness or security issue. We know, as we see it play out right now in terms of supply chains—vis-a-vis Russia and Ukraine, the notion of cutting off advanced semiconductors to Russia will have a huge effect on Russia's military capacity. We also know, as well, this will be a jobs bill in terms of these fabrication facilities and research all across America. And, candidly, as we know, there are literally thousands of cars that already have been produced by American auto manufacturers that are sitting, not getting into the market because they don't have the chips to make the cars actually operate. Over the long haul, bringing that supply chain back here will ultimately deal with inflation issues, as well.

We cannot be held hostage on this critical issue. Most of the focus has been on chips, as appropriate. But this bill also makes important investments in the future of wireless telecommunications. In many ways, this issue first came to the forefront, not on chips, but a few years back—I say this as a former wireless telecom guy—when a

Chinese company, Huawei, suddenly started to dominate the market. We raised concerns about Huawei. Many of our allies and others said: That is fine; what is your alternative? What is the Western alternative?

I think we were a little bit slow on making the case; although, now, virtually every nation that invested in Huawei equipment has realized national security concerns that are literally in the process of ripping and replacing that equipment.

We have still got more to do. Huawei penetrated some of our markets in the United States. So this bill that has been called CHIPS also includes funding for the bipartisan Utilizing Strategic Allied Telecommunications Act, or the USA Act, which fosters U.S. innovation in the race for 5G by providing \$1.5 billion to invest in Western-backed alternatives to, again, Chinese equipment providers, like Huawei but also ZTE.

This is a bill that, again, I was proud to work on with many of my Intel colleagues, Senator BURR and Senator RUBIO. It will also stand up a new Public Wireless Supply Chain Innovation Fund to spur movements toward open-architecture software. That would allow us to fund innovative, “leap ahead” technologies in the domestic mobile broadband market.

That approach plays to U.S. strengths, like software and network virtualization, and it means that we will have a wider set of firms, including American, with healthier balance sheets competing against these state-sponsored Chinese vendors, because one thing that has been clear over the past two administrations, our anti-Huawei message, or the things that finally moved, would have moved a lot quicker if we had had other U.S. and Western alternatives.

Again, I will close now. As the chairman of the Senate Intelligence Committee, I see examples every day of how China is doubling down on its pursuit of advanced technologies that I think will define the 21st century, and in many ways, the United States has started to fall behind.

Fortunately, it is not too late to change that narrative or to change that result. With the right investments, like the ones that have been provided in this legislation, we can unleash the ingenuity of the American people. We can reinvigorate American innovation and improve our national security while setting the country up to lead the way on technologies that will define our future.

We need to get this passed as quickly as possible, and then I strongly, strongly urge our colleagues in the House to pass it as well and get it to the President's desk.

With that, I yield the floor.

I do want to thank my colleague from Nevada, who has been a leader on this legislation, as well, and knows the importance of getting this done.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I do, I have to thank my friend and colleague Senator WARNER from Virginia. He has been a leading voice on this issue and the importance of passing this legislation, not just because it addresses our national security. It gives us an economic advantage in this country. But he also realizes the jobs it creates, and it positions not just Nevada but every State—this country—to lean into the future and be prepared for the challenges of the 21st century.

So I thank you because I know that you have been at the forefront of this, and you have not relented. Thank you, thank you for everything that you have done.

MEDICARE

Mr. President, there is another issue that is important for Nevada that I want to talk about. It is not just Nevada but for so many across the country.

You know, I was elected to the Senate, and ever since then, in 2017, I have stood up for Medicare and Nevada seniors. I have fought against the Trump administration's cruel proposals to cut Medicare funding, and I championed provisions to expand Medicare funding and services.

That is why I was shocked when, last week, hundreds of Nevadans began calling my office. They were anxious and alarmed over a deliberately misleading ad that is running on TV, on Facebook, and via a text campaign.

In Reno, this past weekend, Nevadans came up to me because they were concerned about these false accusations. This ad incorrectly claims that I support a bill that would strip \$300 billion from Medicare. This couldn't be further from the truth.

What I do know is that the ad is a deliberate lie, and what they are being funded by, unfortunately—these ads—is a dark money group. They are being funded by American Prosperity Alliance. This is exactly the kind of group I have been raising the alarm about for years, because here is the truth, here are the facts: I am standing up for Medicare, just like I always have. I am pushing legislation, just like many of our colleagues, just like the Presiding Officer is, as well, to lower prescription drug costs for Nevadans and save Medicare and so many other seniors across the country really almost \$300 billion.

It saves the government. What we are doing, our legislation, in total, saves dollars—almost \$300 billion—for the government and, ultimately, the taxpayers.

The bill would not cut anything but Big Pharma's profits, and seniors in Nevada and across the country can expect even stronger benefits under the legislation that I am working on, that the Presiding Officer is working on, as so many of us are. So why would the ads lie about something so important to the American public when we are working to lower their costs and give them access to affordable healthcare in this country?

Here is why: Because powerful interest groups out there don't want this legislation to succeed. So they are pouring dark money into efforts to stop it.

Now, we don't know who really funded this ad, and the organization that wrote the check doesn't have to disclose that information. So nobody can be held accountable, and that is part of the problem. And that is why I have been calling for this accountability and this transparency about who is funding all of these ads.

That is what we know—that the dark money is out there, and the only one that is going to benefit from these ads at the end of the day is Big Pharma, because they don't want their profits cut. So they are trying to frighten Nevadans and pressure me to vote against a bill that would help my very constituents.

Well, let me just say this: It won't work. I stand up to bullies, and when I was attorney general, I was very proud that not only did I take on the big banks during the foreclosure crisis, but, during my tenure and continuing now, I stood up to Big Pharma, suing Pfizer for millions after the company misled Nevada consumers about the safety of its drugs.

So I am not going to be intimidated by advertisements spouting false information to my constituents.

So I am here today to set the record straight and make sure that Nevadans understand what is really going on, because here is what is happening: The very legislation that I am working on, that the Presiding Officer is working on for New Mexico, and so many of us are, would dramatically lower prescription drug costs and strengthen Medicare. It would do this by capping out-of-pocket costs for prescription drugs. It would punish drug companies that try to raise the prices of their drugs faster than the rate of inflation. And, oh, yes, it would allow the government to negotiate fair prices for drugs from pharmaceutical companies.

Our legislation will save the government almost \$300 billion. Now, that is not a cut; that is a savings. Every household in the country knows the difference between the two. Under this plan, Nevadans will be getting more benefits for less money, period. That is the truth.

Here is my question to Big Pharma: Why do you go out and scare individuals, put ads out there that you are paying for that are lies, when in actuality you could be working with us?

Because here is what I know, at the end of the day, from my constituents: Nobody in this country, whether you live in the State of Nevada or in any other State, should have to make a tough decision of whether you can afford your healthcare, your prescription drugs, or put food on the table or pay your electric bill. That is not what this country is about.

So to Big Pharma, I will call you out. You want to really be a part of the so-

lution? Then come support this legislation. Help us in this country lower costs for so many families who literally need access to medications that they cannot afford. That is not what this country stands for.

So that is the truth, and to anyone—anyone—who wants to come out and challenge that, I am ready to debate you any time of the day.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:54 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

CHIPS ACT OF 2022—Continued

The PRESIDING OFFICER. The Senator from Rhode Island.

AFFORDABLE HOUSING

Mr. REED. Madam President, among the many financial worries for average Americans, particularly young families just starting out, is finding a safe, affordable place to live. The simple fact is that we don't have the supply of housing to meet demand. Indeed, we have a shortfall of 7 million affordable housing units according to the National Low-Income Housing Coalition.

Certainly, the COVID-19 pandemic reduced housing production and created kinks in the supply chain for important raw materials like lumber, but the truth is that we were lagging when it came to building and maintaining affordable housing long before COVID-19.

Back in 2020, a Rhode Island family earning the State's median income could not afford to buy a home at the median price anywhere in the State. It has only gotten worse since then. Across the country, home prices have risen 13.4 percent from last year, with the national median price now at \$416,000.

In my State, the Rhode Island Association of Realtors reports that the median price of homes sold in June 2022 reached an alltime high of \$430,000. That is 11.7 percent higher than a year earlier.

A large reason that home ownership is out of reach for many Americans is the inventory levels are so low. In recent months, sales have dropped as interest rates have increased, but we are still nowhere near a balanced market. In a healthy housing market, there is usually a 6-month supply of homes available for sale at any given time. Right now, our country has less than a 3-month supply of homes, and Rhode Island has less than a 2-month supply.

As potential home buyers are priced out of the housing market, they remain in the rental market, adding additional pressure to rental prices. According to apartmentlist.com, rent has grown 14.1 percent nationally from last

summer. In Providence, RI, rents have jumped 23.8 percent from last year.

When supply is tight and rents go up, it is harder for our more vulnerable community members to afford housing. That is our seniors, people with disabilities, and the unhoused. People who have been a part of the fabric of our communities for decades are no longer able to afford staying. It is a scary prospect that is facing too many Americans.

This didn't happen overnight. According to the National Low Income Housing Coalition, the number of homes with low monthly rents declined by 4 million between 1991 and 2017.

And the underbuilding of starter homes for decades has caught up to us, creating a major housing supply crunch that has led to soaring rents and home prices. Developers have more incentives to build six-bedroom "McMansions" and luxury apartments. That doesn't help folks who just need a safe, affordable place to live in their community, and it doesn't meet the needs of young families who just want about 1,800 square feet, four walls, and a roof. We now have a housing market where police officers, firefighters, teachers, and nurses cannot afford to live in the communities that they serve. Simply put, our current housing stock does not have homes to match what families want and what families need.

Also contributing to the problem, our housing market has been flooded with speculators, private equity firms, and large institutional investors who are starting to come in looking for big profits. This is why Chairman BROWN, Senator WARREN, and I have called on HUD to stem the flow of single-family homes to institutional investors and help level the playing field between families and large investors.

In this kind of market, it is hard for everyone, especially first-time buyers.

Over the last 2 years, the Federal Government has made substantial investments in affordable housing, helping people experiencing homelessness, and keeping people stably housed. Without the measures we adopted, the housing situation for millions of Americans would be even worse.

I was part of the bipartisan working group that negotiated the CARES Act, which was a step toward keeping people safe, protecting public health, and preventing an affordable housing crisis from becoming an eviction disaster.

But, clearly, the CARES Act wasn't enough. That is why I introduced a bill to provide rental assistance and homeowner assistance to families. That legislative initiative led to the influx of more than \$46 billion in emergency rental assistance to help renters who have struggled to pay their rent and utilities during the pandemic. Those funds have also been used to help with housing stability, particularly for unhoused individuals. In total, emergency rental assistance has helped over 34,000 families in Rhode Island alone.

And I also worked with colleagues to deliver nearly \$10 billion under the Homeowner Assistance Fund to help homeowners who experienced COVID-19 hardships keep up with house payments and stay in their homes. Over \$50 million in this fund is helping homeowners in my State.

Rhode Island and other States are also committing their American Rescue Plan dollars toward building new affordable housing. It is hard to overstate the impact that this cushion of support has had for families in our State and across the country.

Putting a historic emphasis on housing support helped eliminate a major potential economic hardship that could have been catastrophic for millions of Americans. Without the worry of how to make rent or mortgage payments, families didn't need to scramble to find shelter and uproot themselves from their support systems. Kids had safe homes and could stay in the same school. It helped parents keep their jobs, helped seniors stay connected to their communities, and kept all of us healthier and safer. We need more of this kind of support for families, not less.

Measures like the Emergency Rental Assistance Program and the Homeowner Assistance Fund were temporary, and those programs are going to be wrapping up in the next few months. As we look ahead to the future, it is time for us to think, What have we learned? What are the acute needs of housing today?

There is no question we need to build more affordable housing. We need to invest in rehabilitating old homes but also in building new homes, specifically for low-income families.

We need to fortify the Federal programs that incentivize private investment in affordable housing, like the National Housing Trust Fund, the Capital Magnet Fund, Low-Income Housing Tax Credits, and HOME Investment Partnerships. That includes extending available low-income housing tax credits by reinstating the 12.5-percent boost that expired at the end of 2021. It also means passing the bipartisan *LIFELINE* Act introduced by Senators LEAHY, COLLINS, WYDEN, myself, and many others so that we can maximize the impact of the State and Local Fiscal Recovery Funds from the American Rescue Plan when States put those funds toward building and maintaining affordable housing.

We need to invest in apprenticeships and training programs to create a more skilled construction workforce with a focus on attracting more diverse workers.

We need more innovation, with quicker building techniques and high-tech materials. This is not a pipe-dream. Rhode Island has already shown the world how to get innovative in the housing space with ONE Neighborhood Builders' Sheridan Small Homes and Bowdoin Street Rowhouse. These are innovative construction projects—

small homes with many energy-saving aspects. They are the future, and we have to invest in that future.

And as I said, we have to build to focus on a green future that includes the effects of climate change. That means we need to pass the Green Retrofits Act, which I introduced with Senator COLLINS. This bill would boost energy efficiency in thousands of multifamily residential homes nationwide by bolstering public-private partnerships to make healthy home upgrades and creating a new program to distribute energy efficiency grants and loans.

We need to increase our assistance and our commitment to homeless assistance grants. That includes funding for the Continuum of Care Program, which serves over 750,000 people experiencing homelessness each year, and for emergency solution grants, which support over 350,000 who are in emergency shelter each year.

We need to fully fund housing choice vouchers, make them easier to use in communities, and incentivize landlords to take these vouchers, which is being done presently in Rhode Island.

Investing in housing will not fuel the fire of inflation; it will tackle one of the key contributors to rising costs and help stabilize family budgets.

On many of these fronts, State and local action is also needed to move the ball forward. State and local governments must address the issue of exclusionary zoning. In far too many places, there are barriers to building multifamily homes or townhouse and too-high minimums for lot sizes, making it very challenging to build affordably.

It should be easier for people to convert their garage into living space for a family member, such as an in-law suite above a detached garage. And that is just one example.

Some of these challenges can be traced back to "not in my backyard" attitudes, which we must all do our part to overcome.

Every family should have a decent, affordable place to live, and we need to commit ourselves to making the investments and adopting policies to make that possible.

And emphasizing, once again, investment in housing will lower costs to families, which will be an effective way to help overall—not immediately—but overall to lower inflationary pressures on our working families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Madam President, joining me today on the floor are Mr. James Shea, Mr. Woody Daigle, and Ms. Bernadette Breslin—three very able members of my staff.

ENERGY POLICIES

Madam President, I want to talk for a few minutes today about electricity and, more specifically, about how to pay for it.

My people are really struggling right now. Folks in my home State of Lou-

isiana—and I know this is true in your State, Madam President, and across the country—are facing some of the largest energy bills, electricity bills, in the history of ever.

In the past month, I have learned about a woman in Shreveport in my State whose electricity bill went from \$182 to \$243, a Baton Rouge resident whose bill went from \$65 to \$353, a citizen from my city of New Orleans whose bill went from \$140 to \$280 in 1 month.

As one of my people put it, "Your electricity bill should not be one-third of your paycheck."

Now, I realize that to some Americans who are fortunate enough to be wealthier, these increases may seem insignificant, but many of my people in Louisiana live from paycheck to paycheck. And put very simply, many of the people in my State and many of their fellow Americans simply cannot afford this.

Now, look, I understand it is hot. I understand it is hot in Louisiana. Here is a news flash: In the summer, it is always hot in Louisiana. Some days, I think that God gave Louisiana a choice between good food and good weather, and we chose good food. I get that.

But heat is not the main reason that these electricity bills are soaring. It is not. The main reason that electricity bills are soaring is because of President Biden's profoundly foolish energy policies which have depleted America's natural gas inventories.

Because of this, natural gas prices have increased 75 percent from 2020—not 9.1 percent that you read in the newspaper or attributed to inflation in general, not 20 percent—75 percent, and they continue to climb.

Entergy is one of the largest electricity providers in my State, particularly in South Louisiana—actually, all over my State. Entergy just sent a letter to its customers, and I want to quote from it. This is what Entergy told its ratepayers and my people:

[T]he cost of natural gas, which we use to operate numerous power generation facilities, continues to rise. Natural gas prices in April of 2022 were more than double those in April of 2021 and three times higher than April 2020. As a result, these higher-than-normal costs will be seen on customer bills.

That is why my people are so scared. That is why the American people are so scared.

Louisianans are not alone in this. A recent survey—and this is a very reputable research firm called HelpAdvisor—just found that 24 percent—a quarter—of all Americans have reduced or gone without paying basic expenses so they can pay their energy bills, pay their electricity bills.

What country are we living in?

Now, the current energy crisis—and that is what this is—is a sucking chest wound for Louisianans and for Americans. Yet President Biden refuses to budge from his war on affordable energy that got us here.

I will say this: President Biden has been true to his word. On day 1 of his

campaign, he said he would destroy America's energy independence. By God, he has done it. He said that. By God, he has been successful. He killed the Keystone Pipeline. He has canceled our country's mineral leases. He stalled our country's pipelines. He has told his banking regulators to dry up capital and loans for energy production. He has put the full force and weight of the U.S. Government behind this effort to destroy oil and gas. In doing so, he has intentionally forfeited America's energy independence, and that is why electricity bills are so high.

I will give you one example, but I am not going to beat this to death. Earlier this month—I guess just before July 4—President Biden's Department of the Interior released its 5-year Federal leasing plan. That plan contains a maximum—it doesn't even mean they will do this amount—of 11 lease sales for oil and gas producers. Do you know what the last plan proposed was under the prior administration? Forty-seven.

It is clear. I mean, I get it. President Biden does not want the United States of America to produce its own fossil fuels. He just doesn't. His new plan is we are going to forfeit our energy independence.

We have to have oil and gas to run the greatest economy in all of human history. Where are we going to get it if we forfeit our energy independence? Well, we are going to buy up natural gas and oil from countries—foreign countries—that hate us. So those foreign countries will have more money to buy weapons to try to kill us. That is what we are doing.

Now, what is the answer? How do we fix this? Well, the answer—duh—is to have the American people produce their own oil and gas. We can do it, and we have done it before. We were energy independent. My people in Louisiana know how to produce clean, affordable energy and so do other people in other States.

This is what else my people would tell President Biden if they could speak to him directly. They would say: Mr. President, with all due respect, we can produce natural gas; we can produce oil.

They would go further. They would say: Mr. President, we want you to understand that we don't hate wind, and we don't hate solar. We, the people of Louisiana, want to explore all alternative forms of energy: wind, solar, nuclear, clean hydrogen, hydroelectric.

But they would go further and say: Mr. President, we want a balanced energy policy. Ours is the greatest economy in all of human history, and it uses a lot of energy, and 80 percent of our energy comes from fossil fuels. Do we work every day to make those fossil fuels cleaner? Yes, but we can't do without them. When we try, this is what happens in terms of electricity bills.

There are ways that people can get help. They are struggling right now in

my State. For example, for customers in New Orleans, Entergy has created a program called Energy Smart Program. Entergy, the electric power company, will send an employee out to your residence for free and make suggestions about how you can lower your bills.

There are other entities that are trying to help. There is a group called Share the Light and another group called SMILE. These are local nonprofits in Lafayette that will try to help people in their areas who are having trouble paying their electricity bills.

SLEMCO is also offering a terrific utility assistance program that would provide a one-time \$300 grant payment for people who can't pay their electricity bills.

Of course, there are also programs under my State's Louisiana Housing Corporation, such as LIHEAP and the Weatherization Assistance Program, that can help folks reduce their electricity bills.

Let me close in this way. Two years ago, I was on this same floor and in this very same spot—right here. I was able to talk about how our economy was soaring. Two years ago, I was able to proudly say that we in America were energy independent, that unemployment was at record lows, and that Americans had more money in their pockets. We can have that again. The American people deserve it. We can have it again but not if President Biden continues to double down on what, in my judgment, is his bone-deep, down-to-the-marrow, foolish energy policy, which, when you scrub away all the rhetoric, amounts to this: wind, solar, and wishful thinking.

You can't produce electricity with wishful thinking. My people's bills are way too high, and they don't have to be that high if President Biden would just listen.

I yield to Senator MARSHALL.

The PRESIDING OFFICER. The Senator from Kansas.

HONORING AMELIA EARHART

Mr. MARSHALL. Madam President, this week, after waiting more than 20 years, Amelia Earhart's statue will replace fellow Atchison, KS, native and former U.S. Senator John Ingalls in the National Statuary Hall Collection.

Amelia will join President Dwight D. Eisenhower, our Nation's 34th President and Abilene, KS, native, as one of Kansas's two tribute statues in the Capitol Building. President Eisenhower's statue was placed in the Capitol Rotunda in 2003, but Amelia's journey to our Nation's Capitol has taken much longer. Kansans, and especially the people of Atchison, persevered, just as Amelia did in her pursuit of flight, to coordinate and create a bronze statue and limestone base—an appropriate nod to our State's signature natural stone.

It was 85 years ago this month that Amelia Earhart vanished over the vast Pacific Ocean. She had already com-

pleted more than three-fourths of her trip, which would have made her the first pilot ever to circle the Earth at its equator. Amelia had already made history before this flight. She was the first person to fly solo from Hawaii to the U.S. mainland, the first woman to fly solo across the Atlantic, and the first woman to fly nonstop across the United States. In defying odds and expectations with each new accomplishment, she became a global superstar and one of the most accomplished pilots in history.

While Amelia was a pioneer for aviators everywhere, she is still today a role model for every person but especially for women and young girls who strive to break barriers and achieve their dreams despite the odds being against them.

In my home State of Kansas, Amelia's legacy lives on and continues to know no limits. Kansas is home to the Air Capital of the World for good reason. Our State has been home to many aviation manufacturers over the course of a century, and on any given summer's day, with eyes to the sky, you can see crop dusters flying low, dodging trees and power lines, diving upon acres and acres of cropland. Looking farther upward, you might see hobby pilots or executive jets, and often, you will hear screeching fighter bombers and giant jet refuelers, but to see them, you have to strain your eyes forward of the booming sound. Indeed, our spacious land is well fitted for spacious runways, and our faraway horizons that provide endless visibility go on for miles on end, signaling Kansas will remain the Nation's leader in aerospace and drone development.

I want to go back for a moment to a young Amelia being brought up in the heartland. Yes, Kansas is where 9-year-old Amelia first took to flight. Listen to this story.

Inspired by an exhibit she saw at the 1904 World's Fair, she built by herself a makeshift roller coaster. Recall again she is 9 years of age in this story. She launched her coaster off the roof of her house. After tipping over the edge of the roofline, she said: "It felt like I was flying." Sixteen years later, she purchased her own plane and flew to new heights.

Today, I also want to honor the people of Atchison, who have taken great lengths to preserve and tell Amelia's story for all Americans to hear. My wife and I not too long ago enjoyed a great day visiting her perfectly preserved birth home, but the star of the show for our visit—a "must go see" for everybody but especially for American history buffs—was the new Amelia Earhart Hangar Museum, which honors Amelia's aviation legacy and inspires all generations in the pursuit of flight. The centerpiece is Muriel, the world's last remaining Lockheed Electra 10-E, an aircraft identical to the plane Amelia flew on her final flight. Muriel is named for Amelia's younger sister, Grace Muriel Earhart Morrissey.

What I am really excited about at the museum is the immersive STEM exhibits, which take visitors through Earhart's adventurous life, from growing up in Atchison, KS, to the height of her worldwide fame as the first woman to fly solo across the Atlantic Ocean. Every school within busing distance has to plan a field trip to Atchison in the coming year. Parents should be fighting for the chance to chaperone.

Finally, I want to salute Atchison's annual festival in honor of Amelia, which I attended just a couple of weekends ago, celebrating her life and achievements with history lessons, concerts, downtown arts and crafts, a world-class fireworks extravaganza, and a luncheon honoring the Amelia Earhart Pioneering Achievement Award recipient. It was there for the first time that I connected with the legend of Amelia and why the hometown folks, nearly 130 years after her birth, fight to preserve her legacy and especially how much she means to the ladies of the community.

Amelia flew to new heights and traveled longer distances than ever before, and today, Americans everywhere are joining Atchisonians and Kansans as we all honor Amelia this week out of a shared admiration for her innovative, pioneering spirit.

Her fellow Atchison native and statutory predecessor, John Ingalls, coined the motto for our State, "Ad Astra per Aspera," which means "to the stars through difficulties." Amelia Earhart personified that motto by pushing against social boundaries set for women and breaking new records in flight not just for a woman but for all aviators.

For generations to come, her spirit and her likeness in Statuary Hall will inspire not only Kansans but also visitors from around the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, this week, the U.S. Capitol will welcome a bronze statue of a determined young woman with short-cut hair, a curious smile, and a bomber hat in hand. For almost everyone around the country, this young woman is easily recognizable as the adventurer and aviator Amelia Earhart.

Amelia Earhart, the most famous woman in aviation, soared into the history books, setting flight records and breaking barriers. But before she became known worldwide as the Queen of the Air, she was the daughter of a small town in Kansas, Atchison.

Amelia Earhart was born in 1897 in Atchison, KS, a rural community that had a population then of about 500 people. As a young girl, Amelia kept busy with her sister Muriel. The girls were constantly exploring their own neighborhood, climbing trees, and playing with animals. During her high school years, Amelia excelled in chemistry, which inspired her to go to medical school—a goal unthinkable for woman

at the time. Her independence and ambition were evident from a very young age.

Amelia's go-getter attitude propelled her to become an innovative entrepreneur—working as a stenographer, an author, a social worker, a truck-driver, and even a fashion designer.

Later in life, when Amelia was asked how she maintained such a fervent work ethic, she stated:

The most effective way to do it is to do it.

This can-do spirit was the catalyst for Earhart's daring and fast-paced career as an aviator. Amelia fell in love with flight when she took a plane ride at a California airshow in 1920, and it wasn't long after that experience before Amelia started her first pilot lessons.

She completed her aviation courses in 1921, making her only the 16th woman in the world with a license to fly. Earhart quickly purchased her own plane and wasted no time in becoming one of the world's most notable aviators.

Following Charles Lindbergh's solo flight across the Atlantic, interest grew to see a woman fly across the Atlantic. On June 17, 1928, Earhart took off but only as a passenger. After landing in Wales some 20 hours later, she recalled how she felt like she was "just baggage, like a sack of potatoes," and added, "Maybe someday, I'll try it alone."

Shortly after that trip, Amelia announced she would fly the same path that she did in 1928 but this time on her own, solo. When the pilot was asked what prompted her to reattempt this flight, she stated:

There's more to life than just being a passenger.

In 1932, Earhart became the first woman to complete a solo transatlantic flight in a record time of 14 hours 56 minutes, despite being faced with a number of challenges during the trip.

Earhart continued to break records by completing the first-ever solo flight from Hawaii to California, from Los Angeles to Mexico City, and reaching the highest altitude a female pilot had ever reached at the time.

Her spirit of adventure led her to attempt the greatest feat: a flight around the world. Amelia would be the first person to attempt this by taking the equatorial route, starting in the west and making her way east. This was an astonishing 29,000-mile route, with the last 7,000 miles occurring over the Pacific Ocean.

She left with her navigator, Fred Noonan, on June 1, 1937, making stops in South America, Africa, India, and Southeast Asia. Every stop on her journey, she came closer and closer and closer to achieving her goal.

On July 2, 1937, the day of the longest leg of her journey, her quest ended too soon in radio silence somewhere over the Pacific. Intensive searches continue to this day, most recently by the

renowned oceanographer and Kansan Dr. Bob Ballard, but have left the world continuing to wonder what ever happened to Amelia.

She captivated the hearts and the minds of many and inspired the next generation of pilots to love the sky in the same way she did.

Undeniably, the State of Kansas has a long history steeped in the aviation industry, but without pioneers like Amelia Earhart, our State would not be the epicenter of aviation that it is today.

Now, in celebration of her accomplishments and legacy, Amelia Earhart will join President Dwight D. Eisenhower as bronze beacons representing Kansas in our Nation's Capitol as part of the National Statuary Hall Collection. Tomorrow, this Wednesday, we will unveil Amelia's statue to the world, just 3 days after what would have been her 125th birthday.

This week would not have been possible without the efforts of Jacque Pregont, Karen Seaberg, and Reed Berger, all with the Atchison Amelia Earhart Foundation.

Thank you for your extensive and determined efforts. This partnership has made so much progress to get us to the day that we now arrive at.

I look forward to the dedication ceremony on Wednesday and seeing Kansans fill Statuary Hall to honor and preserve Amelia Earhart's legacy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

NATIONAL WHISTLEBLOWER APPRECIATION DAY

Mr. GRASSLEY. Madam President, I don't know how many years in a row I have been doing this, but this week in July, I always come to the Senate floor to honor whistleblowers.

I expect this week that the Senate will unanimously pass my resolution designating this Saturday, July 30, as National Whistleblower Appreciation Day. This year the resolution has 21 cosponsors from both sides of the aisle, more cosponsors than this resolution has had ever before. Now, that should serve as a very important reminder that protecting and celebrating whistleblowers is not a partisan issue. It is just as simple as it being good government.

This Congress, I have been working on several pieces of whistleblower legislation that also have bipartisan support. One of those bills, which I introduced last December along with Senators WARREN and WARNICK, relates to money laundering. In 2020, Congress established the first-ever anti-money-laundering whistleblower program. Under this reward-based program, whistleblowers who provide actionable information to the government that exposes money laundering may receive a percentage of the funds recovered as a result of their disclosure.

While that is an important step forward, the current program has its issues. First, there is no minimum award amount, so the government isn't

obligated to pay a whistleblower anything at all, even if the information that the whistleblower provides leads to a successful enforcement action. Second, the program doesn't provide the Treasury Department with a mechanism to pay whistleblowers and, instead, relies on yearly congressional appropriations.

My bill addresses these issues. It raises the cap on whistleblower rewards from 25 to 30 percent, and it sets a 10-percent base minimum on rewards to ensure that if the government collects as a result of the whistleblower's disclosure, the whistleblower isn't left holding the short end of the stick. It also establishes a funding mechanism to ensure that the Treasury Department has funds readily available to pay whistleblowers independent of congressional appropriations.

These improvements will ensure that whistleblowers have the confidence to come forward and assist law enforcement in cracking down on money laundering.

The bill also expands the whistleblower disclosures that are eligible for the award. Current whistleblower laws don't offer anything to whistleblowers who report violations of sanctions against individuals. That would include sanctions placed on Russian oligarchs following Putin's unprovoked invasion of Ukraine. That is a missed opportunity. I have it on good authority that there are some whistleblowers who might have come forward to report sanction violations associated with the Russians if only the reward system were in place to cover their disclosure. My bill fills the gap by expanding the list of covered disclosures to include sanctions violations.

Another bill which I am introducing this week strengthens the FBI whistleblower protections. For years, the FBI has argued that the FBI and the Justice Department should retain tight control over FBI whistleblower-retaliation cases. The FBI has its own separate whistleblower law that leaves authority for settling FBI whistleblower-retaliation complaints to the FBI and to the Department of Justice.

The bill that I introduce will allow FBI employees to appeal their whistleblower retaliation cases to the Merit Systems Protection Board. This bill gives them outside review by a neutral third party. The bill also includes a kickout provision. That will mean that, if the FBI doesn't act in a timely manner, the whistleblower can take their cases straight to the Merit Systems Protection Board.

This bipartisan bill is cosponsored by Senators DURBIN, HAWLEY, WHITEHOUSE, and BLACKBURN. I want to thank each of those cosponsors for their support.

Those are just two of several legislative initiatives before Congress that will ensure whistleblowers remain protected. I urge Congress to consider and pass this legislation before the end of the year. Support for whistleblowers is

something that we can all get behind. It can and should unite every Member of the Congress who believes government needs to remain transparent and accountable to people. This week, I encourage my fellow Senators to remember that important fact.

Let's renew our shared commitment to strengthening the Nation's whistleblower laws by taking up and passing this important whistleblower legislation.

H.R. 4346

Madam President, now on another subject—and it is the subject that is before the Senate right now that I assume will be brought up for final action yet this week—which is the vote on a stripped-down China competition package.

Now, gone is language combating China's unfair trade practices. Gone are provisions preventing fentanyl and narcotics from entering the country. Gone is my proposal to stop subsidizing China through the low-cost World Bank loans. Gone are provisions that I championed preventing the flood of counterfeit Chinese merchandise. And gone are condemnations of the Chinese Communist Party for the ongoing genocide of the Uighur minority.

Last year, I supported an earlier version of this bill, in large part because it included these very tough-on-China policies that I just mentioned are missing from this piece of legislation that the Senate will soon be voting on. But now these policies are out, and more spending is in.

It includes more than \$76 billion of subsidies earmarked for a single industry: the semiconductor manufacturers. Semiconductors, or chips, are important, but that doesn't mean that we should write these companies a blank check. If incentives to encourage more semiconductor investment in the United States are necessary, they should be targeted.

I understand the national security concerns, but simply mentioning the words "national security" isn't the end of the discussion.

Proponents must show how these subsidies will accomplish their objectives. These subsidies are not targeted at domestic production of the advanced chips produced almost exclusively by our allies in Asia. Furthermore, these subsidies fail to include adequate safeguards to prevent companies receiving subsidies from turning around and—you know what?—possibly investing in China.

A lot has changed since Congress began talking about these subsidies more than a year ago, and the Senate passed this bill a long, long time ago. According to a recent Wall Street Journal editorial, the semiconductor industry has already announced \$80 billion of U.S. investment by 2025. Moreover, there is growing evidence that a chip glut is down the road, coming along.

Yet, instead of looking to trim back or better target the subsidies, this bill

actually doubles down on corporate welfare. This bill now includes an expansive tax credit that will subsidize semiconductor manufacturers to the tune of about \$24 billion.

In total, American taxpayers will pay up to 40 percent of the cost of a semiconductor facility. That means individual companies are in line to receive billions in taxpayer funds. For example, Intel has announced plans for a \$20 billion facility. Taxpayers will write a check from a low of \$4 billion to possibly a high of an \$8 billion check for this one facility.

I am dumbfounded that my Democratic colleagues can justify this, and I say that because President Biden and his allies in Congress rant and rave about profitable corporations paying little or no tax. And yet, under this bill, some of the largest and most profitable companies in the world are poised to pay zero tax.

In fact, unlike typical tax credits that reduce a company's tax bill, this one will allow a company to receive the credit as a cash payment, exceeding any taxes that that company might pay.

Outside of Senator SANDERS, Senate Democrats seem very unconcerned with making these large profitable corporations—as you hear them say all the time—"pay their fair share."

I hope that they keep this in mind when liberal groups inevitably point to more profitable multinationals not paying taxes. Don't try then and blame Republicans or the 2017 tax bill, which has resulted in record revenues coming into the Federal Treasury. In fact, the 2017 tax bill should be the model for how we should be competing with China. Instead of targeting specific industries for lavish subsidies, we reformed our Tax Code to eliminate special interest loopholes while helping all industries compete on a global scale, including against China.

A competitive tax code, pro-growth policies, and rule of law allow Americans to do what Americans do best, and that is innovate. That is how we will outcompete China.

In contrast, onshoring wasteful and inefficient Chinese industrial policies will only stifle innovation and weaken our dynamic economy, which is our great advantage.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AFFORDABLE CARE ACT

Mr. DURBIN. Madam President, I thought that the Republicans wanted to cut taxes, but when it comes to American families' health insurance, they want to raise taxes. Now, why?

Well, there is one simple explanation: Barack Obama. You see, it was Barack

Obama who came up with the ACA—the Affordable Care Act—where millions of Americans have access to health insurance—affordable health insurance—35 million, 1 out of 10 Americans.

But in the efforts of the Republicans to end the Affordable Care Act, they are basically trying everything. There was a time when there was this historic, tension-filled moment on the floor when three Republican Senators saved the Affordable Care Act. Senators MURKOWSKI, COLLINS, and John McCain—and I will still remember that image as long as I am alive—walked on the floor and saved the Affordable Care Act.

But ever since then, the Republicans have been trying to do away with it every way they can think of. There are millions of Americans who have better health insurance because of the Affordable Care Act. They cannot be denied coverage because of a preexisting condition. They don't have annual or lifetime limits on coverage. They have free preventive healthcare, and young adults can stay on their parents' plans until they have reached the age of 26—all positive things, wildly popular. Still the Republicans resist the idea that this is going to be the law of the land, if they have anything to say about it.

There is no disputing that ACA is one of the greatest public policy accomplishments of a lifetime. But as I mentioned, this lifesaving policy is once again under threat from the Republicans. Why?

Last year, Congress passed and President Biden signed into law the American Rescue Plan, which, among other things, made ACA health plans more widely available and more affordable for millions of Americans.

That package increased the size of ACA's tax credit, which eliminated or reduced out-of-pocket premiums for millions of people.

It also expanded eligibility, so that more lower- and middle-income Americans are now eligible for tax credits.

As a result of these improvements, a record 14-and-a-half million people signed up for the ACA plans during the 2022 open enrollment period. And I understand nearly one-third of these enrollees found a plan that costs \$10 per month or less.

Millions of enrollees selected a plan that didn't cost anything. In the midst of this once-in-a-century pandemic, the American Rescue Plan provided families across the Nation with peace of mind that they have continued access to health insurance.

Here is the problem: If Congress doesn't do something—and soon—these enhancements lowering the cost of premiums for American families will end. That causes millions of people to lose their health insurance or to have to pay more.

If you are in a time of inflation, where the cost of living is going up, wouldn't you want to be on the train

that says “lower health insurance premiums”? The Democrats are. The Republicans are not.

Millions of people will either lose their insurance or pay more if we don't do something. Not one single Republican Senator will join in our efforts, but those families in every State are going to be benefited by this.

Let's not forget how hard Republican Senators have fought to come down on the side of insurance companies and take away health insurance for Americans. It has been their top priority for decades.

So it falls on Democrats, once again, to fix this problem. And fix it we must. It is my understanding that all 50 Democratic Senators are on board with providing a multiyear extension of these ACA tax credits. I know that House Democrats are with us.

Let us get it done soon by August when insurers start notifying customers of their 2023 premiums. People nationwide have a lot on their plates these days, from rising costs to fears of gun violence to increasing COVID cases to new restrictions on women's rights.

Let us not add to the burden of tax-paying families by hiking their health insurance premiums next year. The Democrats want to fix it. We invite the Republicans, who give many speeches on the cost of living for families, to join us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

UNANIMOUS CONSENT REQUEST

Mr. PAUL. Over 6 million people died worldwide from COVID; over a million Americans died from COVID.

Last year, we passed unanimously an amendment I had to ban any U.S. tax dollars from going to Wuhan, China, to the lab. There was a great deal of evidence that this pandemic arose out of the lab.

Gain-of-function research enhances the severity of transmissibility of existing viruses that may infect humans. The dangers are so acute that, from 2014 to 2017, the National Institutes of Health suspended funding for all gain-of-function projects.

The emergence of COVID serves as a reminder that this dangerous research, conducted in a secretive and totalitarian country, is simply too risky to fund.

I, therefore, ask my colleagues to restore this crucial provision that would prohibit the funding of gain-of-function research in China.

I ask unanimous consent that it be in order to call up my amendment No. 5159. I further ask that there be 30 minutes of debate, equally divided between the two leaders or their designees; and, finally, that upon the use or yielding back of that time, the Senate vote on adoption of my amendment with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Ms. CANTWELL. Madam President, reserving the right to object, no one

could be more disappointed than myself in the fact that we don't have a conference report before us at this point in time.

With so many different committees and the four corners working to resolve so many issues, I had hoped that we would get over the goal line and be here with that conference report.

Unfortunately, events overtook us and objectives of the calendar and a variety of issues that narrowed the discussion we have before us today to two focus points: one, the Science Committee's work with the Commerce Committee in the Senate and language that basically would incent the semiconductor industry.

And our colleagues voted to proceed on those two measures, and there was a lot of discussion on what the definition of a “skinny bill” was. Not sure, exactly—I mean, I know a lot of the events that got us to that discussion.

But I will say to my colleague that he is correct. When USICA left the U.S. Senate, it included this language, and this language was very much debated in conference, and it was part of the jurisdiction of several committees, but primarily the HELP Committee, whose content is now not part of the legislation we are considering.

So I am hopeful that we will get those committees that have jurisdiction over this language to rectify their differences between the House and the Senate, but that is what four corners is. It is rectifying these issues between the House and the Senate, and I hope that my colleague will work with me on a conference that will continue after this point.

I hope that we get this legislation done, and then I hope that we literally return to finish up the rest of the conference work because there are so many important issues, like this, that we should include in the legislation.

So I hope my colleague will continue to work with us, knowing that these are not all of the issues that had been discussed, but a more narrow issue.

So, therefore, I object.

The PRESIDING OFFICER (Mr. MURPHY). Objection is heard.

The Senator from Ohio.

UNANIMOUS CONSENT REQUEST

Mr. PORTMAN. Mr. President, I am coming to the floor today to offer a very straightforward, commonsense amendment that is noncontroversial, that has met all of the requirements set out by the Democratic leadership—by the majority leader—by the chair of the conference, and by the ranking member of the conference to be accepted. This is language that must accompany the research dollars that are part of the CHIPS+ legislation that we are considering right now.

When you add it all up, when you add up CHIPS and the CHIPS+ language, which includes research dollars to NSF, NIH, Department of Energy, and so on, we are talking about \$200 billion of taxpayer money.

As part of this process, when we passed the underlying bill, USICA, here

in the U.S. Senate, we included language that said: You know what, we ought to protect that language. We ought to protect that research.

It is like we are buying a really expensive new car, and if we don't protect it, it means we are not buying the insurance that goes with it. The insurance is needed for a very simple reason: We know that for the past two decades, that U.S. taxpayer-paid research—just like the research that we are about to both appropriate and authorize in this legislation—has been subject to being taken by our adversaries, particularly China. So that is why we need to protect it.

We worked painstakingly over the last 4 years on a bipartisan basis to come up with this legislation. Again, it has been fully vetted.

There was discussion a moment ago about the four corners. What does that mean? That means that the chair and ranking members of the committees of jurisdiction—the four corners—are asked to approve anything that goes into this legislation.

Well, everything I am going to talk about today is approved by the four corners.

By the way, everything that is in the underlying legislation—some of the plus in the CHIPS+ Act—has not gone through the four corners process. This has.

To my colleagues who say: Well, if we put this amendment in, how about these other amendments? Look, I have five or six things in the USICA bill I would love to have be part of this final agreement. I have wonderful trade legislation that should be part of this. It is not. That is with Senator BROWN, by the way. I have wonderful legislation that deals with worker retraining that is absolutely related to competitiveness. That is with Senator KAINE. It should absolutely be part of this final agreement. It is not. I get that. There are a lot of things that had to be left out when this conference did not succeed, even though I, like others, worked very hard to get that conference to come to agreement—not just in my areas. I am the ranking member on the Homeland Security Committee. We cleared all of ours but also worked with other committees and other Members, Republican and Democrat alike.

But I said from the start that we have to have this research security language in place if we are going to put out billions of dollars of new taxpayer dollars in terms of research; otherwise, it is irresponsible.

So the amendment I am offering today is a skinnied-down version of what passed in USICA already. It is a skinnied-down version of what I was proposing because some people thought there were some concerns in the House—actually among Republicans, interestingly—about some of these aspects, so we have just taken those out. We have made this totally non-controversial. Four corners. Fits like a glove with what we are talking about,

which is the new research dollars. That is what this is all about.

It should not be surprising that there is a lot of bipartisan support for this. There has been from the start. Why? Because everybody knows this is a grave threat to our national security if we do not protect American research.

The Director of the FBI, Christopher Wray, recently warned:

The greatest long-term threat to our nation's information and intellectual property, and to our economic vitality, is the counter-intelligence and economic espionage threat from China. It's a threat to our economic security—and by extension, to our national security.

He characterized China as the largest threat to "our ideas, our innovation, and our economic security." He noted that the FBI now has over 2,000 open cases focused on China, with a new case being opened approximately every 12 hours. This is reality. This is what is happening right now.

After our bipartisan investigation, we had a hearing. The FBI showed up, and we said: Do you know what? We have learned in our investigation the shocking news that for two decades China has been systematically targeting the best American researchers and the best American research to be able to take that research, leapfrog us, and it has helped to create an ascended China—the rise of their military and their economic progress—by taking our research, taxpayer-paid.

The FBI, testifying, said: Do you know what? You are right. We have kind of been asleep at the switch, and we are going to change that. And they have, and that is why you have seen many, many arrests being made. But they said to us: We need some legislation. We need a cause of action that actually fits what is going on here because there is not one now. We have to come up with other ways, like mail fraud or other—tax evasion or other ways to bring people to justice. That is what this legislation does.

We also heard from the State Department, and this was career people at the State Department, including now in the Biden State Department. They desperately want new authority to be able to avoid people coming into our country to steal our technology. They desperately want it, and that is part of this legislation today.

We found out that China uses these so-called talent recruitment programs—the most prominent one, you have heard of, probably; it is the Thousand Talents Plan—to target science and technology sectors just like the ones we are funding. They target academics, scientists, engineers, entrepreneurs, and finance experts. The plans provide monetary benefits and other incentives to lure experts into providing proprietary information or research to China, in violation of our laws and conflict of interest rules.

Again, the cases go on and on.

China, in turn, exploits American research, intellectual property, and open

collaboration for their own benefit—again, often U.S. taxpayer-funded.

In just one of many, many cases, a chemist was sentenced recently by a Federal judge in Tennessee after being convicted of conspiracy to commit trade secret theft, possession of stolen trade secrets, economic espionage, and wire fraud. The chemist received millions of dollars in Chinese Government grants, including a Thousand Talents Plan award, to steal American innovation to fund the rise of China's economy.

This is just one of the researchers we have been able to stop. Think of how many have slipped through the cracks since we have not yet implemented the grant and visa reforms included in this amendment I am offering today.

In fact, the Department of Health and Human Services' IG recently released a report that found that more than two-thirds of the National Institutes of Health's grant recipients failed to meet the Federal requirements regarding foreign financial interests, including instances of U.S. taxpayer-funded researchers failing to disclose ties to the Chinese Government. That is NIH. We are funding NIH through this—some of this money is going to go to the NIH. Yet we are not providing the protection to keep this from happening.

The skinnied-down version of the amendment today goes directly to the root of the problem. It is the minimum we have to do.

First, the amendment makes it punishable by law to knowingly fail to disclose foreign funding on Federal grant applications.

Researchers should not be able to lie to grant-making Agencies about the money they receive from our adversaries. Pretty simple. Who could be against that?

Second, it allows the State Department to deny visas to foreign researchers coming to the United States to exploit the openness of our research enterprise.

Currently, the State Department can deny a visa to a foreign researcher they know is coming here to steal export-controlled technology, but what if that technology someone is coming to steal is not export-controlled? How about artificial intelligence? How about quantum computing? Well, if you can believe it, in that case, the State Department's hands are tied even though they know it is happening.

This amendment gives the Biden State Department the authority they have sought from Congress to deny visas to those seeking to come to the United States expressly to steal our emerging technology. Sometimes they are members of the Chinese Communist Party. Sometimes they are members of the Chinese military. Yet they cannot stop them.

As we know, there are more provisions in the full Safeguarding American Innovation Act, but again, after talking to my colleagues, I agreed to

scale back the amendment. Doing so will ensure our research is protected and guarantee its passage in the House.

These provisions reached four corners agreement in the conference, as I said, and include additional changes beyond that made at the request of everybody who had any objection, including the Congressional Asian Pacific American Caucus. We solved their issues.

This skinny version of the Securing American Innovation Act is a significant concession, and I urge my colleagues to respect the fact that we spent years going through this and, more recently, hours to deal with everybody's issues to meet them more than halfway.

I will remind many of my colleagues in this Chamber, they voted to begin consideration of the CHIPS package last week because they believed this language was in the bipartisan proposal. I know that because Democrats and Republicans alike have come up to me and said that. I thought your language was in there, they said. Why wouldn't we want to protect this research, they said.

One reason they think it is in there is because all Republican offices, at least, were told that it was in there. In fact, the email sent right after the vote late on Tuesday afternoon reiterated that these provisions were included. So the whip that we sent out—the whip information on what was in this legislation included the Safeguarding American Innovation Act. That is how we got the necessary Republican votes.

Now, I support the underlying bill, and I have restrained myself and shown respect for the process by helping to get us to the point we are today. But my understanding was that people would work with me to ensure that we were able, if it was four corners, to be sure that, again, this insurance on this new car that we are buying would be there.

It fits like a glove. This is where the legislation must be included. If not, we find ourselves irresponsibly spending taxpayer dollars that are not protected. So we are going to invest about 200 to 250 billion hard-working American-taxpayer dollars in research and innovation.

Again, I support the underlying bill, but we have got to protect that intellectual property, that taxpayer-funded research, from being stolen by our competitors and used against us. Without these protections, I believe this legislative package, with significant levels of Federal funding, is a giveaway to some of our adversaries, including Beijing. It is not like there is any secret out there. China has made no secret of its goal to supplant the United States as the global economic leader and to do it by getting the best research and the best researchers.

Today, we released a report on how China has also targeted the U.S. Federal Reserve in addition to our science and innovation. Our economic policies are in China's crosshairs now, and this

body cannot stand idly by and allow it to continue. We must act, and that means including, at a minimum, this skinny version of the Safeguarding American Innovation Act's provisions. Failure to do so will harm our national security and our economic strength in the face of an ascendant China.

To my colleagues, please do not block this very simple request. We have done everything right. We have gone through the process of a bipartisan investigation, of bipartisan hearings, bipartisan legislation, and four corners agreements—working with everybody to address their concerns—and this is where this legislation must be.

Again, I have four or five other very important bills in USICA that I am not asking for today because they don't fit perfectly with this new research money; but this does, and it has to be there. So I ask unanimous consent. That is all I need. With unanimous consent, the Senate can do anything, to include what everybody says they want, what everybody says is important.

Mr. President, I ask unanimous consent that it be in order to call up my amendment No. 5158. I ask further that there be 30 minutes of debate, equally divided between the two leaders or their designees, and finally, upon the use or yielding back of that time, that the Senate vote on the adoption of my amendment with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Ms. CANTWELL. Mr. President, in reserving the right to object, I say to my colleague from Ohio that I know how hard he and Senator PETERS from the Homeland Security Committee have worked on this language. I know because I have consulted with them many times over the last month and a half, wondering about its progress and wondering about various issues involving people on both sides of the aisle to resolve what they were concerned about in definitions. I, too, felt like the Senators' hard work and language had gotten to a point where it could be included in a package of legislation.

We were very, very hopeful that the various committees' work—that of the Finance Committee, the Foreign Affairs Committee, the HELP Committee—the Health, Education, Labor, and Pensions Committee—the Intel Committee work, and the work that we just discussed from the Homeland Security Committee—could all be included in a conference report. So the words “pins down” did not come from my side of the aisle. The words “pins down” did not happen. For me, I have been doing nothing but diligently working with all of my colleagues—most of the time when they don't agree—in trying to get them to agree.

I very much appreciate the subject at the heart of what Senator PORTMAN's work is. He is trying to say to us that we have to understand the reality of

the world that we live in now and make sure that we are protecting all of our research dollars as we move forward.

Again, it wasn't my decision to decide the narrowness of this bill. It wasn't my decision to say that these are the two subject areas that people are going to include. I know because I thanked the Senator for his help in getting the Science Committee's legislation included in this package. But you could see that even that was a very tough lift in that there were a lot of people around here who didn't want to do that.

So I say to my colleague from Ohio that I am going to work with him in whatever capacity to get this language accepted.

Now he is saying that he has streamlined this language from, probably, what the four corners has agreed to. I do know that the Senator worked very hard trying to get a four-corner agreement from the Science Committee, which we didn't have, to include this language. And why? Because there had been a big fight in the House between the Science Committee and their Homeland Security Committee about what this language said. Then you had the Judiciary Committee weighing in in both the House and the Senate as to what this language said. Since all of those people have been part of that discussion, that part of the four corners did not happen.

My colleague is earnest, and his work is real. The reports that he is referring to in the Homeland Security Committee are real, and we should honor them and honor that work. I am committed to getting that legislation passed, and we will confer with the Senator from Ohio about where that goes and if it goes in the conference report because I am committed to finishing the conference report, because as I said, the Finance Committee, the Foreign Affairs Committee, the HELP Committee, the Judiciary Committee, and your Homeland Security Committee—five committees—would still all like to have language as part of this conference report.

While we aren't able to cover every aspect of this jurisdiction, I am very hopeful that our colleagues will take the impetus of this legislation's passing and double down on getting the rest of the conference report done and signed and on the President's desk. Then we will have a robust policy, not just the incentives, not just the R&D but a variety of issues addressed as they relate to our competitiveness.

So I will continue to work with my colleague from Ohio on this important language and with all of my colleagues on those various committees who have asserted their interest on this subject, but at this time, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

ORDER OF PROCEDURE

Ms. CANTWELL. Mr. President, I ask unanimous consent that if Senator

SCOTT of Florida makes a budget point of order and a motion is made to waive, at 4:55 p.m. today, the Senate vote on a motion to waive the budget point of order; further, that if Senator SANDERS raises a budget point of order and a motion to waive is made, that at 11:30 a.m. tomorrow, Wednesday, July 27, all postcloture time expire and any remaining amendments except Senate amendment No. 5135 be withdrawn and the Senate vote on the motion to waive the Sanders point of order and the motion to concur with respect to H.R. 4346, with an amendment; further, that following the vote, the Senate resume consideration of the message to accompany S. 3373, the PACT Act, and notwithstanding rule XXII, at 4:30 p.m., the Senate vote on the motion to invoke cloture on the motion to concur, all without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Florida.

H.R. 4346

Mr. SCOTT of Florida. Mr. President, Florida families hear a lot of talk up here in Washington about inflation. Right now, inflation is raging over 9 percent across America.

I was warning about the coming inflation crisis back in February of last year, but now basically everyone in the Senate—Republicans and Democrats alike—have joined me in talking about just how horrific this is for families in each of our States.

In Florida, inflation is costing families nearly \$800 more every month. Imagine being a family on a fixed income and having to pay double rent each month or adding a luxury car payment to your monthly expenses. That is essentially what families in my State are dealing with since Joe Biden took office.

It is a new tax on families at every income level, a tax created by the sheer incompetence of Joe Biden. It hurts our poorest families—like mine growing up—the very most.

Now, we know what causes this inflation. It is reckless government spending. On this side of the political aisle, we aren't afraid to tell this truth, but our Democratic colleagues, with the exception of one or two, won't do it.

It is fine. You would probably imagine that, in a 50-50 Senate, we would still be able to hold the line and stop reckless spending in its tracks. Nope, not in broken Washington. Here in Washington, the only thing we can seem to get bipartisan consensus on is digging America deeper and deeper into debt. It happens again and again. And with each dollar of debt and each new round of reckless spending, we throw gasoline on the raging inflation fire burning across America.

As I speak here now, it is about to happen again. This week, the Senate will very likely pass the so-called China bill that spends \$280 billion we don't have. We are not burning our sav-

ings here; we are borrowing \$280 billion to do this.

This is why the American people hate Congress. They see politicians stand up in their neighborhoods and pledge to fight the waste in Washington and then watch as those same politicians become the very problem they vowed to fix. It is disgusting, and it is happening up here all the time.

So let's talk about this bill that we are set to vote on this week. Democrats and some Republicans will suggest that it will help combat the threats we face from Beijing. There is just one problem. This bill doesn't help us combat communist China at all.

On Monday of last week, this bill cost \$76 billion and was 73 pages long. Two days later, Senator SCHUMER turned it into a \$250 billion version. Now it is more than 1,000 pages, a \$280 billion monster chock-full of reckless spending and bad policy that gives Joe Biden a wide-open door to push his radical policies.

The bill ballooned in size and price because CHUCK SCHUMER—Senator SCHUMER—inserted massive slush funds for the National Science Foundation. This same entity has burned billions of taxpayer dollars on insane projects like creating a towel-folding robot or studying how shrimp run on treadmills. I wish I was making this up, but I am not.

This bill doubles the National Science Foundation's budget over the next 5 years and gives millions to universities that already have a problem with spies from communist China stealing intellectual property and data. Does the bill increase protections to stop this or better protect tax dollars? No.

No wonder the debt is surging over \$30 trillion and inflation is over 9 percent. Washington is broken. It just can't stop wasting your money.

So what else does this bill do? A huge part of it is a massive giveaway to chipmakers like Intel. You know Intel, the world's largest semiconductor maker that saw \$20 billion in profit last year and paid its CEO \$180 million. They are not exactly struggling these days, but politicians in Washington want to give them billions of your money with no strings attached.

There are no requirements to see a return on investment. There are no provisions to claw back dollars if they don't do what they are supposed to do. There is nothing for accountability.

What is worse, these large chipmakers have lobbied hard to weaken the bill so they can keep doing business in communist China. And—guess what—Washington caved, and they got exactly what they wanted. Massive, multibillion-dollar corporations like Intel will get Americans' hard-earned tax dollars to build manufacturing plants, get tax writeoffs for those plants, and get a tax credit. These chipmakers are getting paid three ways with your tax money, and they will still be allowed to work and expand in communist China.

There is nothing stopping them from moving funds around to increase their business in communist China or any other market, for that matter. There is no requirement for them to build a certain number of plants here in the United States. There are no quotas that they need to hit so Americans can be sure we never have to rely on risky supply chains.

And even if communist China invades Taiwan, which supplies nearly two-thirds of all the world's semiconductors, the companies that get your tax dollars in this bill will still be allowed to operate in communist China while receiving your money.

This bill isn't anti-China; it is pro-China. It is going to cause more inflation, more debt, and create more deficits. There is absolutely no accountability. It doesn't make any sense.

Now, there is a heck of a lot we can do to reshore our supply chains and ensure Chinese spies don't steal our technology, all things this bill purports to do but doesn't.

For more than a year now, I have been fighting this bloated bill while at the same time introducing other legislation with my colleagues to economically decouple from communist China, strengthen our defense networks, and stand up to Xi Jinping's abuses.

We all want to solve problems. I want to solve problems. I am open to good investments. They have to be done with accountability to the American people. That is why I introduced an amendment to this bill to ensure that no tax dollars are going to go to benefit communist China.

My amendment would do four things. First, my amendment would eliminate all the exemptions that are currently in the bill that allow semiconductor companies who take U.S. taxpayer dollars to expand and continue their operations in communist China. Money is fungible, and we should make perfectly clear that these American tax dollars should only be benefiting Americans.

Some have called this a national security investment. If that is true, then we should make sure it builds up American security, not communist China's.

Second, my amendment will require the Secretary of Commerce to certify to Congress that the Department has completed a return-on-investment analysis of a proposed grant. That announcement must show the grant will be a net positive for taxpayers and prevent distribution of that grant until the Secretary certifies the analysis and makes it public.

In business and in government, I have made countless deals. I never want to make an investing deal when I am unsure whether I am getting a return on my money. Americans understand this. If we are going to be investing taxpayers' dollars, we need to make smart investments that will get a real return.

Third, my amendment will require companies receiving funds disbursed from the CHIPS Act to enter into a

three-part agreement with the Commerce Secretary specifying that they will, one, not engage in any transaction involving the expansion of chip manufacturing capacity in communist China; two, refuse to cooperate with the Communist Chinese Government moving forward; three, commit to immediately ceasing all operations in communist China if it invades Taiwan.

As I mentioned before, the bill in its current form does nothing to stop chipmakers from expanding operations in communist China and has loads of exceptions specifically allowing these companies to keep working there. That is insane. We should not allow it.

If people want to call this an anti-China bill, then let's make it an anti-China bill and stop doing business in communist China.

Fourth, my amendment will ensure that all U.S. tax dollars are clawed back if any company breaks that three-part agreement with the Commerce Secretary, and it would require the Commerce Secretary to ensure that the company will repay the money if they break the agreement. If you break a contract, there are consequences. Everyone knows this, and it is crazy that this bill doesn't already have those provisions in it.

If we don't change this bill, a vote for this bill is a vote for higher inflation. It is a vote to help communist China and a vote to add to our already \$30 trillion debt.

My amendment isn't controversial. This is commonsense stuff. It will improve the bill and add the kinds of safeguards Americans should expect from legislators handling their hard-earned tax dollars. We are a fiduciary for the American taxpayer.

Unfortunately, it doesn't seem like the Democratic majority leader is interested in having a vote on my commonsense amendment, but that shouldn't surprise the American public. They have come to expect this sort of dysfunction under Democratic leadership.

The Democrats love to pretend that they are fighting against corporate special interests, but what the majority leader is pushing forward right now is one of the grossest gifts to corporate America I have ever seen. The families in each of our States deserve and expect better than what this delivers.

Our Nation is in the midst of a historic inflation crisis that is destroying the dreams and hard-earned savings of millions of families across our country. Our answer to that crisis cannot be to throw gasoline on the fire and walk away. We can and must do more to combat the threats posed by communist China.

Members of this body, on both sides of the aisle, have great ideas that can do that, but this bill isn't one of them. I urge my colleagues to oppose this bill or, at a minimum, join me in demanding that my amendment be adopted so we can better protect the massive amount of tax dollars being spent here.

I also urge my colleagues not to turn a blind eye to the new debt this bill creates. As I said earlier, this bill borrows \$280 billion we don't have. We have to stop this.

That is why I am raising a budget point of order. When we keep borrowing and spending money we don't have, it is terrible for our country and our families. A vote to waive my point of order is a vote to approve more debt, which means more inflation.

POINT OF ORDER

Mr. President, the pending measure, Senate amendment No. 5135, violates section 404(a) of S. Con. Res. 13 of the 111th Congress, the fiscal year 2010 budget resolution, as amended by S. Con. Res. 11 of the 114th Congress, because it would increase the short-term debt by more than \$10 billion in one or more of the fiscal years that comprise the current budget window.

Therefore, I raise a point of order against this measure pursuant to section 404(a) of Sen. Con. Res. 13, the fiscal year 2010 concurrent resolution on the budget.

The PRESIDING OFFICER. The Senator from Washington.

MOTION TO WAIVE

Ms. CANTWELL. Mr. President, pursuant to section 404(b) of the fiscal year 2010 budget resolution, S. Con. Res. 13 of the 111th Congress, as amended by S. Con. Res. 11 of the 114th Congress, I move to waive section 404 of S. Con. Res. 13 for purposes of the pending measure and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH), the Senator from Vermont (Mr. LEAHY), and the Senator from West Virginia (Mr. MANCHIN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. HAWLEY), and the Senator from Alaska (Ms. MURKOWSKI).

The yeas and nays resulted—yeas 63, nays 32, as follows:

[Rollcall Vote No. 269 Leg.]

YEAS—63

Baldwin	Graham	Peters
Bennet	Hagerty	Portman
Blumenthal	Hassan	Reed
Blunt	Heinrich	Romney
Booker	Hickenlooper	Rosen
Brown	Hirono	Sasse
Burr	Kaine	Schatz
Cantwell	Kelly	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Markey	Stabenow
Cassidy	McConnell	Sullivan
Collins	Menendez	Tester
Coons	Merkley	Tillis
Cornyn	Moran	Van Hollen
Cortez Masto	Murphy	Warner
Durbin	Murray	
Feinstein	Ossoff	
Gillibrand	Padilla	

Warnock	Whitehouse	Wyden
Warren	Wicker	Young

NAYS—32

Barrasso	Grassley	Risch
Blackburn	Hoeven	Rounds
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sanders
Cotton	Johnson	Scott (FL)
Cramer	Kennedy	Scott (SC)
Crapo	Lankford	Shelby
Cruz	Lee	Thune
Daines	Lummis	Toomey
Ernst	Marshall	Tuberville
Fischer	Paul	

NOT VOTING—5

Duckworth	Leahy	Murkowski
Hawley	Manchin	

The PRESIDING OFFICER (Mr. MARKEY). On this vote, the yeas are 63, the nays are 32. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

The Senator from Michigan.

TRIBUTE TO GENERAL JOSEPH M. MARTIN

Mr. PETERS. Mr. President, I rise today to recognize the service, accomplishments, and retirement of Michigan native GEN Joseph M. Martin.

Joe will pass on the mantle of leadership after 36 years of service and completes his highly decorated career as the Vice Chief of Staff of the U.S. Army.

Joe is a proud son of Michigan. Born and raised in Royal Oak and Dearborn, his family is deeply rooted in the area, with strong ties to the Ford Motor Company. Joe's grandfather, Leonard Martin, worked there for 43 years. Joe's father, Leonard Martin Jr., worked there for 42 years.

It was from his father and grandfather that General Martin learned the Michigan values of honesty, hard work, and service to his community. And it is these values that General Martin has carried with him throughout his 36 years in the U.S. Army.

As a child, Joe attended Henry Ford Elementary and Woodworth Junior High. Before high school, the Martin family moved to the west side of Dearborn, where Joe attended Clare Bryant Junior High and Dearborn High before college.

And although Joe's family has a tradition steeped in naval aviation, Joe took a different path and chose to attend West Point and join the Army.

General Martin graduated from the U.S. Military Academy in 1986 and was commissioned as an armor officer. Throughout the next 30 years, General Martin would serve in support of America's most significant large-scale operations and fight in some of the Army's most storied divisions.

He deployed in support of Operation Desert Storm, twice for Operation Iraqi Freedom, and as the Combined Joint Force Land Component Commander for Operation Inherent Resolve.

Among other assignments, Joe served with the 1st Armored Division, the 4th Infantry Division, U.S. Army Operational Test Command, and served as the commanding general of the National Training Center and the commander of the 1st Infantry Division.

Following his command of the Big Red One, General Martin was appointed as the Director of Army Staff and later confirmed as the Vice Chief of Staff of the Army.

Joe credits his success to his wife, Leann; and the Martins have two children, Joey and Kylie.

To General Martin and to his family: On behalf of a grateful Nation, thank you for your incredible service and sacrifice over the last three-and-a-half decades. We are glad to welcome you back to your home State of Michigan as you begin your next chapter.

The PRESIDING OFFICER. The Senator from Minnesota.

AMERICAN INNOVATION AND CHOICE ONLINE ACT

Ms. KLOBUCHAR. Mr. President, I rise today to address my colleagues on the topic of competition policy, just as I did last week, and I will continue to do until we take action.

Now, I want to start out speaking briefly about one part of competition policy that is very important, and that has to do with prescription drugs.

As we all know, brand-name prescription drugs in the U.S. are more than 250 percent of those in other industrialized countries. In many cases, Americans pay the highest prices in the world for these drugs. Yet it is our country, our taxpayers, that have put in the money for the research.

The high price of prescription drugs has put treatments out of reach for many Americans, even those with insurance, and driven up the tab for taxpayers.

Examples: One of my constituents, Ramae, from Bemidji, was diagnosed in 2018 with an incurable blood cancer, multiple myeloma. She relies on a drug called Revlimid that costs about 15,000 a year. Ramae depleted her life savings, cashed out her 401(k), and sold her house in order to afford this drug she needs to survive.

Actually, nearly 20 percent of older adults have reported not taking their medicines as prescribed because of the cost.

The good news—and this gets to competition. Years and years ago, as you know, Mr. President, the pharmaceutical industry installed in law a provision that said Medicare was banned from negotiating less expensive prices for drugs—banned from negotiating.

Yet, we know from the VA, which is allowed to negotiate on behalf of our Nation's patriotic veterans, that we can get much less expensive but as high quality drugs for our veterans. Our 46 million seniors deserve the same kind of deal.

That is what we are coming into in this next week, finally. And I have led the bill that has over 30 cosponsors in the Senate to allow for negotiation of prescription drugs for a long, long time. Finally, we are going to get this done.

It is not going to cover all the drugs as I would, but it is a big beginning. We have enough votes in the Senate to

pass a bill to fix that. Democratic votes—all Democratic votes. But it is the fight worth fighting. You see the Pharma ads running against this bill. They have got every incentive to stop this. Why?

Well, it is going to save taxpayers 288 billion over 10 years. Taxpayers are going to be able to get that money, instead of the prescription drug companies. That is why this is so important. It is going to allow Medicare to finally negotiate prices under Medicare Part D.

In addition to that, it will stop drug companies from price gouging drugs that are already on the market, stop price hikes, and make sure the price of your drugs doesn't increase more than the rate of inflation.

As I said, we have the votes in the Senate—all Democratic votes—to make life easier for so many people. We stand with AARP. We stand with the seniors of this country to finally allow Medicare to negotiate less expensive drugs for our seniors.

So that is one part of competition policy. That means allowing negotiation. That is part of what competition is. But there is something else we need to do, and last week I talked about what is happening with the tech companies. I talked about the fact that for years and years, in the beginning of this Nation's inception, our country has always believed in capitalism and in a free market, and we have always understood that you have got to have antitrust laws in place, which I explained the history last week. Antitrust laws, at the time, it got that name because it was about breaking up trusts. Trusts—steel trusts, copper trusts—trusts that controlled the economy, brought up prices, made it hard for individual small businesses to compete.

And over time, this Senate, this Chamber right here, the Senators—they finally stopped just doing everything these trusts want. They stopped just giving in to the Big Money, and they actually did something to protect capitalism. That is when they passed the Sherman Act. Senator Sherman was a Republican from Ohio. They passed the Clayton Act. Through history, rose to the occasion.

We are at another moment in history right now, and that is a moment focused on too much consolidation in our economy. What is at stake is the very idea that drives our economy forward—competitive markets.

Today, too many areas of our economy are highly concentrated and controlled by a few corporations. These are the corporations of old. These are the trusts of old, but we have our modern-day ones as well.

So when this happens, you have a lot of problems, and one of them is corporations stop competitors from moving ahead and from innovating and finding better ways to serve customers because they have all the customers, so they don't have the incentive.

We have seen consolidation in everything from cat food to caskets. Our digital markets are now controlled by a few Big Tech titans that have grown into the largest corporations the world has ever known.

It is well past time to put some rules of the road in place to make sure that these dominant digital platforms work for consumers and allow American small businesses to innovate and compete.

That is why I have been working across the aisle with Senator CHUCK GRASSLEY, the Republican lead of this bill, and a bipartisan group of Senators that Samantha Bee once called an "Oceans 11 of cosponsors," including Senators DICK DURBIN, LINDSEY GRAHAM, RICHARD BLUMENTHAL, JOHN KENNEDY, CORY BOOKER, CYNTHIA LUMMIS, MAZIE HIRONO, MARK WARNER, JOSH HAWLEY, STEVE DAINES, and SHELDON WHITEHOUSE—are all cosponsors of this bill. There are many, many other Senators who are going to support it as well.

It is why, as the chair of the Subcommittee on Competition Policy, Antitrust, and Consumer Rights, I have held a series of hearings with Senator LEE about online markets and abuses of power by the largest digital platform. Senator LEE and I have a number of other bills together on this subject.

We have heard about how the small number of extraordinarily large digital platforms—based on the 18 months of House hearings—18 months of House hearings—still, we have passed nothing in this Congress, not one bill since the dawn of the internet involving internet competition and competition policy.

What we have learned is they act as gatekeepers that control how smaller companies reach their customers. As a result, online marketplaces lack the hallmarks of robust competition, fierce price competition, game-changing new products, and customers switching back and forth among products.

Instead, we have what started as exciting when everyone started accessing Amazon, Google; but the market is becoming increasingly calcified, one where the biggest gatekeepers have little or even no fear of competitive threats, one where they feel no pressure, where they can put themselves at the top of the search results regardless of quality or price. That is what we have right now—no rules in place.

So when you look at Amazon, you see all these Amazon products at the top. You look at Google when this all started out, they didn't have their own products. Well, now they do—Google products at the top. Apple products at the top.

They can extract monopoly profits from consumers, and the small businesses rely on them because there is really no other way to access their own market.

If we don't act now, we will entrench those companies further, making it even more difficult for innovators to bring new products to market and for

small and medium-size companies across America to grow online.

Let me be clear. We have monopoly problems that go far beyond digital giants like Facebook and Google, and there is more that we need to do to restore competition to markets throughout the economy. We have a big task in front of us to rein in unchecked power and bring the benefits of consumer competition to all.

Last Tuesday, I talked about the cost of inaction, how other countries are attacking this problem way before us, how the European Parliament has just passed a major bill that is much more aggressive than anything that we are looking at here.

Great Britain, what they are doing. Australia, what they just did. There are many examples throughout history, of course, where Congress stepped in and didn't bow to the bloated monopolies but actually did something to further competition and rejuvenate the competitive market.

When I talk about the dominant digital platforms, I am talking about some of the most powerful companies in the world, with armies of lobbyists and lawyers, with thousands of lawyers and lobbyists. They are everywhere—in every corner of this town, at every cocktail party, and all over this building. I tell my colleagues that they don't even know, sometimes, when someone is trying to influence them because they think they are just talking to a friend because they have hired everyone they can see.

But once they start talking about antitrust and Big Tech, I tell them they should at least ask the person if they are being paid by the tech company or if they are on one of the boards of one of the groups that supports the tech companies because, time and time again, they have been surprised to find the answer is yes.

The tech companies aren't just lobbying my colleagues; they are also lobbying the American people with "astroturf" campaigning and dishonest PR tactics. At the same time that I have been working with my colleagues in good faith on commonsense solutions to our online competition problems, these companies have been telling anyone who will listen that acting to protect competition in our digital markets will somehow cede our national security or outlaw Amazon Prime—something for which Senator GRASSLEY and I came to the floor of the Senate because it was such a lie. Together, we noted that their own lobbyists had said that it wasn't true. Their own lobbyists for Google had said, Yes, the bill wouldn't really get rid of Amazon Prime. But that is what they are running ads for.

Then, of course, is the money. I think this is actually the best evidence of just how big and dominant and bullying these companies are, running ads in the States where people are in tough races. That is what they are doing. How obvious can it be? Message re-

ceived: We are out here. We can hurt you. We may not be putting your name in these ads right now, but we can do it. We have got the money to do it because we are the dominant monopolies.

By the way, they wouldn't be spending millions and millions and millions of dollars to stop us if we didn't have some momentum. Let me give you some numbers.

In 2021, Big Tech companies spent more than \$70 million combined lobbying Congress.

In the first quarter of this year, Facebook—now known as Meta—Amazon, Alphabet—which is Google—and Apple spent more than \$16 million lobbying Congress.

In just 1 recent week in May—1 week—one industry group, the Computer and Communications Industry Association, spent \$22 million in 1 week on TV ads against this bill. That is \$22 million against one bill in 1 week, and the numbers keep getting worse.

Since I last took to the floor to discuss this issue, it was reported that Amazon reached an alltime high in lobbying spending in the last quarter, and that is only what the company spent directly. It doesn't include what Big Tech directed others to spend, using contributions to spread misinformation about the bill.

So that is what we are up against. And there is me, and there is this poster. There is our lawyer—one lawyer, Keagan. We have another lawyer, Avery. We have a third person. That is it. That is our team. Of course, Senator GRASSLEY and the other Senators involved in this have great attorneys. We have the endorsement of the Justice Department. That is a whole lot of lawyers. We have support from Secretary Raimondo over in Commerce and their team in doing this bill because they get that this is about competition moving forward.

I would like to share two examples of the misinformation campaign against this bill.

Just a few months ago, you may have read a letter from people outside of the Senate who were criticizing the bipartisan bill that Senator GRASSLEY and I had worked on. It was signed on by a little-known group—actually, it was not that little-known if you watch TV because it is in the disclaimers on the ads—called American Edge. Here is what the Washington Post wrote about American Edge:

Backed by millions from Facebook-parent company Meta, American Edge has launched a full-throated campaign to combat antitrust legislation in Washington, placing op-eds in regional papers throughout the country, commissioning studies, and collaborating with a surprising array of partners, including minority business associations, conservative think tanks, and former national security officials.

This is The Washington Post talking.

It's a political playbook more common to other industries, including pharmaceuticals [and] tobacco. . . .

This is the playbook we have seen time and time again: Distort the truth,

and distract people from the key issues by raising sideline potential concerns that aren't even in the bill's scope. Look over here, not at the real problems we face with real solutions to address them.

Amazon tried something similar, but they didn't get away with it because small business owners are too savvy to fall for silly tricks. As CNBC wrote in an article last month, Amazon is so worried that Congress will finally do something, not to get rid of Amazon and not to stop Amazon Prime, but to simply say, when you do your searches on Amazon, at least you should have a fair shake at getting whatever are the most affordable or best products in what you are looking for at the top and not just what Amazon wants you to see because that is what they own.

They placed a senior executive in charge, we now know, to recruit third-party sellers to oppose the bill, the small businesses. The Amazon executive posted to a forum used by sellers and directed them to a website that included a form to contact their Senators with a prewritten email opposing the legislation. But get this: They weren't fooled. These sellers knew the power that Amazon had to affect their businesses. They are monopolies, right? According to the CNBC report, hundreds of sellers replied to the post and actually expressed their support for the legislation.

I am not sure this would have happened 10 years ago, honestly, but now they have realized what the game is, what the rig is, what is really happening. Here are some examples of what the small businesses posted. This is after the request from the Amazon executive to write letters to people like me and the Presiding Officer opposing the bill.

Here is what someone wrote:

Any informed seller is going to support massive action taken against Amazon in the antitrust arena. I am personally sick of the condescending posts by Amazon management directed at us. We are not morons and know how to read and think for ourselves.

That one got more than 100 likes in the forum.

Here is another one:

Yes, I'm going to oppose that Amazon will be prohibited from undercutting, manipulating the Buy Box, and instituting restrictions on certain listings that unfairly bar me from selling an item. Yup, writing to my senator right now.

We will call that a sarcastic post.

Others got straight to the point:

Thanks for the reminder!

One seller wrote:

I've asked my senators to support the bill.

Another wrote:

If Amazon is against the Bill, it must be good!

And my favorite:

I'm highly allergic to corporate propaganda and fear mongering. Therefore, for the sake of my health, I will be encouraging my senators to fully support this legislation.

I think these are pretty good examples of how resilient and clever our

American small businesses actually are.

Since I am a Senator and not a tech-based industry group, I don't get to spread my message with a multi-million-dollar ad campaign, but Big Tech lobbyists can't stop me from standing here right now on the Senate floor and telling you the truth—the people who are watching at home—since there are actually no other Senators out here right now except the Presiding Officer.

We cannot let these companies use their monopoly profits to scare the Congress from doing its job. Some have said that this is the biggest political fight that Big Tech has ever fought. The truth is that they are not fighting on terms that anyone would think are fair. They are not fighting with truthful representations or factually grounded arguments. They are spending millions and millions of dollars on ads that distort the truth because they are scared. They are scared about what is going to happen if we have honest, robust, American style competition.

"It's better to buy than compete." "It's better to buy than compete." Do you know who said those words? That is what Facebook's CEO Mark Zuckerberg wrote in a 2008 email around the time of the Instagram and WhatsApp acquisitions. Facing competition from new upstarts, Facebook decided to take them out—to stop them from innovating in ways that might win over users from Facebook. It makes sense, right? Who knows what Instagram would have developed for their bells and whistles in terms of privacy and other things if they had been able to fairly compete?

When the FTC sued Facebook, it wrote on—by the way, that was under the Trump administration and now continues on through the Biden administration. It wrote on page one of its antitrust complaint:

Facebook has maintained its monopoly position by buying up companies that present competitive threats and by imposing restrictive policies that unjustifiably hinder actual or potential rivals that Facebook does not or cannot acquire.

As another Facebook employee wrote, quoted in the FTC's complaint:

We're scared that we can't compete on our own merits.

As of last week, we have new evidence showing the same from other companies from documents that were obtained by Chairman DAVID CICILLINE and Ranking Member KEN BUCK, over in the House, during their bipartisan investigation into Big Tech.

One of the documents quotes an Amazon executive discussing the potential threat from Ring, a video doorbell company it later bought for \$1 billion.

The executive said:

I'm supportive of Ring. I don't know how we can get big fast without acquiring someone.

In the same email chain from another Amazon executive:

There's a lot of overlap with what we want to do . . . and very little that we don't want to do.

There it is in black and white. They wanted to enter the market, but they couldn't innovate fast enough, so they just bought up the competition. That is what they have been doing. The dominant platforms will stop at nothing to protect their profits, even if it means stifling the innovation and ingenuity that has made our Nation's economy second to none. We see the campaign to try to torpedo this bill for what it is: an obvious effort to protect their market power and monopoly profits.

Adam Smith—the godfather of capitalism, the guy who talked about the invisible hand—loved capitalism, but he always said this:

Always watch out for the standing army of monopolies.

And that is why, over time, we have developed law that allows us to ensure that the big guys don't always control the marketplace—so that you can have new forms of competition developed.

I want to be clear on this point. These are highly successful companies that have given us incredible innovations. I don't want these companies or their innovations or their beneficial products or services they offer to go away, and they won't go away with this bill. What we will do is make sure that they are creating the conditions on their dominant platforms—because that is what we are dealing with, four different ones—for the next new thing to be developed and to thrive. That is why we have antitrust laws.

As Senator Sherman—a Republican from Ohio and for whom our central antitrust law, the Sherman Act, was named—famously said:

If we will not endure a king as a political power, we should not endure a king over production, transportation, and sale of any of the necessities of life.

Let me speak specifically about antitrust and innovation. There is a persistent myth out there that antitrust law is about prices and nothing else. That is not true. Although prices are, of course, an extraordinarily important component of competition policy and analysis—and by the way, you are seeing more and more small businesses so concerned about what is going on—and big businesses because these platforms are charging them more and more and more just for the pleasure of being on the platform or for getting their names up at the top or for using their services, but it isn't all about pricing; it is also about innovation.

Through competition and innovation, there are new products, services, apps, and ideas that are hard for us to even fathom that will be developed by clever engineers, smart business people, and thoughtful marketers. Innovation is part of the American spirit. Innovation generates new opportunities and new hopes for businesses. Breakthroughs in science and technology have given us the vaccines that are getting us through this pandemic and driving the

development of clean energy solutions. Emerging technologies like artificial intelligence are driving innovation across our country.

I think the Presiding Officer from the great State of Michigan knows a little bit about innovation there with what we have seen as its emergent. When everyone was writing off the American car companies, they innovated and moved ahead.

Of course, some of our economy's largest companies began as startups with new innovation, and some of these companies—now small and large—are starting to say: Wait a minute. These four Big Tech companies can buy anything they want. There are no rules of the road. They can put their stuff at the top. Yet this is where customers go and buy things. We just need an even playing field in the marketplace.

Innovation that is vital to our American economy cannot thrive without open, competitive markets. It is competition that pressures manufacturers to invest in research and development and to constantly innovate to improve their products and introduce new products. It is competition that provides opportunities for entrepreneurs to develop new ideas and to start new businesses.

This topic is so important that I held a hearing with Senator LEE last December on innovation. In his opening remarks, Senator LEE shared his thoughts about this important topic, noting that when competition suffers, so does innovation. One might say that competition is itself the mother of innovation. Competition really can't occur without a lot of innovation.

As one of our witnesses at the hearing, Dr. Diana Moss, president of the American Antitrust Institute, testified, dominant firms face fewer economic incentives to innovate. It is one thing to create new products that can win over customers from a rival. It is another to create new products that might undermine your existing business.

When you have got all of the customers, let's say, in the App Store—all Apple phones have one kind of app, and all other phones have another kind of app, Google—they are a duopoly. There you go. So they can do what they want. That is why they are charging 30 percent to Spotify—just for the pleasure of competing against Apple Music. That is what is happening.

The path to future innovations is through the crucible of competition. What makes companies innovate is not just a desire to please their customers but also the healthy fear that others might please them instead and win customers in the competitive landscape.

If the largest digital gatekeepers do not face any meaningful competition, they will continue to extract monopoly profits from customers and the small businesses that depend on them to reach their customers. If the largest digital gatekeepers have the power to avoid competition, we should expect

that they will not innovate at the same pace as when they face stiff competition.

So to my colleagues I say, as I did last week: Yes, you can love the products. You can love the CEOs, if you want. You can love the companies. But you also have to love competition and understand the unique place of the U.S. Senate to take on what has happened time and time again in history: the bloated monopolies that sometimes come up. You don't get rid of steel or copper. Of course, we didn't. We created a more competitive marketplace.

That former chairman of AT&T said himself, after the breakup of AT&T, when we saw long distance rates go down through Democratic and Republican leadership, when we saw the cell phone industry, which had been nothing, when cell phones were the weight of bricks and this big in your briefcase—we saw all that changed, and he actually said we are a stronger company because of what happened.

Here are the facts today. Here are our new bloated situations: Google—pretend that is now Google—has a 90-percent market share in search engines. In Australia, when the Australian Government was taking them on and said you have got to charge a fair rate for media links, Google—and Facebook, by the way—literally said: OK, we are going to leave your country. We are going to leave an industrialized nation.

Then, there was so much pressure on the world that they backed down and negotiated rates.

A 90-percent market share—that is what you get to do. Great product, OK. If we are going to tolerate that, I guess the Justice Department will look at it.

That is not what our bill does. It doesn't break them up. It doesn't do anything. It is just that when we have a 90-percent gatekeeper, at least we have some rules of the road for what they put on there.

Apple controls 100 percent of app distribution for iPhones. Together, Apple and Google, as I noted, have a duopoly on app distribution on all smartphones. Three out of every four social media users—there are 4 billion of them—are active Facebook users. Amazon is expected to seize half of the entire e-commerce retail market this year.

What do they do with that power? As the New York Times reported a few years ago, back in 2018, if you opened up the App Store on an iPhone in May of 2018 and typed the word “podcast” in the search box, the first result, after an ad, would have been an app made by Apple: Apple Podcasts. The next result would have been Apple's Compass app, then Apple's Find My Friends app.

Amazon does the same thing.

ProPublica reported:

We looked at 250 frequently purchased products over several weeks to see which ones were selected for the most prominent placement on Amazon's virtual shelves—the so-called “buy box” that pops up first. . . .

And so many of us have had that experience, right? You are in a hurry.

You want to buy something. What pops up first?

About three-quarters of the time, Amazon placed its own products and those of companies that pay for its services in that position, even when there were substantially cheaper offers available from others.

This obviously puts small businesses in a bind. The need for action is clear. All they have to do is treat people fairly, have a reason to put people up first, and treat the people who are advertising on their sites fairly.

The way our bill works, if they do that, they stay out of trouble. If they don't do it, the Justice Department, the FTC, and the State AG can look into doing something about it. They are, obviously, not going to bring some big case over one mistake. We are talking about a consistent effort here, which is exactly what they have been doing to make more money by putting their stuff at the top.

Since the founding of this country, people across the country and across the political spectrum have recognized and taken on the issue of monopoly power. That is why we have worked across the aisle—Senator GRASSLEY and myself—to build bipartisan support for this bill, the bipartisan solution to the problem of anti-competitive self-preferencing by dominant digital gatekeepers. That is how we found our common ground. That is how KEN BUCK, a conservative Republican out of Colorado, found common ground with Representative CICILLINE, a liberal progressive Congressman from Rhode Island.

Our bill creates the rules of the road for these platforms so they can't abuse their gatekeeper power by favoring their own products or services and disadvantaging rivals in ways that harm competition.

In other words, examples are that Amazon won't be able to misuse small business data in order to copy their products. The best example of that is the Wall Street Journal reporting about a four-person luggage company out of Brooklyn, NY, advertising innocently, giving them the data they need to advertise, and, bam, a few months later, Amazon has the identical product in Amazon Basics.

Apple won't be able to stifle competition by blocking other companies' services from interoperating with their platforms, and Google won't be able to bias their platform search results in favor of their own products and services without merit. These platforms will no longer be able to put their own products and services automatically first. That is what we are talking about. Amazon should rank products based on price and quality, not based on their own profit margins.

In those new House Judiciary documents that I mentioned earlier, there is one from a Google executive that illustrates this point as well. It is an email about Amazon saying:

Amazon has a built-in incentive to partner with Alexa, since they will pull you from their store if you don't support it.

Again, that is an amazingly honest statement of the situation where rampant self-preferencing is allowed: A product might be great for consumers, but if it doesn't “partner with Alexa”—forget it. They will pull it from the store to solidify their emerging power in voice assistants.

Second, the world's largest and most powerful platform shouldn't be allowed to copy small businesses' private data that they get from their sellers, as I just mentioned, to create knock-off products.

Third, in the bill, platforms shouldn't require companies, especially small companies, to buy a bunch of stuff from the monopolies, like ads or distribution services, in order to be listed at the top. They can offer those services. They can sell those services. But the only way you get to the top, so that when our pages here, sitting in the Chamber, are trying to look at the best deal for a fan, if they don't have air conditioning in their room—it was really hot in Washington, DC. Well, the best product should come up or the least expensive product. That is what should come up, not just something that Amazon Basics can make money off of. That is what the bill does.

It is not a breakup bill. It is not a ban on mergers, but it would put some commonsense rules of the road in place. If we can get these reforms in place, we will ensure a fairer, more competitive marketplace for small and medium businesses. This bill gives them more options, more flexibility, and more access to the markets.

Just today, the National Federation of Independence Businesses wrote to Senator GRASSLEY and me to say that 84 percent of their members support Congress taking action—that is about the kind of numbers I would like to see around here, 84 percent—“to control unfair and anticompetitive practices of large tech companies.” That is why they are formally endorsing the bill, writing:

Most small businesses have no choice but to rely in some capacity on these large technology companies for a variety of business needs, ranging from driving business traffic through search to online advertising to accessing key digital marketplaces.

For small business sellers using marketplace platforms, competition between the operator's own products and third-party sellers creates conflicts of interest and has been shown to lead to unfair business practices.

By the way, it is not just small business. There are a whole bunch of big businesses supporting it, too, only because they are not going to compete against the big titans. A lot of them don't want to say it out loud because they don't want to be punished. They just call us and tell us. That is what you deal with when you deal with monopolies. You are not going to out people who don't want it out there. But the truth is, there are a whole bunch of businesses that support this bill, in addition to a whole bunch of working people, in addition to my colleagues from all sides of the political spectrum.

What did the Justice Department say? They said:

Vesting the power to pick winners and losers across markets in a small number of corporations contravenes the foundations of our capitalist system, and given the increasing importance of these markets—

And that is very key here—

the power of such platforms is likely to continue to grow. . . .

That is what we are seeing right now with the small business rebellion.

This puts at risk the nation's economic progress and prosperity, ultimately threatening the economic liberty that undergirds our democracy.

That is the business group. Now, I will go to the consumer group. The Justice Department you just heard.

The Consumer Federation of America wrote:

We need to incentivize more competition and more innovation.

A group of legal scholars said:

It is an appropriate expression of democracy for Congress to enact pro-competitive statutes to maintain the vibrancy of the on-line economy.

Monopoly power, consumer choice, reduced innovation—these aren't topics that came up for the first time when we marked up and passed the bill. In fact, we got it out of committee 16 to 6, the first time since the advent of the internet, in a highly polarized, at times, Senate Judiciary Committee, for anyone who watched the Supreme Court hearings. We got that bill out 16 to 6, the first bill to advance to the Senate floor—the competition bill—since the advent of the internet.

We cannot stand by and do nothing while digital giants entrench their power to gobble up more businesses, gobble up bigger and bigger slices of the economy. I guess we can. I guess we can turn into this situation. But even these Senators, way back—they were all in here, unlike what I see right now. But they were all here, and they actually got something done. And this is our moment right now.

I urge my colleagues to bring this bill to the floor. I have gotten the commitment to get a vote on this bill. We have got to get this bill on a vote.

I appreciate Senator GRASSLEY's patience and bipartisan support, but we know that we are up against a lot. But if they think that I am going to get scared by that, think again. I am ready to roll.

I yield the floor.

THE PRESIDING OFFICER (Mr. PETERS). The Senator from Pennsylvania.

PACT ACT OF 2022

Mr. TOOMEY. Mr. President, I rise because I want to express concerns that I have about a particular provision in the PACT Act. It is my understanding that the Senate is considering this later this week. We could be voting on cloture as early as tomorrow afternoon.

My concerns with the provision of the bill as drafted are—well, I and

many of my colleagues share this concern. What we want to do is ensure that the PACT Act is not used as a vehicle to dramatically increase spending outside of the objective of the bill, which is to cover specific healthcare and benefits for veterans.

As it is written, as we are currently considering it, the PACT Act includes a budget gimmick that is designed to do exactly that. This gimmick was not in the House bill, but some Senators found it necessary to add this. This gimmick is not necessary to achieve the underlying purpose of the legislation. The purpose of the legislation is to expand VA healthcare benefits and certain other benefits for veterans.

I have a very simple proposed fix for this problem that will not reduce veteran benefits by a single dollar. It would allow the bill to fully achieve its original intent.

To explain this a little bit, I have to explain a little bit about how the Federal Government spends money around here.

As you know, Mr. President, we have two big categories of Federal spending. We have what we call discretionary spending, and that is the spending that is appropriated annually by Congress. That spending is limited every year. There is a cap on how much can be spent in that category. That is the first category.

The second category of Federal spending, we call mandatory spending. This is different from discretionary spending in the sense that it is kind of automatic spending. It occurs not by appropriation; it is driven by eligibility for various programs. People are eligible; so they get the payment. And it does not depend on a congressional appropriation. Those are the two big categories of spending.

Now, the PACT Act, as I said, addresses veterans' healthcare. Now, of course, as we all know, current law already obligates the VA to spend a great deal of money on veterans' healthcare and benefits, as it should. In particular, there is about \$400 billion over the next 10 years that the VA will spend on veterans' toxic exposure care and benefits—about \$400 billion. That is existing law. That is going to happen no matter what we do with this bill. That \$400 billion has always been categorized in the discretionary spending category of Federal spending, and, therefore, it is subject to caps, limits.

Now, what the PACT Act does is it expands this obligation on the part of the VA. And it expands it a lot, by about \$280 billion over the next 10 years. And it takes all of that new spending, the \$280 billion of new spending that the VA will spend under the PACT Act, and it puts it in the mandatory spending category—not the discretionary but the mandatory spending category.

Now, we can argue about whether or not that was a good idea, but that is not my issue on the floor this evening. I have no quarrels with the \$280 billion

being in the mandatory category. That is not the issue at hand.

Here is the problem with this bill. Here is the budgetary gimmick. This is what is outrageous. The bill takes the \$400 billion that I mentioned earlier, the \$400 billion that is obligated to be spent by the Veterans' Administration, by legislation passed many years ago, money that is going to be spent; it enables that spending to be shifted from the discretionary category to the mandatory category of spending.

You could say: Well, so what; the government is still going to spend the money either way. That is true. It is going to go for the same purpose, to the same people who need it. That is all true.

So why does it matter? Why did the Senate authors of this bill, unlike the House, decide it is necessary to take this big category of spending that is already in existing law and move it from the discretionary spending category to the mandatory category?

Well, here is the reason. As I said earlier, there are caps on how much discretionary spending can occur in any given year. By moving this big category of spending, this \$400 billion, out of the discretionary category and putting it into mandatory, you create this big hole under the cap. That is what is going on here. Now, when you create that big hole, guess what happens with that big hole? It gets filled with spending on who knows what. That is what is going on here. This is unbelievable.

Now, again, I want to stress that my quarrel here is not with the underlying purpose of the bill or the substance. And, sure, we could talk about ways it could be improved, but that is not what this is about. It is about a budget gimmick that is designed to allow hundreds of billions of dollars in additional, unrelated spending having nothing to do with veterans. It could be anything. It is this big, gaping hole that some folks around here created by design in our discretionary spending category.

You know what it really comes down to. It is about Congress hiding behind an important veterans' care bill a massive, unrelated spending binge. That is what this amounts to. Now, that would be objectionable at any time, under any circumstances, as far as I am concerned, but it is unbelievable that this provision is snuck into this bill at a time like this.

What I am referring to is the obvious fact that our entire economy—American families, virtually all of them, are being racked by out-of-control inflation. Inflation is at a 40-year high—40 years. I mean, roughly half of all Americans have never been alive with inflation this high. And there is no avoiding it. It is at the gas pump. It is at the grocery store. It is at the rent. It is everywhere.

Well, how does inflation come about? Well, a big part of it came from too much government spending and lax, easy-money monetary policy. That is

always a very dangerous combination. And sure enough, it gave us this out-of-control inflation. Well, this gimmick is going to make it worse. It is going to add \$400 billion over 10 years in totally unrelated, unnecessary spending.

Again, we are not talking about veterans' healthcare. That is not what I am here to talk about. We are talking about the other \$400 billion that we haven't seen exactly what that is going to consist of. Who knows. But you can be sure that a big hole under the spending caps is not going to left as a big hole.

So this is terrible policy. So, here, I have got a simple suggestion. Here is all we need to do. We leave the \$280 billion, the new spending for veterans' healthcare that the bill contemplates—leave that in mandatory spending. That is fine. But we simply would modify the bill to keep the \$400 billion that we are going to spend anyway in the category where it has always been, the discretionary spending category. This doesn't cut a dime in veterans' spending, but it would avoid creating this huge hole for all kinds of new and unrelated spending.

So, again, I will stress one more time for the people who might choose to listen, this doesn't reduce spending on veterans' healthcare or benefits of any kind by a single penny. And the change that I am looking for would not in any way impede the ability of veterans to get the healthcare that they are going to get under this bill as a result of toxic exposure. It is not about any of that. It is only about preventing this excessive, unrelated spending in we don't even know yet what categories, which was inserted in this bill.

So I think this is a simple fix. Unfortunately, it appears we are still not in the business of contemplating amendments in this Chamber. We were promised there would be amendments at the beginning of this process. Amendments have always historically been a fundamental way that we litigate our differences and iterate our way to solutions, but we are not allowed to do this. I have not been allowed to offer an amendment. Nobody has.

So I intend to vote against cloture, which, as you know, Mr. President, is the procedural vote that ends debate and ends the amendments and allows the body to get on to final passage. I am not going to vote for cloture because we haven't had this debate yet. We haven't had this vote on this outrageous budget gimmick that has nothing to do with the underlying purpose of the bill.

So I am going to urge my colleagues to join me in voting against cloture. And what will happen if we deny cloture? What if we succeed, and the Chamber, the body, is unable to achieve cloture? Well, then I think I know what happens. Our Democratic colleagues would work with us to fix the gimmick. That is what would happen. Then the bill would move forward with all the same benefits for veterans

that it has and that it has always had as a bill, and we would do this without introducing this massive, unrelated spending.

Now, why am I confident that that is what the outcome would be? Because I think our Democratic colleagues are very unlikely to forgo passing a really important veterans health bill for the sake of their unrelated spending blitz. I think, as much as they want to go on that spending binge, they would take a pass on that if that is what they have to do to get this veterans bill done. So that is how this would end.

That is why, Mr. President, once again, I urge my colleagues, join me in a simple fix for a terrible budget gimmick, and let's do this quickly. And if we are not allowed to do this any other way, then let's deny cloture tomorrow on the cloture vote, and then we will be able to fix it promptly thereafter.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

H.R. 4346

Mr. VAN HOLLEN. Mr. President, as the Presiding Officer knows, the United States of America has long been at the vanguard of global scientific and technological innovation, and that leadership has helped power our economy and strengthen our leadership position in the world.

That competitive edge is now at risk. It is at risk because we have failed to renew our national commitment to one of the key tools that has brought us that success in the past: making robust Federal investments in scientific research and development.

The bill before the Senate, called the CHIPS and Science Act of 2022, aims to stop this downward drift and propel us forward again in the area of discovery, in areas of innovation and manufacturing. It honors a long, long tradition of American excellence in research and invention.

If you look back over our history, America has always been on the leading edge of science, of technology, of engineering, and mathematics. That spirit has been with us since our founding, but it truly flourished in the decades following the Second World War, with new inventions springing from American minds every year and moving us forward at an accelerated pace.

American astronauts took humanity to the Moon for the first time. American computer scientists invented the internet and changed the world. In fact, it was during this explosion of discovery that an American engineer created the first integrated circuit in 1958, and that invention would pave the way for the microchips we use today and which are a big part of the legislation before us.

In the 20th century, the United States was the innovation capital of the world. In 1960, America generated 69 percent of all research and development on the entire planet. This golden age flowed from the ingenuity of American visionaries, and it was fueled by

our system of free enterprise and private investment.

But we cannot ignore another key ingredient in the success of that period, and that is the very large investment in cutting-edge research and development made by the Federal Government on behalf of the American people. Federal funds accounted for two-thirds of all American research and development investment in 1968—two-thirds from the Federal Government. In fact, all three of the American-made inventions and innovations I just mentioned—from building the rocket and the systems to land a man on the Moon and return him safely to Earth to inventing the internet, to creating that first microchip—those were fueled, in large part, by Federal Government investment, taxpayer investment, to strengthen the entire country.

For example, if you look at the history of the microchip, you will see that between 1987 and 1997—that decade—the R&D arm of the Department of Defense, what we call DARPA, disbursed around \$870 million in Federal funding to 14 ship manufacturers across the country, which, in turn, made the American ship industry more competitive than ever.

That was then. Today, we see a changing story. We are still a leader in innovation, but we are at risk of falling behind and falling behind quickly. And, in doing so, we are ceding ground to our global competitors and adversaries. This is a time where standing still means going backward and going backward fast.

The U.S. share of global research and development has dropped by half, by a full 50 percent, in the last six decades, and the most recent figures available reveal that the Federal investment in R&D as a share of our gross domestic product has dropped by one-third over the last 40 years.

While we have been slipping, other countries are dramatically boosting their investments in these critical areas, fueling huge resources toward innovation. China's most recent 5-year plan calls for ramping up investments in research and development by more than 7 percent every year. China has made no secret of its desire to corner the market in AI, in quantum computing, in clean energy tech, and much more. And the Chinese Communist Party is putting resources where their plan is, mobilizing the investments needed to try to achieve that goal.

This is not only an issue of falling behind in the areas of innovation and discovery because, even if Americans are inventing new technologies, the benefit to the American worker of leading in the invention of new technologies is much diminished if the manufacturing of essential products that use those technologies simply goes offshore.

We spend a lot of time inventing new technologies here, but over the last many decades we have seen the offshoring of those technologies and the manufacturing of products with

those technologies to other parts of the world, at the expense of the American worker. We have seen that dramatic offshoring of jobs for decades, including in many areas that are critical to the success of our entire economy and to the needs of our national security.

An American may have invented the microchip, but today we produce only 12 percent of the world's microchips. And that is at a time when these chips are absolutely essential to almost every aspect of modern life, from running our washing machines to powering our military. At the same time, competitors like China are pairing their rising R&D investments with major funding for manufacturing, putting the money in for invention and putting the money in to make sure those inventions stay and are manufactured in China. China has put \$150 billion toward manufacturing microchips over the last 8 years. And today, 19 of the world's 20 fastest growing microchip firms are in China.

So you can see how this creates an enormous challenge for America's competitiveness, for our economic strength, and for our national security. The technology we need today for our cars, our homes, our businesses, and our military is, in large part, produced overseas.

We have already fallen way behind in the manufacturing of strategically important technologies, and now we are also at risk of losing our edge in developing the critical technologies of the future.

This has got to change. In the face of these challenges, we have to ask ourselves two fundamental questions: One, how can we ensure that we continue to invent the key technologies of the future; and, second, how can we make and manufacture key products using those technologies right here in America?

That is why it is time for us to take a page out of our own history and reignite a golden age in American research, development, and manufacturing through robust Federal investments. And the bill before the Senate begins to take us down that road.

First and foremost, it includes \$53 billion to supercharge microchip manufacturing in America. That will bolster our economic security and our national security.

For American families, more American-made microchips means we will be able to ease some of the strain on our supply chains that are leading to increased wait times for everything from cars to smartphones, to dishwashers. And in the long term, boosting our domestic production of chips will help spur homegrown manufacturing jobs and lower the prices of a wide range of goods and services.

More American-made chips also means we will be less reliant on foreign manufacturers to meet our military needs. Today, 90 percent of the high-end microchips—the most sophisticated microchips—are made in Taiwan.

These are advanced chips on the market that power everything from consumer electronics to sophisticated military software and hardware. These microchips are in our jets. They are in our radar systems and much more.

So with this additional funding, America will have increased capacity to produce these high-end microchips right here at home so we are not relying on foreign countries to power the things our communities and our country rely on every day.

But while supporting the manufacturing of chips here at home is important, it is not enough to keep us competitive on other key fronts. As I said earlier, we need America to get back on the leading edge of research and development in a whole range of areas on technology's frontier.

Now is the time for us to boost innovation and to sharpen our edges across every technological front, from quantum computing to artificial intelligence, to so much more. And that is why this legislation calls for significant new investments in major scientific institutions. It would authorize an increase of \$36 billion for the National Science Foundation, an increase of \$5 billion for the National Institute of Standards and Technology in my home State of Maryland, and an increase of \$12.9 billion for the Department of Energy's Office of Science. These increases represent roughly a doubling—a doubling—of the Federal resources dedicated to these important Agencies. It also includes an increase of \$11 billion for the Department of Commerce over 5 years to develop regional technology hubs around the country so that every part of the United States and communities in every corner of the country can benefit from these investments.

These are major increases. These are authorized increases—these parts with respect to future technologies as opposed to the chips portion of the bill. So, No. 1, we need to make sure these funds are actually appropriated; and, second, we need to ensure that these funds are deployed in the most strategic and effective way. That is why our bill includes a bipartisan provision that I authored with Senator BLUNT of Missouri to ensure that the United States has the tools it needs to monitor and address new frontiers in science, technology, engineering, and mathematics.

This portion of the bill includes two elements: First, it directs the National Academy of Sciences to identify the critical emerging technologies before us; and, second, it directs the National Academies to assess how well the United States is meeting those science and technology challenges through our global leadership and through the investments we are making here at home. I think we all recognize that we can't determine the path that we should chart as a country without getting a good look at the terrain and the horizon and even try to peer over the

horizon. And charting that course is only helpful if we monitor our progress along the way to see if we are meeting our goals.

That is about developing a national early warning system for technologies in which our country's best minds are focused on the technologies of the future so that we don't get caught flat-footed in the face of emerging opportunities.

We have seen in the case of 5G technology what can happen when we are not tracking the possibilities, and we get blindsided. The reality is China beat us in the transition from 4G to 5G networks, and it wasn't because we lacked the talent or the skill or the resources or the drive to win the 5G race. We failed to build a comprehensive system for 5G deployment fast enough because we did not have a national strategy. We had blind spots. The market didn't fill them. It requires a national plan of action. That provision in the legislation will address that shortcoming.

And as we revitalize innovation here at home, we have got to get all of our talent on the field. We need to deploy all of our brainpower in order to fuel this renaissance in American technological leadership. This bill will provide major investments in our 21st century workforce to create jobs and inspire the next generation of our innovators.

I am pleased that a bipartisan provision is included in here that was authored by our colleague Senator WARNOCK, which will direct additional Federal funds toward emerging research institutions of higher education, including our Nation's historically Black colleges and universities and our minority-serving institutions.

On top of that provision, I am pleased that this bill includes a bipartisan measure that I wrote with Senator TILLIS of North Carolina. Our provision would help advance the research classification of HBCUs around the country that already have strong research programs and make them competitive among the highest caliber of research universities for more Federal funding—to take them from R2s to R1s. This will open the doors of opportunity for more students, faculty, and staff across the country. In my State of Maryland, we have two HBCUs that would directly benefit from this provision: Morgan State University and the University of Maryland Eastern Shore. This is an investment in our future.

These are just some of the elements in this bill that will help foster a sustained American leadership in emerging technologies into the future. But even when this bill is passed—and I urge all my colleagues to vote for it—our work is not over. The Senate and the House have spent the last 2 years working on a package to sharpen America's competitive edge on the world stage. The bill before us does not include many of the other important measures that also enjoy bipartisan

support and are still part of the conference committee. So we need to get to the remainder of those provisions and get them over the finish line.

For example, one of the pieces of that larger bill that is not included in the measure before us would help protect American intellectual property and protect our technology secrets against theft by foreign companies or other countries. We know that in today's high-speed, fast-paced economy, where information zips around the world at the speed of light, it is easier than ever to steal someone else's technology for your own purposes. At a summit in London earlier this month, FBI Director Chris Wray warned companies from across Europe that Beijing is developing more advanced strategies to "ransack" Western companies, pilaging intellectual property, and stealing inventions from Americans and others around the world in the high-tech sector. We have to do everything we can to protect ourselves against that malign conduct.

For example, if you are an American company and a foreign company in China steals your intellectual property, the only recourse you currently have at your disposal is to file a lawsuit—file a lawsuit and go to court. It is like taking a peashooter to a knife fight, especially when you are dealing with a foreign government, like the Government of China. That is why I introduced a bipartisan bill with Senator SASSE to arm the U.S. Government with the authority to impose tough sanctions on companies that systematically plunder U.S. technology secrets and intellectual property.

That measure, as I said, is part of a larger package, and we need to get that done by the end of the year. For now, I urge my colleagues on both sides of the aisle to support the bill that is before us this week. It is a key step forward to ensure that America remains the world's leading developer of key technologies and will help bring that important high-tech microchip manufacturing back here to the United States.

We have the brainpower. We have the institutions. We have a system that can fuel tech entrepreneurs. We need to match those very important assets with a willpower for national success and progress.

History tells us that a key ingredient in America's innovation success story has been Federal investment in R&D—much of the R&D that companies will not invest in because it is sometimes too risky. It is an investment that we make on behalf of the American people to ensure our national success and our global leadership. We are today witnessing the efforts of our competitors and, in many cases, our adversaries to overtake us in these key areas. And we should not and we must not surrender our leadership in those places that shape our economy and shape our world.

We must harness the full power of American innovation, as we have done

in the past, to meet the challenges of our time. And this bill is an important part of that effort. And I urge my colleagues to support it.

I yield the floor.

The PRESIDING OFFICER (Ms. HASAN). The Senator from Michigan.

UNANIMOUS CONSENT AGREEMENT

Mr. PETERS. Madam President, I ask unanimous consent that the notice of proposed rulemaking from the Office of Congressional Workplace Rights be printed in the RECORD.

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

RECOGNIZING THE 25TH ANNIVERSARY OF RADIO FREE ASIA AND ITS MISSION TO PROVIDE AN INDEPENDENT SOURCE OF NEWS TO CLOSED SOCIETIES IN ASIA

Mr. PETERS. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 418, S. Res. 394.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 394) recognizing the 25th anniversary of Radio Free Asia and its mission to provide an independent source of news to closed societies in Asia.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert in lieu thereof the following:

Whereas, after the 1989 Tiananmen Square Massacre, a bipartisan group of Senators and Members of the House of Representatives, led by then-Senators Joseph R. Biden and Jesse Helms, came together and sponsored legislation to create Radio Free Asia, a news outlet with a congressionally mandated mission to provide unbiased, independent, and domestic journalism for audiences in China, Burma, Cambodia, Laos, North Korea, Tibet, and Vietnam, whose people do not fully enjoy freedom of expression;

Whereas Radio Free Asia—

(1) was established by United States law as part of the United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.);

(2) was incorporated as a private, nonprofit corporation on March 11, 1996; and

(3) made its inaugural broadcast in Mandarin to the Chinese people on September 29, 1996;

Whereas Burma, Vietnam, China, and North Korea rank amongst the world's 10 worst countries for media freedom in Reporters Without Borders' 2022 World Press Freedom Index, as based on an evaluation of pluralism, independence of the media, quality of legislative framework, and safety of journalists;

Whereas Radio Free Asia delivers programming and content using many media platforms, including radio, television, and the internet, in the languages of Mandarin, Korean, Burmese, Tibetan, Uyghur, Khmer (Cambodian), Cantonese, Lao, and Vietnamese, and through English translations and content on the website and social media of Radio Free Asia;

Whereas Radio Free Asia launched BenarNews in 2015, an online news affiliate that

publishes news and content for audiences in Indonesia, Bangladesh, Malaysia, Thailand, and the Philippines that is focused on the consequences of extremism and contributes to coverage by Radio Free Asia of the influence of the People's Republic of China in Southeast Asia and the expanded military presence of the People's Republic of China in the South China Sea;

Whereas Radio Free Asia in 2020 launched online brand, WHYNOT/WAINAO, engaging younger Chinese Mandarin-speaking audiences around the world, who are often skeptical of pervasive Chinese government narratives, fostering an open dialogue on banned or under-covered topics through probing independent-thinking journalism, features, and content;

Whereas Radio Free Asia, consistent with its congressional mandate of editorial independence, works to ensure that its journalists and services adhere to the highest journalistic standards and ethics, without influence or interference by the United States Government or any administration;

Whereas the Uyghur Service of Radio Free Asia has served a vital role by providing an independent source of information on the repression and mass detention of Uyghurs and members of other ethnic and religious minorities in the Xinjiang Uyghur Autonomous Region of the People's Republic of China, helping inform the policies of Congress and the executive branch, including a determination by the State Department that the Chinese government, under the direction of the Chinese Communist Party, is engaged in genocide against Uyghurs and members of other ethnic and religious minority groups;

Whereas Radio Free Asia has documented the rapid deterioration of autonomy and democratic freedoms in Hong Kong by the Chinese central government, including restrictions on freedom of speech and the press and crackdowns on activists, journalists, and protesters;

Whereas Radio Free Asia has been a primary source of information on Tibetan regions in the People's Republic of China, including on the March 2008 Lhasa Uprising and ensuing security crackdown, the spate of Tibetan self-immolations, and restrictions on Tibetan language, education, religious practice, and the display of images of the Dalai Lama;

Whereas, in March 2020, Radio Free Asia reported that the Chinese government was under-reporting the number of coronavirus fatalities in Wuhan province, which was later verified by leaked internal Chinese documents obtained by other news outlets;

Whereas Radio Free Asia has provided the Burmese people with continuous coverage of the 2021 military-led coup that deposed the elected government and ended 10 years of democratic reforms and growth of civil society;

Whereas, in 2017, Radio Free Asia documented the human rights abuses against and expulsion of Rohingya from Burma, whose plight Radio Free Asia affiliate BenarNews has continued to cover in refugee camps in Bangladesh;

Whereas Radio Free Asia has done in-depth reporting on the behavior of the North Korean government, including the use of forced labor, political prisoner camps, activities at nuclear testing sites, and internal acknowledgments of the presence of COVID-19 in the country;

Whereas high-level defectors and refugees from North Korea have credited reports by Radio Free Asia as a factor in their decision to leave the country and seek their future beyond the North Korean borders;

Whereas the Lao, Khmer (Cambodian), and Vietnamese services of Radio Free Asia have reported on high-level corruption of officials and leaders, silencing of independent voices and journalists, and the struggles of civil society, as well as activities by China that affect the flow of the Mekong River;

Whereas the journalism by Radio Free Asia has earned recognition among its peers, is cited by respected international and regional media outlets, and has won numerous awards for its

investigative reporting and exclusive features from journalistic and human rights groups;

Whereas Radio Free Asia has been unjustly targeted by repressive regimes, with its websites blocked, its radio signals jammed, and its journalists put at risk;

Whereas Nguyen Tuong Thuy, Truong Duy Nhat, and Nguyen Van Hoa, contributors to the Vietnamese Service of Radio Free Asia, have been unjustly jailed and detained;

Whereas Uon Chhin and Yeang Sothearin, who have both worked as journalists for the Khmer (Cambodian) Service of Radio Free Asia, continue to face unsubstantiated charges; and

Whereas Chinese authorities have detained and harassed family members of the Uyghur Service of Radio Free Asia in a campaign of intimidation; Now, therefore, be it

Resolved,
That the Senate—

(1) recognizes the importance of Radio Free Asia on its 25th anniversary year as an independent news organization chartered and funded by Congress with a mission to bring uncensored, accurate news to people living in closed societies in Asia;

(2) honors the dedication and courage of the former and current journalists of Radio Free Asia in the face of threats and adversity from foreign governments and rising risks for press freedom in Asia and across the globe; and

(3) commends the continued effectiveness and success of Radio Free Asia in its pursuit of independence and credible journalism.

Mr. PETERS. I ask unanimous consent that the committee-reported substitute amendment to the resolution be agreed to.

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

The committee-reported amendment in the nature of a substitute was agreed to.

Mr. PETERS. I know of no further debate on the resolution, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on adopting the resolution, as amended.

The amendment (S. Res. 394), as amended, was agreed to.

Mr. PETERS. I ask unanimous consent that the committee-reported substitute amendment to the preamble be agreed to; the preamble, as amended, 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 committee-reported amendment in the nature of a substitute was agreed to.

The preamble, as amended, was agreed to.

RESOLUTIONS SUBMITTED TODAY

Mr. PETERS. Madam President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions introduced earlier today: S. Res. 720, S. Res. 721, S. Res. 722, and S. Res. 723.

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. PETERS. I ask unanimous consent that the resolutions be agreed to,

the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The resolutions (S. Res. 720, S. Res. 721, S. Res. 722, and S. Res. 723) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

MORNING BUSINESS

CHIPS ACT OF 2022

Mr. CARDIN. Madam President, I rise to express my support for the substitute amendment to the House message accompanying H.R. 4346, which is the vehicle for the so-called CHIPS Act.

Semiconductors are crucial to nearly every sector of our economy. They are in our cars and trucks, medical devices, and 5G telecommunications equipment. America created the semiconductor industry in the 1960s. We ceded global leadership in the 1970s. We regained it, to an extent, in the 1990s but have lost it again. In 1990, the U.S. share of semiconductor manufacturing was 37 percent. By 2020, that share had declined to 12 percent. As Mark Muro and Robert Maxim of the Brookings Institution recently reported:

While the 1990s saw a significant expansion in U.S. innovation capacity in semiconductors, the nation's production capacity continued to decline. In some cases, this owed to foreign countries out-competing the U.S. on labor costs. But more can be attributed to the significant subsidies foreign governments have been providing to build and maintain fabrication plans—a level of support that the U.S. hasn't matched.

The Senate is poised, with strong bipartisan support, to get the United States back on track with respect to domestic semiconductor manufacturing, which is critical for our national and economic security. The substitute amendment provides \$54 billion in grants to domestic manufacturers and another \$24 billion in tax credits through the Creating Helpful Incentives to Produce Semiconductors—CHIPS—for America Fund. The substitute amendment also authorizes \$102 billion over the next 5 years for the National Science Foundation—NSF—the Department of Commerce, and the National Institute of Standards and Technology—NIST—a \$52 billion increase over the Congressional Budget Office—CBO—baseline.

These funds will be a "shot in the arm" for domestic manufacturing; here is a list of some firms that plan to use funding to expand or establish manufacturing facilities: Intel and TSMC plan to build factories in Ohio and Arizona; GlobalFoundries wants to expand a facility in upstate New York; SkyWater Technology and Purdue University want to collaborate on a new \$1.8 billion factory and research facility West Lafayette, IN; and IBM and

the State University of New York at Albany want to establish a semiconductor research center in Albany.

While the substitute amendment is necessary, it is not sufficient. It does not extend the Trade Adjustment Assistance—TAA—Small Business Innovation Research—SBIR—or Small Business Technology Transfer—STTR—Programs, for instance.

Fortunately, conferees are still working on those and other provisions from the Senate-passed United States Innovation and Competition Act—USICA—and the House-passed America Creating Opportunities for Manufacturing, Pre-Eminence in Technology, and Economic Strength—America COMPETES Act. I hope the Senate will have the opportunity to vote on a conference report that covers many issues the substitute amendment does not address.

Many Senators have spoken on the floor about the importance of the semiconductor incentives in division A of the substitute amendment, and I have just added my voice to that chorus. But I would also like to highlight the science provisions included in division B, which are also important. division B authorizes: \$20 billion for the first-of-its-kind NSF Directorate for Technology, Innovation, and Partnerships, which will accelerate domestic development of critical national and economic security technologies such as artificial intelligence, quantum computing, advanced manufacturing, 6G communications, energy, and material science; \$9 billion—\$4 billion over the CBO baseline—for several NIST initiatives and programs, including a tripling of funding for the Manufacturing Extension Program—MEP—and leverages the MEP to create a national supply chain database, which will assist businesses with supplier scouting and minimize supply chain disruptions; and the National Aeronautics and Space Administration's—NASA—Artemis Program to return Americans to the Moon as a prelude to sending humans to Mars.

Division B also extends the International Space Station through 2030 and supports a balanced science portfolio, including Earth science observations and continued development of the Nancy Grace Roman Space Telescope.

Division B codifies the Planetary Defense Coordination Office and requires NASA to continue efforts to protect Earth from asteroids and comets. Just 2 months from now, the Double Asteroid Redirection Test—DART—will deliberately crash a probe into the minor-planet moon Dimorphos of the double asteroid Didymos to shift Dimorphos's orbit. The asteroid poses no actual threat to Earth; it was merely selected for the test to assess our ability to deflect an asteroid on a collision course with Earth through kinetic energy.

I introduced the Cleaner, Quieter Airplanes Act in the previous Congress and again this year and am pleased

that division B directs NASA to continue research in aeronautics, including the use of experimental aircraft, to advance aircraft efficiency and supersonic flight.

Finally, division B requires the White House Office of Science and Technology Policy—OSTP—to promulgate guidance to all Federal research Agencies that would: prohibit Federal research Agency personnel from participating in foreign talent recruitment programs; require covered individuals on applications, e.g., principal investigators, to disclose participation in foreign talent recruitment programs; and prohibit awards in cases where covered individuals are participating in malign foreign talent recruitment programs.

In the aggregate, the substitute amendment will help the United States recapture and maintain its technological preeminence in so many sectors. I want to thank and congratulate Leaders SCHUMER and MCCONNELL and Senators CANTWELL and CORNYN and so many others who have been instrumental in bringing the Senate to this point. As I said a moment ago, however, our work does not end here. I entreat the USICA/America COMPETES Act conferees to reach an agreement so that the Senate may consider the myriad provisions not contained in the substitute amendment—provisions that are equally important to our economic and national security.

As with the Infrastructure Investment and Jobs Act, we are demonstrating that the Senate can work in a bipartisan fashion to pass bills that make life better for all Americans.

HONORING DEPUTY SHERIFF BRANDON SHIRLEY

Mr. PAUL. Madam President, the Jefferson County Sheriff's Office has lost one of its own. Deputy Sheriff Brandon Shirley, 26, of Louisville, was fatally shot by two suspects. It is painful whenever we lose an officer, but it is especially horrendous when that loss is for no apparent reason.

Deputy Sheriff Shirley was working as a security officer at Rockford Lane Auto Sales when he was shot at approximately 2:30 a.m. Brandon was able to report the shooting on his radio and was transported to the University of Louisville Hospital, where he ultimately succumbed to his wounds.

In a particularly agonizing moment for our country, Deputy Sheriff Shirley was the 25,000th law enforcement officer killed in our Nation's history, according to the Officer Down Memorial Page, a nonprofit organization that reports U.S. law enforcement deaths.

Deputy Sheriff Shirley was well-liked and respected by his colleagues and supervisors. Jefferson County Sheriff John Aubrey shared these kind words, "He loved being a deputy sheriff, and he was a good one." He was equally praised by Lt. Col. Carl Yates of the sheriff's office as being "very active,

proactive, courageous, a good Deputy, and well-liked."

Deputy Sheriff Brandon Shirley was an asset to the residents of Louisville and a testament to the Jefferson County Sheriff's Office. I am proud to salute Brandon and mourn alongside the entire Shirley family.

ADDITIONAL STATEMENTS

REMEMBERING TOM POBEREZYNY

• Mr. INHOFE. Madam President, today, I would like to recognize and honor the life of my friend and fellow aviator, Tom Poberezny, after his passing earlier this week. It is no coincidence that this week is the annual Experimental Aircraft Association—EAA—AirVenture air show in Oshkosh, Wisconsin, an event that Tom was monumental in propelling to a world-level aviation event.

Tom and I got to know each other at this event, and I am grateful for the fellowship we built over a shared love of aviation. Like his father, the founder of EAA Paul Poberezny, Tom was first appointed chairman to EAA AirVenture in 1977. At the time, it was simply a national gathering of small plane enthusiasts. Under his leadership, it grew into an international event with hundreds of thousands of visitors every year.

Like me, Tom was a lifelong aviation enthusiast. There is no doubt that Tom had a long-lasting impact on the aviation community, from his involvement with the U.S. National Unlimited Aerobatic Team to his presidency of EAA. As president of EAA, Tom had a leadership role advocating for sport pilots and light-sport category aircraft, and he spearheaded the construction of the current EAA Aviation Center headquarters and museum complex in Oshkosh, WI.

Tom recognized the importance of growing the next generation of aviators. In 1992, he led the creation of the Young Eagles program designed to give young kids an opportunity to experience flight in a general aviation airplane while educating them about aviation. In 2003, Tom played a pivotal leadership role as a member of the Centennial of Flight Commission to commemorate the Wright Brothers' historic first flight.

When Tom retired from EAA, his work wasn't finished. He served on the boards of several organizations including Angel Flight West, which provides free air transportation for passengers in need of medical treatment far from home.

Throughout the years, Tom was recognized for his notable contributions to the aviation community. In 1996, he was inducted into the Wisconsin Aviation Hall of Fame, and 20 years later, he was inducted into the National Aviation Hall of Fame. Tom's dedication to aviation serves as an example for us all, and his legacy will stand the test of time.

Most aviators know Tom's history, but what they may not be aware of was his close relationship with individuals in the aviation community. I was with Tom at Oshkosh since 1979, the very first year I went with my two young aviator sons. We didn't miss a single Oshkosh in 43 years, and each reunion was one of my happiest moments. We are part of the Tom Poberezny family, and for that reason, the relationship is very special.

Kay and I join his family in their grief and in celebrating the life of Tom Poberezny, a remarkable champion of aviation. •

RECOGNIZING FC WICHITA

• Mr. MARSHALL. Madam President, I rise today to honor and recognize FC Wichita's 12-year-old youth girls' soccer team.

FC Wichita's 12-year-old youth girls' soccer team recently took the first place title at the U.S. Cup Championship in Blaine, MN. This win is one of the most prestigious victories a youth team can attain, making their team the first in the history of the FC Wichita program to win a U.S. Cup Championship title. FC Wichita went undefeated in five games, which included a 2-1 victory over JaHbat FC in the semifinals and a 3-2 victory in penalty kicks over Minnesota's Manitou FC in Saturday's championship game. The U.S. Cup title was the cherry on top of an outstanding summer for the FC Wichita girls' team in which they also won the Real Colorado Cup.

It is my honor to congratulate FC Wichita on such a wonderful season, and I would like to recognize both the players and the coaches for their hard work in this season. Their numerous accomplishments have made the great State of Kansas proud.

I now ask my colleagues to join me in recognizing the FC Wichita's 12-year-old youth girls' soccer team for their outstanding athletic accomplishments and the determination displayed during their U.S. Cup Championship victory. •

TRIBUTE TO KATHERINE WETHERTON

• Mr. PAUL. Mr. President, every Member of Congress vividly remembers his or her path toward engagement in our government. Some have been more circuitous than others, but we all remember how that spark was ignited and how action ensued.

Katherine Wetherton, a freshman at the University of Louisville, hopes to kindle that passion for civic engagement in young women. In doing so, Katherine wrote a book for middle and high school students entitled "She Rocks the Vote." She distributes it at seminars, workshops, and the Little Free Library, which she built and installed in her hometown in Oldham County.

A results-focused young woman, Kate was active in Girl Scouts for 13 years

and completed her Girl Scout Gold Award, which is achieved by only about 5 percent of Girl Scouts. And while she has big plans for her education, including graduate school, she doesn't intend to stop connecting young women with the information and skills they need to become involved at every level of government.

I am proud to recognize Kate for her accomplishments and leadership and have no doubt she will continue to play an integral role in bettering the Commonwealth.●

MESSAGE FROM THE HOUSE

At 2:15 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 8294. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

S. 144. An act to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. WARNOCK).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 8294. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes; to the Committee on Appropriations.

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-4684. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Proxy Voting Advice" (RIN3235-AM92) received in the Office of the President of the Senate on July 19, 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC-4685. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to the compliance of federal district courts with documentation submission requirements; to the Committee on the Judiciary.

EC-4686. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting,

pursuant to law, the report of a rule entitled "Pacific Island Fisheries; Mariana Archipelago Bottomfish Annual Catch Limits and Accountability Measures" (RIN0648-BJ82) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4687. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeast United States; Atlantic Herring; Framework Adjustment 8" (RIN0648-BK11) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4688. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2021-2022 Biennial Specifications and Management Measures; Correction" (RIN0648-BJ74) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4689. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Salmon Bycatch Minimization" (RIN0648-BJ50) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4690. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2021 Harvest Specifications for Pacific Whiting, and 2021 Pacific Whiting Tribal Allocation" (RIN0648-BK25) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4691. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA291) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4692. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA326) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4693. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Serv-

ice, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; IFQ Program; Modify Temporary Transfer Provisions" (RIN0648-BK41) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

EC-4694. A communication from the Branch Chief of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Recreational Management Measures for the Summer Flounder Fishery; Fishing Year 2021" (RIN0648-BK32) received during adjournment of the Senate in the Office of the President of the Senate on July 15, 2022; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-165. A resolution adopted by the Senate of Louisiana urging and requesting the Federal Reserve Board, the office of the comptroller of the currency, the Federal Deposit Insurance Corporation, the Consumer Financial Protection Bureau, the National Credit Union Administration, and the office of financial institutions to refrain from enacting or adopting laws, rules, regulations, or guidance that restricts the ability of banks, savings and loan associations, savings banks, credit unions, trust companies, or payment processors from offering products or services to the fossil fuel industry; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 203

Whereas, the fossil fuel industry contributes to the economy of the state and to the prosperity of its citizens; and

Whereas, the fossil fuel industry produces consumer-ready resources, continues to create thousands of jobs for our workforce, and remains committed to the safety of our communities and the preservation of the environment; and

Whereas, in recent years the fossil fuel industry has been unfairly denied financing by large lenders; and

Whereas, four of the six largest United States banks, Citigroup Inc., Goldman Sachs Group Inc., Morgan Stanley, and Wells Fargo and Company, have pledged over the past year to end funding for new drilling and exploration projects; and

Whereas, in order to be successful in the fossil fuel industry, businesses rely on banks, credit unions, and other financial institutions for funding. Therefore, be it.

Resolved that the Senate of the Legislature of Louisiana memorializes the Congress of the United States and urges and requests the Federal Reserve Board, the office of the comptroller of the currency, the Federal Deposit Insurance Corporation, the Consumer Financial Protection Bureau, the National Credit Union Administration, and the office of financial institutions to refrain from enacting rules or regulations that restrict the ability of banks, savings and loan associations, savings banks, credit unions, trust companies, or payment processors from offering products or services to the fossil fuel industry; and be it further.

Resolved that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the

United States House of Representatives, each member of the Louisiana delegation to the United States Congress, the chairman of the Federal Reserve Board, the acting comptroller of the currency of the office of the comptroller of the currency, the chairman of the board of directors of the Federal Deposit Insurance Corporation, the director of the Consumer Financial Protection Bureau, the National Credit Union Administration Board, and the commissioner of the office of financial institutions.

POM-166. A resolution adopted by the Senate of Louisiana urging and requesting the Federal Reserve Board, the office of the comptroller of the currency, the Federal Deposit Insurance Corporation, the Consumer Financial Protection Bureau, the National Credit Union Administration, and the office of financial institutions to refrain from enacting or adopting laws, rules, regulations, or guidance that restricts the ability of banks, savings and loan associations, savings banks, credit unions, trust companies, or payment processors from offering products or services to the fossil fuel industry; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION No. 223

Whereas, the fossil fuel industry contributes to the economy of the state and to the prosperity of its citizens; and

Whereas, the fossil fuel industry produces consumer-ready resources, continues to create thousands of jobs for our workforce, and remains committed to the safety of our communities and the preservation of the environment; and

Whereas, in recent years the fossil fuel industry has been unfairly denied financing by large lenders; and

Whereas, several of the largest United States banks, Citigroup Inc., Goldman Sachs Group Inc., and Morgan Stanley, have pledged over the past year to end funding for new drilling and exploration projects; and

Whereas, in order to be successful in the fossil fuel industry, businesses rely on banks, credit unions, and other financial institutions for funding. Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana memorializes the Congress of the United States and urges and requests the Federal Reserve Board, the office of the comptroller of the currency, the Federal Deposit Insurance Corporation, the Consumer Financial Protection Bureau, the National Credit Union Administration, and the office of financial institutions to refrain from enacting rules or regulations that restrict the ability of banks, savings and loan associations, savings banks, credit unions, trust companies, or payment processors to offer products or services to the fossil fuel industry. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, each member of the Louisiana delegation to the United States Congress, the chairman of the Federal Reserve Board, the acting comptroller of the currency, the chairman of the board of directors of the Federal Deposit Insurance Corporation, the director of the Consumer Financial Protection Bureau, the National Credit Union Administration Board, and the commissioner of the office of financial institutions.

POM-167. A resolution from the House of Representatives of the Commonwealth of Puerto Rico supporting the congressional bill H.R. 7409, known as the "Territorial Relief Under Sustainable Transitions for Puerto Rico Act of 2022" (Trust for Puerto Rico

Act of 2022), introduced by Congressman Ritchie Torres, that would amend the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA) in order to facilitate the termination of the Financial Oversight Board after certification of a balanced budget for two consecutive fiscal years; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION No. 764

Over the past decades, Puerto Rico's economic growth has experienced a deceleration that has resulted in the loss of competition in the private sector and a severe financial crisis in the governmental sector.

The Island's economic recession began in 2006. However, it should be noted that the financial crisis precedes it, because previous government administrations issued debt amounting to billions of dollars to finance budget deficits, thus presenting to the Island the illusion of a balanced budget, as provided by our Constitution. It is worth noting that a \$45 billion debt was issued between 2000 and 2012. Approximately half of the money was used to finance budget deficits and to defray the government's payroll expense and spending.

We must remember that the financial crisis broke that started during the first decade of the 21st century led to the subsequent enactment of the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA) and the creation of the Financial Oversight Board, hereinafter the "Board," for the purpose of managing Puerto Rico's finances.

Ever since PROMESA and the Board became effective in 2016, the government of Puerto Rico has maneuvered to meet the financial requirements imposed within this new reality. Under PROMESA, the territorial government must approve a balanced budget for four (4) consecutive fiscal years in order to require the termination of the Board. Given this scenario, it must be noted that, since the Board began operations, the first balanced budget was approved by the current Legislative Assembly for fiscal year 2021-2022.

In view of this context, and given the imposition of an antidemocratic body such as the Financial Oversight Board, Congressman RITCHIE TORRES started this initiative to amend PROMESA in order to reduce the required number of balanced budgets to four (4) to just two (2). Furthermore, this measure establishes that the Board shall be terminated 90 days after the certification of the second balanced budget. Thus, any ambiguity within the statute in effect regarding the Board's termination is eliminated.

This House of Representatives believes that the bill introduced by Congressman RITCHIE TORRES (H.R. 7409, better known as "Trust for Puerto Rico Act of 2022") provides a mechanism to restore power to the people of Puerto Rico, and consequently, to its democratically elected officials. Liberty and democracy are two pillars of our government and our goal must be to strengthen them; therefore, we are duty-bound to promote and support policies aimed at its attainment. It is time to raise our voices and join in any effort that seeks to restore the people of Puerto Rico's control and power over its finances as soon as possible.

For all of the foregoing, this House of Representatives expresses its firm support to congressional bill H.R. 7409, known as the "Territorial Relief Under Sustainable Transitions for Puerto Rico Act of 2022" (Trust for Puerto Rico Act of 2022), introduced by Congressman RITCHIE TORRES. This bill would amend the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA) in order to facilitate the termi-

nation of the Financial Oversight Board after the certification of a balanced budget for two consecutive fiscal years.

Be it resolved by the House of Representatives of Puerto Rico:

Section 1.—The House of Representatives of the Commonwealth of Puerto Rico hereby expresses its firm support to congressional bill H.R. 7409, known as the "Territorial Relief Under Sustainable Transitions for Puerto Rico Act of 2022" (Trust for Puerto Rico Act of 2022), introduced by Congressman RITCHIE TORRES, that would amend the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA) in order to facilitate the termination of the Financial Oversight Board after the certification of a balanced budget for two consecutive fiscal years.

Section 2.—A copy of this Resolution shall be translated into the English language and delivered to the President of the United States of America, Joseph R. Biden and the leadership of the United States Congress.

Section 3.—This Resolution shall take effect upon its approval.

POM-168. A resolution adopted by the Senate of the State of Hawaii urging the United States Congress and Hawaii's congressional delegation to support legislation establishing medicare for all; to the Committee on Finance.

SENATE RESOLUTION No. 201

Whereas, Hawaii's residents deserve high quality health care; and

Whereas, the economic vitality of Hawaii is closely linked to the physical well-being of its residents; and

Whereas, the novel coronavirus disease 2019 (COVID-19) pandemic led to record levels of unemployment and the loss of employer-sponsored health insurance for hundreds of thousands of Hawaii's workers; and

Whereas, according to a University of Michigan study published in 2010, Native Hawaiians are far more likely to suffer an early death in comparison to Caucasians; and

Whereas, people often delay needed medical treatments due to an inability to pay for health care costs, which further jeopardizes the health of those individuals; and

Whereas, these individuals are significantly more likely to develop serious illness if they contract COVID-19; and

Whereas, managed care and other market-based reforms have failed to contain health care costs, resulting in medical problems and cost burdens for working families; and

Whereas, under a single-payer health care system, nonmedical expenses nationwide could be reduced to approximately six to eight percent of total health care costs, saving more than one trillion dollars; and

Whereas, Medicare for All would provide national health insurance without copayments and deductibles for every person in the United States for all necessary medical care, including prescription drugs, hospital visits, surgical and outpatient services, primary and preventive care, emergency services, reproductive care, dental and vision services, and long-term care; now, therefore, Be it

Resolved by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, that the United States Congress and Hawaii's congressional delegation are urged to support legislation establishing Medicare for All; and be it further

Resolved, That certified copies of this Resolution be transmitted to the Speaker of the United States House of Representatives, President of the United States Senate, and members of the Hawaii congressional delegation.

POM-169. A resolution adopted by the Senate of the State of Hawaii affirming Hawaii's

ongoing commitment to the goals of the Paris Climate Agreement, the United Nations Sustainable Development Goals, and endorsement of the Fossil Fuel Non-Proliferation Treaty; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 95

Whereas, the scientific consensus is clear that human activities are primarily responsible for accelerating global climate change, and that the climate crisis now represents one of the preeminent threats to global civilization; and

Whereas, the Intergovernmental Panel on Climate Change (IPCC) reported in 2018 that we must achieve net zero in greenhouse gas emissions (GHGs) by the middle of this century in order to have a reasonable chance of limiting global warming to 1.5 degrees Celsius; and

Whereas, the IPCC released its Sixth Assessment Report from Working Group II, which was approved by one hundred ninety-five member states, in February 2022, and the summary for policy makers notes that there is high confidence that “the rise in weather and climate extremes has led to some irreversible impacts as natural and human systems are pushed beyond their ability to adapt”; and

Whereas, the United Nations (UN) Secretary-General Antonio Guterres, responded, “The IPCC is an atlas of human suffering . . . according to current commitment, global emissions are set to increase almost 14 percent . . . It will destroy any chance of keeping 1.5 alive . . . coal and other fossil fuels are choking humanity”; and

Whereas, the UN Human Rights Council in 2021 adopted landmark legislation, Resolution 48/13, recognizing a clean, healthy and sustainable environment is a human right; and

Whereas, changes in Hawaii’s climate are already being felt, as evidenced by rising sea levels, coastal inundation, ocean warming as well as coral bleaching, heightened risk of wild fires, and increasing severe storms; and

Whereas, the entire community is impacted by the health and safety risks of fossil fuel expansion, particularly those who also face socioeconomic and health inequities, including low-income families, those experiencing homelessness, people of color and indigenous peoples, youth, seniors, those experiencing mental and physical disabilities, and people with health conditions; and

Whereas, youth and future generations have the most to lose from a lack of immediate action to stop fossil fuel expansion as they face major and lifelong health, ecological, social, and economic impacts from prolonged and cumulative effects of climate change, including food and water shortages, infectious diseases, and natural disasters; and

Whereas, the Paris Climate Agreement is silent on coal, oil, and gas, an omission with respect to the supply and production of fossil fuels (the largest source of GHGs) that needs to be collectively addressed by other means; and

Whereas, the Glasgow Climate Pact improved incrementally only calling for a phase down not a phase out of coal; and

Whereas, global governments and the fossil fuel industry are currently planning to produce about one hundred twenty percent more emissions by 2030 than what is needed to limit warming to 1.5 degrees Celsius and avert catastrophic climate disruption, and such plans risk undoing the work of the State to reduce GHG emissions; and

Whereas, the fossil fuel industry is currently claiming over fifty percent of coronavirus disease 2019 pandemic recovery funding from senior levels of government in

the G20, thereby siphoning away recovery funding badly needed by cities and other industries; and

Whereas, the construction of new fossil fuel infrastructure and expanded reliance on fossil fuels exposes communities to untenable risks to public health and safety at the local and global levels; and

Whereas, the economic opportunities presented by a clean energy transition far outweigh the opportunities presented by an economy supported by expanding fossil fuel use and extraction; and

Whereas, the community is committed, as part of the climate emergency response, to a just energy transition and to ambitious investments in the green infrastructure and industries that will create jobs and rapidly decarbonize the economy; and

Whereas, Hawaii recognizes that it is the urgent responsibility and moral obligation of wealthy fossil fuel producers to lead in putting an end to fossil fuel development and to manage the decline of existing production; and

Whereas, a new global initiative is underway calling for a Fossil Fuel Non-Proliferation Treaty that would end new fossil fuel exploration and expansion, phase out existing production in line with the global commitment to limit warming to 1.5 degrees Celsius, and accelerate equitable transition plans: Now, therefore, be it

Resolved by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, that this body affirms the State’s ongoing commitment to the goals of the Paris Climate Agreement, the UN Sustainable Development Goals, and the GHG reduction targets as called for by the IPCC, and pledges to meet its proportionate greenhouse gas reductions under the Paris Climate Agreement; and be it further

Resolved, That the State and each county are requested to formally endorse the call for a Fossil Fuel Non-Proliferation Treaty; and be it further

Resolved, That the U.S. government is urged to support the initiative for a Fossil Fuel Non-Proliferation Treaty; and be it further

Resolved, That certified copies of this Resolution be transmitted to the United Nations Secretary General and High Commissioner for Human Rights, President and Vice President of the United States, President Pro Tempore of the United States Senate, Majority and Minority Leaders of the United States Senate, Speaker and Minority Leader of the United States House of Representatives, members of the Hawaii congressional delegation, Governor, and Mayor of each county.

POM-170. A resolution adopted by the Senate of the State of Hawaii urging the President of the United States to issue a presidential directive ordering federal agencies to report disaggregated Native Hawaiian and Pacific Islander data in compliance with the Office of Management and Budget Statistical Directive No. 15; to the Committee on Homeland Security and Governmental Affairs.

SENATE RESOLUTION NO. 82

Whereas, racial and ethnic data play a critical role in identifying disparities, monitoring programs for civil rights compliance, informing public policy development, and guiding funding priorities; and

Whereas, the Association of Hawaiian Civic Clubs has adopted over thirty resolutions since 2005 that either cited disaggregated data in support of Native Hawaiian issues, honored Native Hawaiian-serving institutions and community members that contributed or safeguarded Native Hawaiian data, or urged government agencies at the federal,

state, and local levels to provide data disaggregating Native Hawaiians and other Pacific Islanders, including Resolutions 2020-42, 2019-46, 2013-16, 2012-12, 2010-20, and 2008-35; and

Whereas, the federal Office of Management and Budget revised Statistical Policy Directive No. 15 in 1997, separating the “Asian and Pacific Islander” category into the “Asian” and “Native Hawaiian and Other Pacific Islander” categories; and

Whereas, numerous data reports at the local, state, and federal level continue to fail to report disaggregated Native Hawaiian data as detailed in “Data Justice: About Us, By Us, For Us,” issued by the Hawai’i Budget and Policy Center and Papa Ola Lokahi on March 5, 2021; and

Whereas, the importance of urging government agencies to improve data collection and reporting practices and access to disaggregated Native Hawaiian data has been recognized by the Legislature through the resolution titled, “Recognizing the importance of 21st Century Data Governance and Fact-Based Policymaking”, and by the City and County of Honolulu through the resolution titled, “Urging the State of Hawaii and the City and County of Honolulu to Disaggregate Racial Data Collection and Reporting Beyond Federal Minimum Standards”; and

Whereas, California Government Codes 8310.5 and 8310.7, explicitly require California state agencies to collect data for each major Native Hawaiian and Pacific Islander group, including “Hawaiians”, separate from “Samoans”, “Tongans”, “Fijians”, and “Chamorro”; and

Whereas, Hawaii and California have released disaggregated Native Hawaiian COVID-19 case and death data that identified disparities between Native Hawaiians and other Pacific Islander groups, which has contributed to the justification of more culturally tailored and effective services; and

Whereas, numerous federal agencies fail to utilize a “Native Hawaiian & Pacific Islander” category when reporting data from critical surveys, such as the United States Department of Education’s Early Childhood Longitudinal Survey and the United States Department of Health and Human Services’ National Health Interview Survey, among others; and

Whereas, article II, section 1, clause 1, of the United States Constitution vests in the President the discretion to issue federal directives for the purpose of managing executive branch resources; and

Whereas, the Office of Management and Budget is an office within the Executive Office of the President of the United States; now, therefore, be it,

Resolved, by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, that the President of the United States is urged to issue a presidential directive ordering federal agencies to report disaggregated Native Hawaiian and Pacific Islander data in compliance with the Office of Management and Budget Statistical Policy Directive No. 15; and be it further

Resolved, That the President of the United States is urged to issue a presidential directive ordering federal agencies to take all appropriate steps to fully comply with Office of Management and Budget Statistical Policy Directive No. 15; and be it further

Resolved, That certified copies of this Resolution be transmitted to the President and Vice President of the United States; Director of Management and Budget; Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison; Secretary of Health and Human Services; Executive Director of the White House Initiative on Asian Americans, Native

Hawaiians and Pacific Islanders; Governor; Chairperson of the Board of Trustees of the Office of Hawaiian Affairs; and Office of the Mayor for each county.

POM-171. A resolution adopted by the Senate of the State of Hawaii urging the State and each county to adopt the Global Pact for the environment to achieve the United Nations Paris Agreement and the 2030 Development Agenda, and to specifically adopt the United Nations sustainable development goals, numbers 13 through 17; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 94

Whereas, the State is recognized as a global partner and local leader in promotion of human rights and protection of the earth through its consistent acceptance of global standards that better serve our islands and the world; and

Whereas, Hawai'i is guided by traditional Kanaka Maoli values and emerging international human rights principles to generate positive policy encouraging prevention and precaution regarding the planet; and

Whereas, in September 2015, the United Nations General Assembly adopted the historic "Transforming our world: the 2030 Agenda for Sustainable Development" (2030 Development Agenda), which is a comprehensive, compassionate, creative, and courageous plan of action to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity; and

Whereas, the 2030 Development Agenda includes seventeen sustainable development goals, one hundred sixty-nine targets, and two hundred thirty indicators upon which general agreement has been reached to measure, monitor, and mobilize to achieve these goals and targets; and

Whereas, goals 13 through 17 of the United Nations sustainable development goals are vital to protecting the State's land and people and should be adopted as local policy and governing principles for local government entities and other organizations; and

Whereas, goals 13 through 17 of the United Nations sustainable development goals are the following, respectively:

(1) Take urgent action to combat climate change and its impacts;

(2) Conserve and sustainably use the oceans, seas, and marine resources for sustainable development;

(3) Protect, restore, and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss;

(4) Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels; and

(5) Strengthen the means of implementation and revitalize the global partnership for sustainable development; and

Whereas, in December 2015, parties to the United Nations Framework Convention on Climate Change, also known as Conference of the Parties, adopted the Paris Agreement that further limited the allowable temperature increase to 1.5 degrees Celsius to protect our Pacific neighbors; and

Whereas, Hawai'i continues to partner with other states, territories, and nation-states with the "We Are Still In" movement; and

Whereas, the Pacific islands in the Pacific Islands Forum for Oceania have undertaken creative campaigns to partner with the United Nations' specialized agency programs and funding, as well as participating in the United Nations' major forums, including the High-Level Political Forum on Sustainable

Development, which focuses on the United Nations sustainable development goals; and

Whereas, the Global Pact for the Environment (Global Pact) is an initiative led by the hosts of the United Nations Framework Convention on Climate Change in Paris to address the fragmented nature and inconsistent implementation of international environmental law by enumerating fundamental climate change principles in one legally binding framework for current and future generations for equity and equality; and

Whereas, the Global Pact will serve as a cornerstone in international human rights and environmental law and create a more coherent global environmental governance; and

Whereas, the Global Pact addresses the challenges posed by environmental degradation in the context of sustainable development and induces a greater degree of uniformity for environmental laws in all states; and

Whereas, the Global Pact consists of over two dozen articles that cover a variety of topics and ideas to consider for implementation, including:

(1) The right to an ecologically sound environment;

(2) The duty to take care of the environment;

(3) Integration and sustainable development;

(4) Intergenerational equity;

(5) Prevention;

(6) Precaution;

(7) Environmental damages;

(8) Polluter-pays;

(9) Access to information;

(10) Public participation;

(11) Access to environmental justice;

(12) Education and training;

(13) Research and innovation;

(14) The role of non-state actors and sub-national entities;

(15) The effectiveness of environmental norms;

(16) Resilience;

(17) Environmental non-regression;

(18) Cooperation;

(19) Armed conflicts;

(20) The diversity of national situations;

(21) Monitoring implementation of the Pact; and

(22) Other topics focusing on the Secretariat, signature, ratification, acceptance, approval, entry into force, denunciation, and depositary; and

Whereas, the Global Pact provides an agenda based upon the articles for grassroots and global action to generate the political will to protect the planet today and tomorrow; and

Whereas, the State desires to promote sustainable development where each generation can satisfy its needs without compromising the capability of future generations to meet their needs to respect the balance and integrity of the Earth's and Hawai'i's fragile ecosystem; and

Whereas, Hawai'i emphasizes the vital role of women to achieve the United Nations sustainable development goals and the necessity to promote gender equality and empowerment of wahine for global general well-being; and

Whereas, Hawai'i is already involved in international initiatives to protect the planet and the Oceania region by actively participating in many United Nations annual sessions and meetings and by partnering with United Nations specialized agencies, programs, and funds, including partnering with the United Nations Office of the High Commissioner for Human Rights and participating in the United Nations Environment Programme; and

Whereas, in Hawai'i, college, community, and capitol dialogues on the Paris Agree-

ment and the 2030 Development Agenda, among other climate change topics, continue to generate genuine insight that contributes to Voluntary Local Reviews, which are voluntary reports to the United Nations on local progress on implementing the United Nations sustainable development goals; and

Whereas, local opportunities for the State's youth to learn about and participate in climate change initiatives include opportunities at colleges and universities that provide input on achieving the Global Pact, with a focus on research and innovation, and participation in a Hawai'i human rights and resilience process; now, therefore, *Resolved*, By the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, that the State and each county are urged to adopt the Global Pact to achieve the United Nations Paris Agreement and the 2030 Development Agenda, and to specifically adopt the United Nations sustainable development goals, numbers 13 through 17; and be it further

Resolved, That the Global Pact should be embraced and that protection of nature should be the centerpiece of the State's policies and practices; and be it further

Resolved, That certified copies of this Resolution be transmitted to the United Nations Secretary General and High Commissioner for Human Rights, President and Vice President of the United States, President Pro Tempore of the United States Senate, Majority and Minority Leaders of the United States Senate, Speaker and Minority Leader of the United States House of Representatives, each member of Hawai'i's congressional delegation, Governor, and mayors of each county of Hawai'i.

POM-172. A petition from a citizen of the State of Texas relative to enactment of federal legislation allowing the general public 96 hours to examine bills or resolutions; to the Committee on Rules and Administration.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Army nomination of Lt. Gen. Bryan P. Fenton, to be General.

*Marine Corps nomination of Lt. Gen. Michael E. Langley, to be General.

*Air Force nomination of Maj. Gen. Dagvin R. M. Anderson, to be Lieutenant General.

*Air Force nomination of Maj. Gen. John P. Healy, to be Lieutenant General.

*Marine Corps nomination of Lt. Gen. David A. Ottignon, to be Lieutenant General.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Army nomination of Juan D. Magri, to be Lieutenant Colonel.

Army nomination of Justin T. Wright, to be Major.

Army nomination of Benjamin R. Stone, to be Major.

Army nominations beginning with Dena R. Goble and ending with Jason P. Nageli,

which nominations were received by the Senate and appeared in the Congressional Record on July 18, 2022.

Army nomination of Aaron L. Bert, to be Colonel.

Navy nomination of Christopher E. Bowman, to be Lieutenant Commander.

Navy nomination of Christopher L. Caudill, to be Captain.

Navy nomination of Rosa M. Allen, to be Lieutenant Commander.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TOOMEY:

S. 4608. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income de minimis gains from certain sales or exchanges of virtual currency, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. CRUZ):

S. 4609. A bill to authorize the project for hurricane and storm damage reduction and ecosystem restoration, Texas; to the Committee on Environment and Public Works.

By Mr. THUNE (for himself, Mr. BARASSO, Mr. BRAUN, Mr. CRAPO, Mr. DAINES, Ms. ERNST, Mrs. FISCHER, Mr. HAGERTY, Mr. HOEVEN, Ms. LUMMIS, Mr. RISCH, and Mr. ROUNDS):

S. 4610. A bill to provide reliable and evidence-based food and energy security; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PETERS (for himself and Mr. PORTMAN):

S. 4611. A bill to improve services for trafficking victims by establishing, in Homeland Security Investigations, the Investigators Maintain Purposeful Awareness to Combat Trafficking Trauma Program and the Victim Assistance Program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY (for himself, Ms. HIRONO, Ms. DUCKWORTH, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. WARNER, Mr. BENNET, Ms. KLOBUCHAR, Mr. DURBIN, Ms. WARREN, Mr. SCHATZ, Mr. MURPHY, Mr. WHITEHOUSE, Mrs. MURRAY, Ms. BALDWIN, Mr. REED, Mrs. FEINSTEIN, Mr. HICKENLOOPER, Ms. CORTEZ MASTO, Mr. WARNOCK, Ms. CANTWELL, and Mr. OSSOFF):

S. 4612. A bill to protect a person's ability to access contraceptives and to engage in contraception, and to protect a health care provider's ability to provide contraceptives, contraception, and information related to contraception; to the Committee on the Judiciary.

By Mr. BRAUN (for himself, Mr. BURR, Mr. TUBERVILLE, Mr. MARSHALL, Ms. LUMMIS, Mr. WICKER, Mr. DAINES, and Mr. INHOFE):

S. 4613. A bill to amend the Employee Retirement Income Security Act of 1974 to clarify the fiduciary duty of plan administrators to select and maintain investments based

solely on pecuniary factors, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH:

S. 4614. A bill to amend the Elementary and Secondary Education Act of 1965 to provide criteria for use of Federal funds to support trauma-informed practices in schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROUNDS (for himself and Ms. ROSEN):

S. 4615. A bill to require the Secretary of Defense to seek to engage with the Ministry of Defence of the Kingdom of Jordan for the purpose of expanding cooperation of military cybersecurity activities, and for other purposes; to the Committee on Foreign Relations.

By Ms. WARREN (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. KAINE, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MARKEY, Mr. MURPHY, Mr. SANDERS, Ms. SMITH, Ms. STABENOW, and Mr. VAN HOLLEN):

S. 4616. A bill to amend title XXVII of the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to strengthen parity in mental health and substance use disorder benefits; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 4617. A bill to authorize contributions to international financial institutions to help build the resilience of member countries, and for other purposes; to the Committee on Foreign Relations.

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 4618. A bill to improve access to opioid use disorder treatment services under the Medicare program; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. MENENDEZ, Ms. CORTEZ MASTO, Mr. BOOKER, Mr. VAN HOLLEN, Ms. SMITH, Ms. WARREN, Mr. WARNOCK, Mr. SANDERS, Mrs. GILLIBRAND, Mr. PADILLA, Ms. DUCKWORTH, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. MARKEY, Ms. BALDWIN, Mrs. FEINSTEIN, Mr. WYDEN, and Mr. LUJÁN):

S. 4619. A bill to provide that all persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, and accommodations of financial institutions; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself, Mr. SCOTT of Florida, and Mr. CRAMER):

S. 4620. A bill to amend the Countering Russian Influence in Europe and Eurasia Act of 2017 to impose sanctions with respect to the shipment or transshipment of petroleum products or liquefied natural gas products from the Russian Federation to the Peoples' Republic of China, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Ms. ERNST, and Ms. DUCKWORTH):

S. 4621. A bill to promote low-carbon, high-octane fuels, to protect public health, and to improve vehicle efficiency and performance, and for other purposes; to the Committee on Finance.

By Mr. LUJÁN (for himself and Mr. MERKLEY):

S. 4622. A bill to establish protections for radio and television stations that provide advertising services to cannabis-related legitimate businesses and service providers for such businesses, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself and Ms. ERNST):

S. 4623. A bill to advance Government innovation through leading-edge procurement capability, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 4624. A bill to amend the Project Safe Neighborhoods Grant Program Authorization Act of 2018 to support multijurisdictional task forces that investigate and disrupt illegal firearm trafficking and straw purchasing, and for other purposes; to the Committee on the Judiciary.

By Mr. HEINRICH:

S. 4625. A bill to amend the Richard B. Russell National School Lunch Act to improve nutrition in tribal areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Mr. PORTMAN):

S. Res. 719. A resolution expressing support for the designation of July 2022 as "Disability Pride Month"; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN (for herself, Mr. SULLIVAN, and Mr. PADILLA):

S. Res. 720. A resolution expressing support for the designation of July 2022 as "American Grown Flower and Foliage Month"; considered and agreed to.

By Mr. CARDIN (for himself, Mr. THUNE, Mr. VAN HOLLEN, and Mr. ROUNDS):

S. Res. 721. A resolution celebrating the 50th anniversary of the inaugural launch of the Landsat series of Earth Observation satellites, a joint mission of the United States Geological Survey and the National Aeronautics and Space Administration; considered and agreed to.

By Ms. STABENOW (for herself, Mr. WARNOCK, Ms. COLLINS, Mr. BOOKER, Ms. CANTWELL, Mr. MERKLEY, Mr. KING, Mr. OSSOFF, and Mr. PETERS):

S. Res. 722. A resolution recognizing the importance of the blueberry industry to the United States and designating July 2022 as "National Blueberry Month"; considered and agreed to.

By Mr. GRASSLEY (for himself, Mr. WYDEN, Ms. ERNST, Ms. HIRONO, Ms. COLLINS, Mr. PETERS, Mrs. FISCHER, Mr. CARPER, Mr. MORAN, Mr. MARKEY, Mr. BOOZMAN, Ms. DUCKWORTH, Mr. TILLIS, Ms. HASSAN, Mrs. BLACKBURN, Mr. DURBIN, Mr. WICKER, Ms. BALDWIN, Mr. LANKFORD, Ms. SINEMA, Mr. JOHNSON, and Mr. WARNOCK):

S. Res. 723. A resolution designating July 30, 2022, as "National Whistleblower Appreciation Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 129

At the request of Mr. TESTER, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 129, a bill to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear material couriers, members of the Capitol Police, members of the Supreme Court

Police, employees of the Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled.

S. 464

At the request of Mr. PORTMAN, his name was added as a cosponsor of S. 464, a bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes.

S. 618

At the request of Mr. LANKFORD, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 618, a bill to amend the Internal Revenue Code of 1986 to modify and extend the deduction for charitable contributions for individuals not itemizing deductions.

S. 1157

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1157, a bill to amend the Internal Revenue Code of 1986 to allow workers an above-the-line deduction for union dues and expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses incurred in the trade or business of being an employee.

S. 2568

At the request of Ms. CORTEZ MASTO, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 2568, a bill to establish the Open Access Evapotranspiration (OpenET) Data Program.

S. 2683

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2683, a bill to amend title XXXIII of the Public Health Service Act with respect to flexibility and funding for the World Trade Center Health Program, and for other purposes.

S. 2723

At the request of Ms. WARREN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2723, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 by requiring a distribution analysis of a bill or resolution under certain circumstances, and for other purposes.

S. 2798

At the request of Mr. CRAPO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2798, a bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

S. 2950

At the request of Mr. SCHATZ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2950, a bill to combat illegal deforestation by prohibiting the importation of products made wholly or in part of certain commodities produced on land undergoing illegal deforestation, and for other purposes.

S. 3111

At the request of Mr. CORNYN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3111, a bill to require the Secretary of Energy to establish a grant program to support hydrogen-fueled equipment at ports and to conduct a study with the Secretary of Transportation and the Secretary of Homeland Security on the feasibility and safety of using hydrogen-derived fuels, including ammonia, as a shipping fuel.

S. 3304

At the request of Mr. KENNEDY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 3304, a bill to amend title 38, United States Code, to improve the ability of veterans to electronically submit complaints about the delivery of health care services by the Department of Veterans Affairs.

S. 3335

At the request of Mr. THUNE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3335, a bill to provide liability protection for the sharing of information regarding suspected fraudulent, abusive, or unlawful robocalls, illegally spoofed calls, and other illegal calls by or with the registered consortium that conducts private-led efforts to trace back the origin of suspected unlawful robocalls, and for the receipt of such information by the registered consortium, and for other purposes.

S. 3635

At the request of Ms. DUCKWORTH, the names of the Senator from Ohio (Mr. BROWN) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 3635, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize public safety officer death benefits to officers suffering from post-traumatic stress disorder or acute stress disorder, and for other purposes.

S. 3864

At the request of Mr. MURPHY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3864, a bill to improve the pediatric mental health care access grant program.

S. 3909

At the request of Mr. KAINE, the names of the Senator from Delaware (Mr. COONS), the Senator from Nevada (Ms. ROSEN), the Senator from Washington (Mrs. MURRAY), the Senator from Michigan (Ms. STABENOW) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3909, a bill to amend the Internal Rev-

enue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 4069

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 4069, a bill to amend the National Firearms Act to provide an exception for stabilizing braces, and for other purposes.

S. 4271

At the request of Mr. REED, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 4271, a bill to reauthorize the Garrett Lee Smith Memorial Act, and for other purposes.

S. 4416

At the request of Mr. CASSIDY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 4416, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for charitable donations to nonprofit organizations providing education scholarships to qualified elementary and secondary students.

S. 4419

At the request of Mr. MARKEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 4419, a bill to require small, medium, and large hub airports to certify that airport service workers are paid the prevailing wage and provided fringe benefits, and for other purposes.

S. 4458

At the request of Mr. MORAN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 4458, a bill to amend title 38, United States Code, to improve the process by which the Secretary of Veterans Affairs determines whether an educational institution meets requirements relating to the percentage of students who receive educational assistance furnished by the Secretary, and for other purposes.

S. 4500

At the request of Ms. WARREN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4500, a bill to expand youth access to voting, and for other purposes.

S. 4504

At the request of Ms. CORTEZ MASTO, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 4504, a bill to protect freedom of travel and reproductive rights.

S. 4550

At the request of Ms. SMITH, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 4550, a bill to provide enhanced funding for family planning services.

S. CON. RES. 10

At the request of Ms. STABENOW, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Con. Res. 10, a concurrent resolution

expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 419

At the request of Mrs. BLACKBURN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. Res. 419, a resolution acknowledging and commemorating the World War II women in the Navy who served in the Women Accepted for Volunteer Emergency Service ("WAVES").

S. RES. 713

At the request of Mr. RISCH, the names of the Senator from Florida (Mr. SCOTT), the Senator from Missouri (Mr. BLUNT) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. Res. 713, a resolution recognizing Russian actions in Ukraine as a genocide.

AMENDMENT NO. 5153

At the request of Ms. HASSAN, her name was added as a cosponsor of amendment No. 5153 intended to be proposed to H.R. 4346, a bill making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Mr. BARRASSO, Mr. BRAUN, Mr. CRAPO, Mr. DAINES, Ms. ERNST, Mrs. FISCHER, Mr. HAGERTY, Mr. HOEVEN, Ms. LUMMIS, Mr. RISCH, and Mr. ROUNDS):

S. 4610. A bill to provide reliable and evidence-based food and energy security; to the Committee on Banking, Housing, and Urban Affairs.

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. 4610

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 "Food and Energy Security Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **AGRICULTURE OR CLOSELY RELATED BUSINESS.**—The term "agriculture or closely related business" means a for-profit or not-for-profit entity that is involved in the production of agriculture products or livestock or involved in the supply chain of an entity involved in the production of agriculture products or livestock.

(2) **ENERGY OR CLOSELY RELATED BUSINESS.**—The term "energy or closely related business" means a for-profit or not-for-profit entity that is involved in the production, development, or marketing of electricity, fuel (including biofuels), or other related products or involved in the supply chain of an entity involved in the production, development, or marketing of electricity, fuel (including biofuels), or other related products.

(3) **FEDERAL REGULATOR.**—The term "Federal regulator" means—

(A) the Board of Governors of the Federal Reserve System;

(B) the Office of the Comptroller of the Currency;

(C) the Federal Deposit Insurance Corporation;

(D) the Financial Stability Oversight Council;

(E) the National Credit Union Administration;

(F) the Bureau of Consumer Financial Protection;

(G) the Commodity Futures Trading Commission; and

(H) the Securities and Exchange Commission.

SEC. 3. REGULATIONS AND GUIDANCE.

(a) **IN GENERAL.**—As part of any public notice of a proposed regulation or guidance and final regulation or guidance that could affect the extension of capital to or investments in an agriculture or closely related business or an energy or closely related business, a Federal regulator shall provide a detailed analysis of the estimated impact the regulation or guidance would have on food prices, electricity prices, and fuel prices, as applicable, including a description of the methodology and variables used to arrive at the estimates.

(b) **CONTENTS.**—The estimated impacts required under subsection (a) shall include how the proposed regulation or guidance or final regulation or guidance of the Federal regulator would, as applicable, affect—

(1) food prices (broken down by subcategories as listed in the Consumer Price Index for All Urban Consumers by the Bureau of Labor Statistics, as relevant) over 1 year, 3 years, 5 years, and 10 years;

(2) electricity prices (broken down by subcategories as listed in the Consumer Price Index for All Urban Consumers by the Bureau of Labor Statistics, as relevant) over 1 year, 3 years, 5 years, and 10 years; and

(3) fuel prices (broken down by subcategories as listed in the Consumer Price Index for All Urban Consumers by the Bureau of Labor Statistics, as relevant) over 1 year, 3 years, 5 years, and 10 years.

SEC. 4. PROHIBITION.

A Federal regulator shall not implement any regulation or guidance that could affect, directly or indirectly, the extension of capital to or investments in an agriculture or closely related business or an energy or closely related business if—

(1) the analysis of estimated impacts under section 3 estimate that implementation of the regulation or guidance would result in an increase in food prices, electricity prices, or fuel prices; and

(2) the annualized rate of increase in the Consumer Price Index for All Urban Consumers most recently published by the Bureau of Labor Statistics is 4.5 percent or greater.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act may be construed as affecting any regulation or guidance of a Federal regulator that was implemented before January 1, 2022.

By Ms. COLLINS (for herself and Mr. CARDIN):

S. 4618. A bill to improve access to opioid use disorder treatment services under the Medicare program; to the Committee on Finance.

Ms. COLLINS. Mr. President, the opioid epidemic continues to claim the lives of far too many people, with record numbers of both Mainers and Americans lost in 2021. While many perceive the face of opioid addiction as

young, the epidemic harms older adults as well. In Maine, more than 10 percent of drug overdose deaths last year were among residents 60 and older.

Each and every opioid death is preventable, but we must ensure the unique needs of seniors struggling with addiction are not forgotten. That is why I rise today with my colleague from Maryland, Senator CARDIN, to introduce legislation to improve seniors' awareness of, and access to, opioid use disorder, OUD, treatment covered by the Medicare Program. Our bill, the Supporting Seniors with Opioid Use Disorder Act of 2022, is in response to recent findings from the inspector general that confirm the urgent need to increase the number of Medicare beneficiaries receiving treatment for opioid use disorder.

The challenges of the COVID-19 pandemic, combined with the increased prevalence of fentanyl, have aggravated this national crisis. Even before COVID-19, however, the number of people age 55 or older treated in emergency rooms for nonfatal opioid overdoses was increasing, with a shocking 32 percent jump in E.R. visits from 2016 to 2017. In 2018, as chairman of the Senate Special Committee on Aging, I chaired a hearing on this very topic in attempt to shed light on this often-overlooked population. One expert witness told the Aging Committee, "Medicare beneficiaries are the fastest growing population of diagnosed opioid use disorders."

Compounding these disturbing statistics is a December 2021 Department of Health and Human Services Office of Inspector General, OIG, report exploring whether Medicare beneficiaries with opioid use disorder receive medication and behavioral therapy. It found more than 1 million Medicare beneficiaries were diagnosed with OUD in 2020, yet fewer than 16 percent of those patients received medication to treat their OUD. The report also concluded older beneficiaries were three times less likely to receive medication to treat their OUD than younger beneficiaries. Even fewer beneficiaries received both medication and behavioral therapy. The conclusion is clear: Medicare beneficiaries are not receiving the OUD treatment they need.

Our bill, the Supporting Seniors with Opioid Use Disorder Act of 2022, would codify the recommendations made by the HHS OIG regarding how to improve beneficiaries' awareness of Medicare coverage for OUD treatment and how to identify current gaps and opportunities to better meet the needs of this unique population. Specifically, our legislation would require CMS to conduct additional outreach to beneficiaries to increase awareness about Medicare coverage for the treatment of OUD, such as by revising outreach and enrollment materials, making State and national contact information for healthcare providers publicly available in an easily accessible manner, and developing or improving continuing education programs on opioid medications

and substance use disorder treatment programs. Our bill would also improve data sharing within Agencies at HHS with the goal of obtaining a better understanding of current treatment gaps.

Lastly, the bill would require HHS to convene a stakeholder meeting to share best practices on the use of behavioral therapy among beneficiaries receiving medication to treat opioid use disorder. Emerging research points to evidence that patients receiving medication to treat opioid use disorder may also benefit from behavioral therapy, so this opportunity for collaboration on strategies to support better treatment engagement and continuity could be beneficial to both patients and healthcare professionals.

The overdose crisis continues to ravage the country, and it is critical that people who are suffering from opioid use disorder have access to the treatment they need to survive and thrive—including our seniors. Challenges in treatment and recovery undoubtedly persist, but the actions taken in this legislation can help guide our continued response. I urge my colleagues to support the adoption of this important legislation that will support seniors' access to opioid use disorder services and our understanding of potential disparities in treatment.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. 4624. A bill to amend the Project Safe Neighborhoods Grant Program Authorization Act of 2018 to support multijurisdictional task forces that investigate and disrupt illegal firearm trafficking and straw purchasing, and for other purposes; to the Committee on the Judiciary.

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. 4624

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 “Officer Ella Grace French Task Force Support Act of 2022”.

SEC. 2. AMENDMENT.

Section 4(b) of the Project Safe Neighborhoods Grant Program Authorization Act of 2018 (34 U.S.C. 60703(b)) is amended—

- (1) in paragraph (3), by striking “or” at the end;
- (2) in paragraph (4), by striking the period at the end and inserting “; or”; and
- (3) by adding at the end the following:

“(4) support for multijurisdictional task forces that coordinate efforts between Federal, State, Tribal, territorial, and local agencies to investigate and disrupt illegal firearms trafficking and straw purchasing.”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 719—EX-PRESSING SUPPORT FOR THE DESIGNATION OF JULY 2022 AS “DISABILITY PRIDE MONTH”

Ms. KLOBUCHAR (for herself and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 719

Whereas, according to the Centers for Disease Control and Prevention, 61,000,000 adults in the United States have disabilities;

Whereas the United States Census Bureau reports that more than 3,000,000 children in the United States have disabilities;

Whereas the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) was signed into law on July 26, 1990;

Whereas individuals with a disability remain at an increased risk of experiencing discrimination, isolation, and inequities;

Whereas individuals with disabilities are vital and make meaningful contributions to the arts, science, health care, technology, sports, education, law, and many more sectors; and

Whereas “Disability Pride Month” is celebrated in July by people across the United States: Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of July 2022 as “Disability Pride Month”; and

(2) calls on the people of the United States, interest groups, and affected people to—

(A) observe “Disability Pride Month” with appropriate celebrations and activities; and

(B) take an active role in preventing the exclusion of, and discrimination against, individuals with disabilities.

SENATE RESOLUTION 720—EX-PRESSING SUPPORT FOR THE DESIGNATION OF JULY 2022 AS “AMERICAN GROWN FLOWER AND FOLIAGE MONTH”

Mrs. FEINSTEIN (for herself, Mr. SULLIVAN, and Mr. PADILLA) submitted the following resolution; which was considered and agreed to:

S. RES. 720

Whereas cut flower and foliage growers in the United States are hard-working, dedicated individuals who bring beauty, economic stimulus, and pride to their communities and the United States;

Whereas the people of the United States have a long history of using flowers and foliage grown in the United States to bring beauty to important events and express affection for loved ones;

Whereas consumers spend over \$38,300,000,000 each year on floral products, including cut flowers, garden plants, bedding, and indoor plants;

Whereas, each year, an increasing number of households in the United States purchase fresh cut flowers and foliage from more than 12,000 florists and floral establishments;

Whereas the annual per capita spending on floral products by consumers in the United States is more than \$170;

Whereas the people of the United States increasingly want to support domestically produced foods and agricultural products and would prefer to buy locally grown flowers and foliage whenever possible, yet a majority of domestic consumers do not know where the flowers and foliage they purchase are grown;

Whereas, in response to increased demand, the “Certified American Grown” logo was created in July 2014 in order to educate and empower consumers to purchase flowers and foliage from domestic producers;

Whereas millions of stems of domestically grown flowers and foliage are now “Certified American Grown”;

Whereas domestic flower and foliage farmers produce thousands of varieties of flowers and foliage across the United States, such as peonies in Alaska, Gerbera daisies in California, lupines in Maine, tulips in Washington, lilies in Oregon, larkspur in Texas, and leatherleaf in Florida;

Whereas the flower and foliage varieties with the highest production in the United States are tulips, Gerbera daisies, lilies, gladiolas, roses, and leatherleaf;

Whereas people in every State have access to domestically grown flowers and foliage, yet only 22 percent of flowers and foliage sold in the United States are domestically grown;

Whereas the domestic cut flower and foliage industry—

(1) creates a substantial economic impact daily; and

(2) supports hundreds of growers, thousands of small businesses, and tens of thousands of jobs in the United States;

Whereas most domestic cut flowers and foliage are sold in the United States within 24 to 48 hours after harvest and last longer than flowers shipped longer distances;

Whereas flowers and foliage grown domestically enhance the ability of the people of the United States to festively celebrate weddings and births and honor those who have passed;

Whereas flower and foliage giving has been a holiday tradition in the United States for generations;

Whereas flowers and foliage speak to the beauty of motherhood on Mother's Day and to the spirit of love on Valentine's Day;

Whereas flowers and foliage are an essential part of other holidays such as Thanksgiving, Christmas, Hanukkah, and Kwanzaa;

Whereas flowers and foliage help commemorate the service and sacrifice of members of the Armed Forces on Memorial Day and Veterans Day; and

Whereas the Senate encourages the cultivation of flowers and foliage in the United States by domestic flower and foliage farmers: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of July 2022 as “American Grown Flower and Foliage Month”; and

(2) recognizes that purchasing flowers and foliage grown in the United States supports the farmers, small businesses, jobs, and economy of the United States;

(3) recognizes that growing flowers and foliage in the United States is a vital part of the agricultural industry of the United States;

(4) recognizes that cultivating flowers and foliage domestically enhances the ability of the people of the United States to festively celebrate holidays and special occasions; and

(5) urges all people of the United States to proactively showcase flowers and foliage grown in the United States in order to show support for—

(A) the flower and foliage farmers, processors, and distributors in the United States; and

(B) the agricultural industry of the United States overall.

SENATE RESOLUTION 721—CELEBRATING THE 50TH ANNIVERSARY OF THE INAUGURAL LAUNCH OF THE LANDSAT SERIES OF EARTH OBSERVATION SATELLITES, A JOINT MISSION OF THE UNITED STATES GEOLOGICAL SURVEY AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. CARDIN (for himself, Mr. THUNE, Mr. VAN HOLLEN, and Mr. ROUNDS) submitted the following resolution; which was considered and agreed to:

S. RES. 721

Whereas, on July 23, 2022, the United States Geological Survey (referred to in this preamble as “USGS”) and the National Aeronautics and Space Administration (referred to in this preamble as “NASA”) celebrate the 50th anniversary of the launch of the Landsat series of Earth Observation satellites (commonly known as the “Landsat program”);

Whereas, through satellite remote sensing, which in 1972 constituted a new scientific instrument, the Landsat program introduced a powerful tool for humankind to observe the resources of Earth and the long-term changes in the condition of the land surfaces of Earth;

Whereas, as the first civilian program in the United States for the systematic observation of the land surfaces of Earth, the Landsat program has exemplified the highest ideals of the United Nations Committee on the Peaceful Uses of Outer Space, while helping to position the United States as a global leader in the field of satellite remote sensing;

Whereas data and imagery of Earth produced by the Landsat program have been used for 50 years in the United States and around the world—

- (1) to analyze crop conditions, soil moisture, and global crop production;
- (2) to forecast the needs of the world to ensure food security;
- (3) to monitor water consumption;
- (4) to facilitate emergency responses to and post-event analyses of natural disasters, including earthquakes, volcanoes, floods, tsunamis, hurricanes, and wildfires;
- (5) to monitor forests and changing land-use patterns;
- (6) to track receding glaciers and changes in sea-ice extent; and
- (7) to survey urban growth;

Whereas data and imagery produced by the Landsat program have been applied by—

(1) many Federal, State, and local agencies, particularly agencies within the Department of the Interior and the Department of Agriculture; and

(2) the governing bodies of Indian Tribes and Alaska Natives to solve difficult and expensive problems for their members at minimum cost to the taxpayers of the United States;

Whereas, since 2008, calibrated on-board data and imagery produced by the Landsat program have been made globally available at no cost to the public, greatly amplifying the use of such data and imagery, expanding growing markets for commercial remote sensing data and analysis, providing the foundation for commercial innovations in land remote sensing, and serving as a trusted reference for the calibration of instruments and improvement of commercial data products;

Whereas data produced by the Landsat program has been estimated to provide billions of dollars in value to the economy of the United States each year;

Whereas 50 years of continuous Landsat observations—

(1) supply the world with impartial, fundamental evidence to support a scientific understanding of a changing global climate; and

(2) form the basis for thousands of peer-reviewed, scientific publications that have documented changes in the land surface of Earth;

Whereas data produced by the Landsat program provide an invaluable common vocabulary and a shared set of references for the state of Earth that can inform international, Federal, and local efforts to address difficult environmental and public policy issues;

Whereas USGS and NASA are currently developing mission concepts for Landsat Next, the follow-on mission to Landsat 9;

Whereas Landsat 9 and the Sustainable Land Imaging program will build on and strengthen this key resource of the United States to provide a sustainable, space-based system to extend and improve the 50-year series of science-quality, global land imaging measurements produced by the Landsat program—the longest time series of the land surface of Earth; and

Whereas, during July 2022, USGS, NASA, scientists, engineers, land managers, and the people of the United States will celebrate 50 years since the launch of the first Earth-observing satellite of the Landsat program: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 50th anniversary of the inaugural launch of the Landsat series of Earth Observation satellites (commonly known as the “Landsat program”);

(2) recognizes the scientific, engineering, and analytical expertise of the United States Geological Survey (referred to in this resolution as “USGS”), the National Aeronautics and Space Administration (referred to in this resolution as “NASA”), and the advisory Landsat Science Team;

(3) recognizes the important contributions that data produced by the Landsat program provides to decision-makers worldwide and the desire to continue the Landsat program into the next 50 years through Landsat Next;

(4) designates July 23, 2022, as “Landsat 50th Anniversary Day”, or “Landsaturday”;

and

(5) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Director of USGS and the Administrator of NASA.

SENATE RESOLUTION 722—RECOGNIZING THE IMPORTANCE OF THE BLUEBERRY INDUSTRY TO THE UNITED STATES AND DESIGNATING JULY 2022 AS “NATIONAL BLUEBERRY MONTH”

Ms. STABENOW (for herself, Mr. WARNOCK, Ms. COLLINS, Mr. BOOKER, Ms. CANTWELL, Mr. MERKLEY, Mr. KING, Mr. OSSOFF, and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 722

Whereas blueberries are a native North American fruit, first managed and harvested as wild blueberries by the native Wabanaki;

Whereas wild blueberries continue to be managed and harvested in Maine by farmers, including the Wabanaki, as a native, naturally occurring crop;

Whereas the pioneering work conducted in New Jersey in the early 1900s by Elizabeth White and Dr. Frederick Coville, a botanist at the Department of Agriculture, to domesticate wild lowbush blueberries resulted in

the development of the hybrid variety of cultivated highbush blueberries;

Whereas because of these early efforts, highbush blueberries are large, sweet, juicy berries that can be commercially produced and shipped;

Whereas wild blueberries—

(1) are small and sweet; and

(2) are not planted, but still grow and are harvested where they have naturally occurred for thousands of years;

Whereas the blueberry industry in the United States is an important sector of United States agriculture with an annual economic impact of \$4,700,000,000;

Whereas highbush and wild blueberries have a total harvested area estimated at more than 140,000 acres and are produced in 48 States by nearly 13,185 farms;

Whereas blueberry production in the United States has continually increased, with particular growth in the first 2 decades of the 21st century, to reach a harvest of 760,000,000 pounds in 2021;

Whereas blueberries are low in fat and a source of fiber, vitamins, and minerals;

Whereas blueberries are being studied to examine the role the berries may play in promoting good health in areas such as cardiovascular health, brain health, exercise, insulin response, and gut health; and

Whereas blueberries are harvested in the United States from March through early September, with the harvest reaching its peak in July: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 2022 as “National Blueberry Month”;

(2) recognizes the contributions of blueberry growers in the United States and their families; and

(3) recognizes that purchasing blueberries grown in the United States supports farmers, jobs, communities, and the economy of the United States.

SENATE RESOLUTION 723—DESIGNATING JULY 30, 2022, AS “NATIONAL WHISTLEBLOWER APPRECIATION DAY”

Mr. GRASSLEY (for himself, Mr. WYDEN, Ms. ERNST, Ms. HIRONO, Ms. COLLINS, Mr. PETERS, Mrs. FISCHER, Mr. CARPER, Mr. MORAN, Mr. MARKEY, Mr. BOOZMAN, Ms. DUCKWORTH, Mr. TILLIS, Ms. HASSAN, Mrs. BLACKBURN, Mr. DURBIN, Mr. WICKER, Ms. BALDWIN, Mr. LANKFORD, Ms. SINEMA, Mr. JOHNSON, and Mr. WARNOCK) submitted the following resolution; which was considered and agreed to:

S. RES. 723

Whereas, in 1777, before the passage of the Bill of Rights, 10 sailors and Marines blew the whistle on fraud and misconduct that was harmful to the United States;

Whereas the Founding Fathers unanimously supported the whistleblowers in words and deeds, including by releasing government records and providing monetary assistance for the reasonable legal expenses necessary to prevent retaliation against the whistleblowers;

Whereas, on July 30, 1778, in demonstration of their full support for whistleblowers, the members of the Continental Congress unanimously passed the first whistleblower legislation in the United States that read: “*Resolved*, That it is the duty of all persons in the service of the United States, as well as all other the inhabitants thereof, to give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers

or persons in the service of these states, which may come to their knowledge" (legislation of July 30, 1778, reprinted in *Journals of the Continental Congress, 1774-1789*, ed. Worthington C. Ford et al. (Washington, DC, 1904-37), 11:732);

Whereas whistleblowers risk their careers, jobs, and reputations by reporting waste, fraud, and abuse to the proper authorities;

Whereas, in providing the proper authorities with lawful disclosures, whistleblowers save the taxpayers of the United States billions of dollars each year and serve the public interest by ensuring that the United States remains an ethical and safe place; and

Whereas it is the public policy of the United States to encourage, in accordance with Federal law (including the Constitution of the United States, rules, and regulations) and consistent with the protection of classified information (including sources and methods of detection of classified information), honest and good faith reporting of misconduct, fraud, misdemeanors, and other crimes to the appropriate authority at the earliest time possible: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 30, 2022, as "National Whistleblower Appreciation Day"; and

(2) ensures that the Federal Government implements the intent of the Founding Fathers, as reflected in the legislation passed on July 30, 1778 (relating to whistleblowers), by encouraging each executive agency to recognize National Whistleblower Appreciation Day by—

(A) informing employees, contractors working on behalf of the taxpayers of the United States, and members of the public about the legal right of a United States citizen to "blow the whistle" to the appropriate authority by honest and good faith reporting of misconduct, fraud, misdemeanors, or other crimes; and

(B) acknowledging the contributions of whistleblowers to combating waste, fraud, abuse, and violations of laws and regulations of the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5183. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table.

SA 5184. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; which was ordered to lie on the table.

SA 5185. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 3373, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5183. Mr. DAINES submitted an amendment intended to be proposed by him to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ ENFORCEMENT OF INTELLECTUAL PROPERTY PROVISIONS OF ECONOMIC AND TRADE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF CHINA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Agreement includes significant mandates for the People's Republic of China related to its domestic intellectual property regime, including with respect to copyrights, trademarks, trade secrets, and patents;

(2) the changes included in the Agreement, if implemented effectively, should improve the domestic intellectual property framework of the People's Republic of China, which has historically proven to harm the innovation and creative communities in the United States;

(3) despite commitments made by the Government of the People's Republic of China under the Agreement, ongoing market access barriers, uneven enforcement, measures requiring forced technology transfer, and serious deficiencies in the rule of law continue to make the business environment in the People's Republic of China highly challenging for rights holders in the United States;

(4) as reflected in the 2021 report by the United States Trade Representative required under section 182(h) of the Trade Act of 1974 (19 U.S.C. 2242(h)) (commonly referred to as the "Special 301 Report"), the People's Republic of China has consistently been listed in that annual report since 1989 as a trading partner of the United States that "fails to provide adequate and effective IP protection and enforcement for U.S. inventors, creators, brands, manufacturers, and service providers, which, in turn, harm American workers"; and

(5) Congress encourages the United States Trade Representative, the Attorney General, the Secretary of State, the Secretary of Homeland Security, the Secretary of Commerce, and the Director of the United States Patent and Trademark Office—

(A) to use all available tools to ensure that the People's Republic of China fully implements its commitments under the Agreement; and

(B) to actively consider additional means to require the People's Republic of China to address unfair market access barriers, forced technology transfer requirements, and broader intellectual property theft concerns, including through future trade agreements and working with partners in multilateral organizations, such as the Group of 7 (G7), the Group of 20 (G20), and the World Trade Organization.

(b) ENFORCEMENT OF AGREEMENT.—The President, acting through the United States Trade Representative, shall coordinate with the heads of such Federal agencies as the President considers appropriate to enforce the actions related to intellectual property laid out in the Agreement including—

(1) the civil, administrative, and criminal procedures and deterrent-level civil and criminal penalties provided in the Agreement; and

(2) by using the full enforcement authority of the President, including any enforcement authority in connection with the identification and reporting process under section 182 of the Trade Act of 1974 (19 U.S.C. 2242).

(c) REPORT ON STATUS OF IMPLEMENTATION OF CERTAIN OBLIGATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the United States Trade Representative shall submit to the appropriate committees of Congress a report on the status of the implementation by the People's Republic of China of its obligations under Chapter 1 of the Agreement.

(2) INFORMATION IN REPORT.—Each report required by paragraph (1) shall contain information sufficient to enable the appropriate committees of Congress to assess the extent of the compliance by the People's Republic of China with the Agreement, including appropriate quantitative metrics.

(d) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term "Agreement" means the Economic and Trade Agreement Between the Government of the United States of America and the Government of China, dated January 15, 2020.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

SA 5184. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ OFFSET THROUGH TEMPORARY REDUCTION IN FOREIGN ASSISTANCE PROGRAMS.

During the 10-year period beginning on October 1, 2022, no Federal funds may be expended by the United States Agency for International Development other than funds that have been appropriated for Israel.

SA 5185. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; which was ordered to lie on the table; as follows:

On page 15, between lines 14 and 15, insert the following:

SEC. 105. REQUIREMENT TO PROVIDE CARE UNDER VETERANS COMMUNITY CARE PROGRAM FOR TOXIC-EXPOSED VETERANS.

Section 1703(d)(1) is amended—

(1) in subparagraph (D), by striking "or" and inserting a semicolon;

(2) in subparagraph (E), by striking the period at the end and inserting "or"; and

(3) by adding at the end the following new subparagraph:

"(F) the covered veteran is a toxic-exposed veteran."

AUTHORITY FOR COMMITTEES TO MEET

Mr. WARNER. Mr. President, I have seven 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 Tuesday, July 26, 2022, at 9:30 a.m., to conduct a closed briefing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, July 26, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, July 26, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, July 26, 2022, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, July 26, 2022, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON CRIMINAL JUSTICE AND
COUNTERTERRORISM

The Subcommittee on Criminal Justice and Counterterrorism of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, July 26, 2022, at 2:30 p.m., to conduct a hearing.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, July 26, 2022, at 10 a.m., to conduct a hearing.

NOTICE OF PROPOSED RULE-
MAKING FOR THE CONGRES-
SIONAL ACCOUNTABILITY ACT

U.S. CONGRESS,
OFFICE OF CONGRESSIONAL
WORKPLACE RIGHTS,
Washington, DC, July 26, 2022.

Hon. PATRICK LEAHY,
President Pro Tempore of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Section 210(e) of the Congressional Accountability Act ("CAA"), 2 U.S.C. §1331(e), requires the Board of Directors of the Office of Congressional Workplace Rights ("the Board") to issue regulations implementing Section 210 of the CAA, relating to the rights and protections against discrimination in the provision of public services and accommodations established by sections 201 through 230, 302, 303, and 309 of the Americans with Disabilities Act of 1990 (42 U.S.C. §§12131–12150, 12182, 12183, and 12189), made applicable to the legislative branch by the CAA, 2 U.S.C. §1331(a).

Section 304(b)(1) of the CAA, 2 U.S.C. 1384(b)(1), requires that the Board issue a general notice of proposed rulemaking by transmitting "such notice to the Speaker of the House of Representatives and the President Pro Tempore of the Senate for publication in the *Congressional Record* on the first day of which both Houses are in session following such transmittal."

On behalf of the Board, I am hereby transmitting the attached notice of proposed rulemaking to the President Pro Tempore of the U.S. Senate. I request that this notice be published in the Senate section of the *Congressional Record* on the first day on which both Houses are in session following receipt of this transmittal. In compliance with Section 304(b)(2) of the CAA, a comment period of 30 days after the publication of this notice of proposed rulemaking is being provided before adoption of the rules.

Any inquiries regarding this notice should be addressed to Teresa James, Acting Execu-

tive Director of the Office of Congressional Workplace Rights, 110 Second Street, SE, Room LA-200, Washington, DC 20540-1999; telephone: 202-724-9250.

Sincerely,

BARBARA CHILDS WALLACE,
Chair of the Board of Directors,
Office of Congressional Workplace Rights.
Attachment.

NOTICE OF PROPOSED RULEMAKING
FROM THE BOARD OF DIRECTORS OF
THE OFFICE OF CONGRESSIONAL
WORKPLACE RIGHTS

**Modification of Regulations Under the Amer-
icans with Disabilities Act Relating to Pub-
lic Services and Accommodations, Notice of
Proposed Rulemaking, as Required by 2
U.S.C. §1331, Congressional Accountability
Act of 1995, as Amended.**

Background:

The purpose of this Notice of Proposed Rulemaking ("Notice") is to propose modifications to the pending legislative branch Americans with Disabilities Act ("ADA") substantive regulations under Section 210 of the Congressional Accountability Act ("CAA") (2 U.S.C. §1331 et seq.), which provides that the rights and protections against discrimination in the provision of public services and accommodation under Titles II and III of the ADA shall apply to entities covered by the CAA.

The Congressional Accountability Act of 1995 ("CAA"), PL 104-1, was enacted into law on January 23, 1995. The CAA, as amended, applies the rights and protections of 14 federal labor and employment statutes to covered employees and employing offices within the legislative branch of the federal government. Section 210 of the CAA provides that the rights and protections against discrimination in the provision of public services and accommodations established by Titles II and III (sections 201 through 230, 302, 303, and 309) of the Americans with Disabilities Act of 1990, 42 U.S.C. §§12131–12150, 12182, 12183, and 12189 ("ADA"), shall apply to legislative branch entities covered by the CAA. The above provisions of section 210 became effective on January 1, 1997. 2 U.S.C. §1331(h).

As set forth in detail below, the Board of Directors ("the Board") of the Office of Congressional Workplace Rights ("OCWR") adopted regulations implementing section 210 of the CAA in 2016. 162 Cong. Rec. H557–565, S624–632 (daily ed. February 3, 2016). These modified proposed regulations will bring OCWR's ADA regulations in line with recent changes to the Department of Justice's ("DOJ") and Department of Transportation's ("DOT") ADA regulations and with the CAA of 1995 Reform Act of 2018, Pub. L. No. 115–397. These and other proposed changes are set forth fully in this Notice. Deletions are marked with square [brackets] and added text is within angled <<[brackets]>>. Therefore, if these regulations are approved as proposed, the deletions within square brackets will be removed from the regulations and the added text within angled brackets will remain.

What is the authority under the CAA for these proposed substantive regulations?

Section 210(b) of the CAA provides that the rights and protections against discrimination in the provision of public services and accommodations established by the provisions of Titles II and III (sections 201 through 230, 302, 303, and 309) of the Americans with Disabilities Act of 1990, 42 U.S.C. §§12131–12150, 12182, 12183, and 12189, shall apply to the following entities: (1) each office of the Senate, including each office of a Senator and each committee; (2) each office of the House of Representatives, including each office of a Member of the House of Rep-

resentatives and each committee; (3) each joint committee of the Congress; (4) the Office of Congressional Accessibility Services; (5) the Capitol Police; (6) the Congressional Budget Office; (7) the Office of the Architect of the Capitol (including the Botanic Garden); (8) the Office of the Attending Physician; (9) the Office of Congressional Workplace Rights; and (10) the Library of Congress. 2 U.S.C. §1331(a).

Section 210(e) of the CAA requires that the OCWR Board, pursuant to section 304 of the CAA, issue regulations implementing that section, and that such regulations "shall be the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) [of section 210 of the CAA] except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section." 2 U.S.C. §1331(e).

Are there ADA public access regulations already in force under the CAA?

Yes. The first ADA regulations implementing section 210 of the CAA were adopted by the Board and published on January 7, 1997, 142 Cong. Rec. H10676–10711, S10984–11019 (daily ed. September 19, 1996) and 143 Cong. Rec. S30–61 (daily ed. January 7, 1997), after providing notice, and receiving and considering comments in accordance with section 304 of the CAA. No congressional action was taken and thus the 1997 regulations were not issued. Revised regulations were adopted by the Board and published on February 3, 2016, 160 Cong. Rec. H7363–7372, S5437–S5447 (daily ed. September 9, 2014) and 162 Cong. Rec. H557–565, S624–632 (daily ed. February 3, 2016), after providing notice, and receiving and considering comments in accordance with section 304 of the CAA. No congressional action was taken and thus the regulations were not issued.

The CAA provides that, while the CAA rulemaking procedure is underway, the corresponding executive branch regulations are to be applied. Section 411 of the CAA (2 U.S.C. §1411) provides:

"Effect of failure to issue regulations.

In any proceeding under section 1405, 1406, 1407, or 1408 of this title . . . if the Board has not issued a regulation on a matter for which this chapter requires a regulation to be issued, the hearing officer, Board, or court, as the case may be, shall apply, to the extent necessary and appropriate, the most relevant substantive executive agency regulation promulgated to implement the statutory provision at issue in the proceeding."

This makes plain that ADA public access regulations are presently in force. "[T]he most relevant substantive executive agency regulation[s]" are the DOJ and DOT ADA public access regulations.

Why are these regulations being proposed at this time?

As set forth above, the CAA requires employing offices to comply with ADA public access regulations issued by the DOJ and DOT pursuant to the ADA. The CAA also requires the Board to issue its own regulations implementing the ADA public access provisions of the CAA. The statute obligates the Board's regulations to be the same as the DOJ and DOT regulations except to the extent that the Board may determine that a modification would be more effective in implementing ADA public access protections. 2 U.S.C. §1331(e)(2). These proposed regulations will clarify that covered entities must comply with the ADA public access provisions applied to public entities and public accommodations to implement Titles II and III of

the ADA. Congressional approval and Board issuance of ADA public access regulations under the CAA will also eliminate any question as to the ADA public access protections that are applicable in the legislative branch.

As set forth above, the Board adopted ADA regulations in 1997 and 2016, but no congressional action was taken and therefore these regulations were not issued. The Board now proposes modifications to regulations adopted in 2016 to facilitate congressional consideration of the ADA regulations.

How do these regulations differ from those adopted by the Board on February 3, 2016?

This proposal consists of modifications to the regulations adopted by the Board in 2016. There are three significant types of changes:

1. Updates to DOJ and DOT regulations: The proposed regulations set forth herein incorporate by reference the pertinent DOJ and DOT regulations that are in effect as of the date of the publication of this Notice, and, as such, have been updated to incorporate the changes made in the DOJ and DOT regulations since 2014.

2. Modifications “for good cause”: Section 210(e) of the CAA requires that the regulations issued by the OCWR Board to implement Titles II and III of the ADA as applied by the CAA be the same as those promulgated by DOJ and DOT to implement the ADA except where the Board determines, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of CAA rights and protections. 2 U.S.C. §1331(e).

3. Unlike the Board in 2016, the current Board has decided not to propose adoption of regulations relating to the two unique statutory duties imposed by the CAA upon the General Counsel of the OCWR that are not imposed upon the DOJ and DOT: (1) the investigation and prosecution of charges of discrimination using the Office’s mediation and hearing processes (section 210(d) of the CAA) and (2) the biennial ADA inspection and reporting obligations (section 210(f) of the CAA). The current Board has determined that rules relating to these duties are best implemented by adopting and publishing amendments to the OCWR’s Procedural Rules.

Procedural Summary:

How are substantive regulations proposed and approved under the CAA?

Section 304 of the CAA, 2 U.S.C. §1384, sets forth the following procedure for proposing and approving such substantive regulations:

(1) the Board of Directors proposes substantive regulations and publishes a general notice of proposed rulemaking in the Congressional Record;

(2) there be a comment period of at least 30 days after the date of publication of the general notice of proposed rulemaking;

(3) after consideration of comments by the Board of Directors, the Board adopt regulations and transmit notice of such action (together with the regulations and a recommendation regarding the method for congressional approval of the regulations) to the Speaker of the House and President [P]ro [T]empore of the Senate for publication in the Congressional Record;

(4) there be committee referral and action on the proposed regulations by resolution in each House, concurrent resolution, or by joint resolution; and

(5) final publication of the approved regulations in the Congressional Record, with an effective date prescribed in the final publication.

For more detail, please reference the text of 2 U.S.C. §1384.

What is the approach taken by these proposed substantive regulations?

The Board will follow the procedures as enumerated above and as required by statute. This Notice of Proposed Rulemaking is step (1) of the outline set forth above. The Board will review any comments received under step (2) of the outline above, and respond to the comments and make any changes necessary to ensure that the regulations fully implement section 210 of the CAA and reflect the practices and policies particular to the legislative branch. Because the Board’s 2016 revised regulations were adopted pursuant to the CAA’s procedures for proposing and approving substantive regulations, including providing a comment period of 30 days after publication of the proposed amendments in the Congressional Record, the Board is not soliciting additional comments on those adopted amendments at this time.

Are there substantive differences in the proposed regulations for the House of Representatives, the Senate, and the other employing offices?

No. The Board of Directors has identified no good cause for proposing different regulations for these entities and accordingly has not done so. Therefore, if these regulations are approved as proposed, there will be one text applicable to all employing offices and covered employees.

Are these proposed regulations also recommended by the OCWR’s Executive Director, the Deputy Executive Director for the Senate, and the Deputy Executive Director for the House of Representatives?

As required by Section 304(b)(1) of the CAA, 2 U.S.C. §1384(b)(1), the substance of these regulations is also recommended by the Executive Director, the Deputy Executive Director for the Senate, and the Deputy Executive Director for the House of Representatives.

Are these proposed substantive regulations available to persons with disabilities in an alternate format?

This Notice of Proposed Regulations is available on the OCWR’s website, www.ocwr.gov, which is compliant with Section 508 of the Rehabilitation Act of 1973 as amended, 29 U.S.C. §794d. This Notice can also be made available in large print, Braille, or other alternative format. Requests for this Notice in an alternative format should be made to the Office of Congressional Workplace Rights, 202-724-9250 (voice); 202-426-1913 (fax); or adaaccess@ocwr.gov (e-mail).

How long do I have to submit comments regarding the proposed regulations?

Comments regarding the proposed regulations of the OCWR set forth in this Notice are invited for a period of thirty (30) days following the date of the appearance of this Notice in the Congressional Record.

How do I submit comments?

Comments must be made in writing to the Acting Executive Director, Office of Congressional Workplace Rights, via e-mail at rule-comments@ocwr.gov.

Am I allowed to view copies of comments submitted by others?

Yes. Copies of submitted comments will be available for review on the Office’s website at www.ocwr.gov.

Section-by-Section Discussion of Proposed Changes to the ADA Regulations

The following is a section-by-section discussion of the proposed revisions to the Board’s substantive ADA regulations that it adopted and submitted for publication in the Congressional Record on February 3, 2016. 162 Cong. Rec. H557–565, S624–632 (daily ed. February 3, 2016).

As noted above, because Congress has not acted on the Board’s request for approval of its 2016 amendments, the Board will resubmit them for congressional approval when it submits its request for approval of these amendments. Because the Board’s 2016 amendments were adopted pursuant to the CAA’s procedures for proposing and approving substantive regulations, the Board is not soliciting additional comments on those adopted amendments at this time.

Regulations proposed in Part 1.

Changes have been made to reflect the enactment of the CAA Reform Act and ADA Amendments Act. Section 1.101(a), Purpose and scope, includes an updated list of covered entities in accordance with the Reform Act, and the reference to 2 U.S.C. §1361(e)(1) reflects a reorganization of subsections by the Reform Act. Section 1.101(b) now references two parts to the regulations, instead of three, as set forth in more detail below. Section 1.102 contains updated references to the CAA Reform Act and ADA Amendments Act.

Regulations proposed in Part 2.

Unlike the Board in 2016, the current Board has decided not to propose adoption of regulations relating to the two unique statutory duties imposed by the CAA upon the General Counsel of the OCWR that are not imposed upon the DOJ and DOT: (1) the investigation and prosecution of charges of discrimination using the Office’s mediation and hearing processes (section 210(d) of the CAA) and (2) the biennial inspection and reporting obligations (section 210(f) of the CAA). The current Board has determined that rules relating to these duties are best implemented by adopting and publishing amendments to the OCWR’s Procedural Rules. In the 2016 adopted regulations, such regulations are designated as Parts 2 and 3. Part 1 of the 2016 regulations, “Matters of General Applicability to All Regulations Promulgated Under Section 210 of the Congressional Accountability Act of 1995,” includes a list of regulations incorporated by reference (designated §1.105). The Board now proposes to move the list of regulations incorporated by reference to their own part, where the former §1.105 subsections have been re-numbered as sections within the new Part 2.

In §2.103, the Board has listed the specific DOJ regulations incorporated by reference into the regulations being issued under section 210 of the CAA.

These proposed regulations reflect the pertinent DOJ regulations that are in effect as of the date of the publication of this Notice. As such, they incorporate changes in the DOJ regulations that have been made since the Board last proposed regulations in 2014. These changes are as follows:

1. On August 11, 2016, the DOJ published regulations incorporating the requirements of the ADA Amendments Act of 2008 (“ADA Amendments Act”) into the ADA Title II and Title III regulations, which took effect on October 11, 2016. Amendment of Americans with Disabilities Act Title II and Title III Regulations to Implement ADA Amendments Act of 2008, 81 FR 53204 01 (August 11, 2016). Congress enacted the ADA Amendments Act to clarify the meaning and interpretation of the ADA definition of disability to ensure that the definition of disability would be broadly construed and applied without extensive analysis. Changes made by this final rule that the Board has incorporated include: amendment of §35.101, relating to the ADA’s purpose and broad coverage; §35.108, relating to the definition of disability; appendices that provide explanation and guidance pertaining to the final rule.

2. A November 21, 2016 final rule revised the DOJ’s Title III regulation to further

clarify a public accommodation's obligation to provide appropriate auxiliary aids and services for people with disabilities. Non-discrimination on the Basis of Disability by Public Accommodations—Movie Theaters; Movie Captioning and Audio Description, 81 FR 87348-01 (December 2, 2016). Effective on January 17, 2017, the final rule codified longstanding DOJ policies in this area, and includes provisions based on technological advances and breakthroughs in the area of auxiliary aids and services that have occurred since the 1991 Title III regulation was published. As set forth below, the Board proposes to adopt §36.303, relating to auxiliary aids and services, which was revised by this final rule.

The Board has adopted all of the DOJ regulations implementing Titles II and III of the ADA with the exceptions detailed in the 2016 Notice (162 Cong. Rec. H557-565, S624-632 (daily ed. February 3, 2016)), plus the following revisions:

1. Since the DOJ's regulations implementing Titles II and III of the ADA regulate public entities and public accommodations, respectively, several regulations are very similar across the titles, applying a similar or identical requirement to either a Title II or a Title III-covered entity. Under the OCWR's proposed §1.102(c), "Covered entity and public entity include any of the entities listed in §1.101(a) that provides public services, programs, or activities, or operates a place of public accommodation within the meaning of Section 210 of the CAA. In the regulations implementing Title III, private entity includes covered entities." Therefore, it is not necessary for the OCWR Board to adopt both a Title II and a Title III regulation that are identical (or similar to the point of being duplicative) except for the entity they would apply to in a non-CAA context. The Board will exclude the following sections from its substantive regulations on that basis: 35.103 (relating to the regulations' relation to laws other than the ADA), 36.105 (relating to the definition of disability), 36.208 (relating to direct threat), 36.302(c) (relating to service animals), and 36.302(f) (relating to ticketing).

2. The Board finds good cause to modify §35.107(a) to list the House and Senate separately from other public entities and to reflect a slightly different requirement for them. In creating §35.107, the DOJ wanted to ensure that individuals dealing with large agencies would be able to easily find a responsible person who is familiar with the ADA's requirements and can communicate those requirements to other individuals in the agency who may be unaware of their responsibilities (often referred to as an "ADA coordinator"). Nondiscrimination on the Basis of Disability in State and Local Government Services, 56 Fed. Reg. 35694-01 (July 26, 1991).

For purposes of section 210 of the CAA, the House and Senate are composed of a large number of separate entities (including each office of a Member and each committee). 2 U.S.C. §1331(a). The Board's modification of §35.107 allows the House and the Senate to each designate one employee to coordinate ADA compliance responsibilities, helping to ensure that individuals can easily find and get assistance to effectuate their rights under the ADA as applied by the CAA with regard to the House and Senate. The House and Senate ADA coordinators may, under the regulation as modified, be employees of the Office of Congressional Accessibility Services, which already works to provide services for individuals with disabilities.

The Board finds good cause not to incorporate the requirement at §35.107(b) for entities to adopt their own grievance procedures, since the CAA specifies the available proce-

dures for violations of the ADA as applied by the CAA at 2 U.S.C. §1331(d). Section 35.107 will thus read, in its entirety, as detailed below.

3. The Board proposes to adopt §36.206, relating to retaliation or coercion. While section 207 (2 U.S.C. §1317) of the CAA provides comprehensive retaliation protection for employees (including applicants and former employees) who may invoke their rights under section 210, section 207 does not apply to non-employees who may enjoy rights and protections against discrimination under section 210. Additionally, §36.206 contains a list of illustrations of prohibited conduct, which may be helpful to the Board.

4. The Board finds good cause to modify §36.213, "Relationship of subpart B to subparts C and D of this part." This section references subparts without specifying which regulations comprise those subparts—information which is not conveyed in all formats. For example, the DOJ's ADA website breaks the list of regulations into subparts, but a reader of the list of regulations incorporated by reference below does not see that same information. Therefore, the Board finds good cause to modify this provision by inserting references to the provisions contained within each subpart. Section 36.213 will thus read as detailed below.

5. The Board proposes to adopt §36.303, relating to auxiliary aids and services. Revised in a 2016 final rule, it now includes provisions based on technological advances and breakthroughs in the area of auxiliary aids and services that have occurred since the 1991 Title III regulation was published. Non-discrimination on the Basis of Disability by Public Accommodations—Movie Theaters; Movie Captioning and Audio Description, 81 Fed. Reg. 87348 (December 2, 2016). These revisions were not made to the analogous Title II Regulation, §35.160 General (Communications), so the Board has decided it is appropriate to propose adoption of both regulations, even though they concern similar subject matter.

In section 2.104, the Board has listed the specific DOT regulations incorporated into the regulations being issued under section 210 of the CAA.

These regulations reflect the pertinent DOJ regulations that are in effect as of the date of the publication of this Notice. As such, they incorporate changes in the DOT regulations that have been made since the Board last proposed regulations in 2014. Specifically, a DOT final rule effective July 13, 2015 clarified that public transportation entities are required to make reasonable modifications to their policies, practices, and procedures to avoid discrimination and ensure that their programs are accessible to individuals with disabilities. Transportation for Individuals with Disabilities; Reasonable Modification of Policies and Practices, 80 FR 13253-01 (March 13, 2015). Changes made by this final rule that the Board has incorporated include: amendment to §37.5, relating to nondiscrimination; §37.169, relating to the process to be used by public entities providing designated public transportation service in considering requests for reasonable modification; Appendix E to Part 37, which explains DOT's interpretation of sections 37.5(i) and 37.169 concerning reasonable modification requests.

As noted earlier, the Board has adopted all of the DOT regulations implementing Titles II and III of the ADA with the exceptions detailed in the 2016 Notice (162 Cong. Rec. H557-565, S624-632 (daily ed. February 3, 2016)), plus the following revision. Unlike the Board in 2016, the current Board has decided not to propose adoption of subpart F (sections 37.121 through 37.159) of the DOT's regulations, relating to paratransit as a complement to

fixed route service. The current Board has determined that these regulations are unnecessary for CAA-covered transportation. Under the ADA, public entities operating fixed route transportation systems must provide comparable transportation services to people whose disabilities prevent their use of the fixed route system. Such "ADA complementary paratransit" is subject to many requirements detailed in DOT's implementing regulations. DOT reasons, in Appendix D to Part 37, that some types of fixed route systems are exempt from the requirement to provide ADA complementary paratransit because of characteristics of these systems such as no attempt to comprehensively cover a service area, limited route structure, limited origins and destinations, interface with another mode of transportation, and limited purposes of travel. Transportation services subject to the CAA share many of these characteristics, and in any event must still comply with requirements governing accessible vehicles and accessible service, so the Board has determined that it is not necessary to adopt the ADA complementary paratransit regulations.

Proposed regulations:

PART 1—MATTERS OF GENERAL APPLICABILITY TO ALL REGULATIONS PROMULGATED UNDER SECTION 210 OF THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 AS AMENDED BY THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995 REFORM ACT

§ 1.101 PURPOSE AND SCOPE

§ 1.102 DEFINITIONS

§ 1.103 AUTHORITY OF THE BOARD

§ 1.104 METHOD FOR IDENTIFYING THE ENTITY RESPONSIBLE FOR CORRECTING VIOLATIONS OF SECTION 210

§ 1.101 Purpose and scope.

(a) CAA. Enacted into law on January 23, 1995 and amended on December 21, 2018, the Congressional Accountability Act ("CAA") in Section 210(b) provides that the rights and protections against discrimination in the provision of public services and accommodations established by sections 201 through 230, 302, 303, and 309 of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131-12150, 12182, 12183, and 12189 ("ADA"), shall apply to the following entities:

- (1) each office of the Senate, including each office of a Senator and each committee;
- (2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee;
- (3) each joint committee of the Congress;
- (4) the Office of Congressional Accessibility Services;
- (5) the United States Capitol Police;
- (6) the Congressional Budget Office;
- (7) the Office of the Architect of the Capitol (including the Botanic Garden);
- (8) the Office of the Attending Physician;
- (9) the Office of Congressional Workplace Rights; and
- (10) the Library of Congress.

Title II of the ADA prohibits discrimination on the basis of disability in the provision of public services, programs, activities by any "public entity." Section 210(b)(2) of the CAA provides that for the purpose of applying Title II of the ADA the term "public entity" means any entity listed above that provides public services, programs, or activities. Title III of the ADA prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with accessibility standards. Section 225(e) of the CAA provides that, "[e]xcept where inconsistent with definitions and exemptions provided in [this Act], the definitions and exemptions of the [ADA] shall apply under [this Act.]" 2 U.S.C. §1361(e)(1).

(b) *Purpose and scope of regulations.* The regulations set forth herein (Parts 1 and 2) are the substantive regulations that the Board of Directors of the Office of Congressional Workplace Rights has promulgated pursuant to section 210(e) of the CAA. Part 1 contains the general provisions applicable to all regulations under section 210 and the method of identifying entities responsible for correcting a violation of section 210. Part 2 contains the list of executive branch regulations incorporated by reference which define and clarify the prohibition against discrimination on the basis of disability in the provision of public services and accommodations.

§ 1.102 Definitions.

Except as otherwise specifically provided in these regulations, as used in these regulations:

(a) *Act or CAA* means the Congressional Accountability Act of 1995, Pub. L. No. 104-1, amended by Congressional Accountability Act of 1995 Reform Act, Pub. L. No. 115-397.

(b) *ADA or Americans with Disabilities Act* means those sections of the Americans with Disabilities Act of 1990 as amended by the ADA Amendments Act of 2008 incorporated by reference into the CAA in section 210: 42 U.S.C. §§ 12131–12150, 12182, 12183, and 12189.

(c) *Covered entity and public entity* include any of the entities listed in § 1.101(a) that provides public services, programs, or activities, or operates a place of public accommodation within the meaning of section 210 of the CAA. In the regulations implementing Title III, private entity includes covered entities.

(d) *Board* means the Board of Directors of the Office of Congressional Workplace Rights.

(e) *Office* means the Office of Congressional Workplace Rights.

(f) *General Counsel* means the General Counsel of the Office of Congressional Workplace Rights.

§ 1.103 Authority of the Board.

Pursuant to sections 210 and 304 of the CAA, the Board is authorized to issue regulations to implement the rights and protections against discrimination on the basis of disability in the provision of public services and accommodations under the ADA. Section 210(e) of the CAA directs the Board to promulgate regulations implementing section 210 that are “the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.” 2 U.S.C. § 1331(e). Specifically, it is the Board’s considered judgment, based on the information available to it at the time of promulgation of these regulations, that, with the exception of the regulations adopted and set forth herein, there are no other “substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) [of Section 210 of the CAA]” that need be adopted.

In promulgating these regulations, the Board has made certain technical and nomenclature changes to the regulations as promulgated by the Attorney General and the Secretary of Transportation. Such changes are intended to make the provisions adopted accord more naturally to situations in the legislative branch. However, by making these changes, the Board does not intend a substantive difference between these regu-

lations and those of the Attorney General and/or the Secretary of Transportation from which they are derived. Moreover, such changes, in and of themselves, are not intended to constitute an interpretation of the regulations or of the statutory provisions of the CAA upon which they are based.

§ 1.104 Method for identifying the entity responsible for correction of violations of section 210.

(a) *Purpose and scope.* Section 210(e)(3) of the CAA provides that regulations under section 210(e) include a method of identifying, for purposes of section 210 of the CAA and for categories of violations of section 210(b), the entity responsible for correcting a particular violation. This section sets forth the method for identifying responsible entities for the purpose of allocating responsibility for correcting violations of section 210(b).

(b) *Violations.* A covered entity may violate section 210(b) if it discriminates against a qualified individual with a disability within the meaning of Title II or Title III of the ADA.

(c) *Entities Responsible for Correcting Violations.* Correction of a violation of the rights and protections against discrimination is the responsibility of the entities listed in subsection (a) of section 210 of the CAA that provide the specific public service, program, activity, or accommodation that forms the basis for the particular violation of Title II or Title III rights and protections and, when the violation involves a physical access barrier, the entities responsible for designing, maintaining, managing, altering, or constructing the facility in which the specific public service program, activity, or accommodation is conducted or provided.

(d) *Allocation of Responsibility for Correction of Title II and/or Title III Violations.* Where more than one covered entity is found to be an entity responsible for correction of a violation of Title II and/or Title III rights and protections under the method set forth in this section, as between those parties, allocation of responsibility for correcting the violations of the ADA may be determined by statute, contract, or other enforceable arrangement or relationship.

PART 2—REGULATIONS INCORPORATED BY REFERENCE

§ 2.101 TECHNICAL AND NOMENCLATURE CHANGES TO REGULATIONS INCORPORATED BY REFERENCE.

§ 2.102 RULES OF INTERPRETATION.

§ 2.103 INCORPORATED REGULATIONS FROM 28 C.F.R. PARTS 35 AND 36.

§ 2.104 INCORPORATED REGULATIONS FROM 49 C.F.R. PARTS 37 AND 38.

§ 2.105 INCORPORATED STANDARD FROM THE ARCHITECTURAL BARRIERS ACT ACCESSIBILITY STANDARDS (“ABAAS”) (MAY 17, 2005).

§ 2.101 Technical and Nomenclature Changes to Regulations Incorporated by Reference.

The definitions in the regulations incorporated by reference (“incorporated regulations”) shall be used to interpret these regulations except: (1) when they differ from the definitions in § 1.102 or the modifications listed below, in which case the definition in § 1.102 or the modification listed below shall be used; or (2) when they define terms that are not used in the incorporated regulations. The incorporated regulations are hereby modified as follows:

(1) When the incorporated regulations refer to “Assistant Attorney General,” “Department of Justice,” “FTA Administrator,” “FTA regional office,” “Administrator,” “Secretary,” or any other executive branch office or officer, “General Counsel” is hereby substituted.

(2) When the incorporated regulations refer to the date “January 26, 1992,” the date “January 1, 1997” is hereby substituted.

(3) When the incorporated regulations otherwise specify a date by which some action must be completed, the date that is three years from the effective date of these regulations is hereby substituted.

(4) When the incorporated regulations contain an exception for an “historic” property, building, or facility, that exception shall also apply to properties, buildings, or facilities designated as an historic or heritage asset by the Office of the Architect of the Capitol in accordance with its preservation policy and standards and where, in accordance with its preservation policy and standards, the Office of the Architect of the Capitol determines that compliance with the requirements for accessible routes, entrances, or toilet facilities (as defined in 28 C.F.R. Parts 35 and 36) would threaten or destroy the historic significance of the property, building, or facility, the exceptions for alterations to qualified historic property, buildings, or facilities for that element shall be permitted to apply.

§ 2.102 Rules of Interpretation.

When regulations in § 2.103 conflict, the regulation providing the most access shall apply. The Board’s Notice of Adoption shall be used to interpret these regulations and shall be made part of these Regulations as Appendix A.

§ 2.103 Incorporated Regulations from 28 C.F.R. Parts 35 and 36.

The Office shall publish on its website the full text of all regulations incorporated by reference. The following regulations from 28 C.F.R. Parts 35 and 36 that are published in the Code of Federal Regulations on the date of the Board’s adoption of these regulations are hereby incorporated by reference as though stated in detail herein:

§ 35.101 Purpose and broad coverage.

§ 35.102 Application.

§ 35.104 Definitions.

§ 35.105 Self-evaluation.

§ 35.106 Notice.

§ 35.107 Designation of responsible employee.

But modify as follows:

<<The House of Representatives, the Senate, and any>> [A] public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including <<cooperation with an investigation by the General Counsel of a charge alleging non-compliance with the ADA or alleging any actions that would be prohibited by the ADA>> [any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part]. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph. <<The responsible employee designated by the House of Representatives and the Senate may be an employee of the Office of Congressional Accessibility Services, so long as that employee is responsible to carry out the duties in this section.>>

§ 35.108 Definition of disability.
 § 35.130 General prohibitions against discrimination.
 § 35.131 Illegal use of drugs.
 § 35.132 Smoking.
 § 35.133 Maintenance of accessible features.
 § 35.135 Personal devices and services.
 § 35.136 Service animals.
 § 35.137 Mobility devices.
 § 35.138 Ticketing.
 § 35.139 Direct threat.
 § 35.149 Discrimination prohibited.
 § 35.150 Existing facilities.
 § 35.151 New construction and alterations.
 § 35.152 Jails, detention and correctional facilities.
 § 35.160 General.
 § 35.161 Telecommunications.
 § 35.162 Telephone emergency services.
 § 35.163 Information and signage.
 § 35.164 Duties.

Appendix A to Part 35—Guidance to Revisions to ADA Regulation on Nondiscrimination on the Basis of Disability in State and Local Government Services.

Appendix B to Part 35—Guidance on ADA Regulation on Nondiscrimination on the Basis of Disability in State and Local Government Services Originally Published July 26, 1991.

APPENDIX C TO PART 35—GUIDANCE TO REVISIONS TO ADA TITLE II AND TITLE III REGULATIONS REVISING THE MEANING AND INTERPRETATION OF THE DEFINITION OF “DISABILITY” AND OTHER PROVISIONS IN ORDER TO INCORPORATE THE REQUIREMENTS OF THE ADA AMENDMENTS ACT

§ 36.101 Purpose and broad coverage.
 § 36.102 Application.
 § 36.103 Relationship to other laws.
 § 36.104 Definitions.
 § 36.201 General.
 § 36.202 Activities.
 § 36.203 Integrated settings.
 § 36.204 Administrative methods.
 § 36.205 Association.
 § 36.206 Retaliation or coercion.
 § 36.207 Places of public accommodations located in private residences.
 § 36.210 Smoking.
 § 36.213 Relationship of subpart B to subparts C and D of this part.

But modify as follows:

Subpart B of this part << (§ 36.201 through § 36.213) >> sets forth the general principles of nondiscrimination applicable to all entities subject to this part. Subparts C << (§ 36.301 through § 36.310) >> and D << (§ 36.405 through § 36.406) >> of this part provide guidance on the application of the statute to specific situations. The specific provisions, including the limitations on those provisions, control over the general provisions in circumstances where both specific and general provisions apply.

§ 36.301 Eligibility criteria.
 § 36.302 Modifications in policies, practices, or procedures.
 § 36.303 Auxiliary aids and services.
 § 36.304 Removal of barriers.
 § 36.305 Alternatives to barrier removal.
 § 36.307 Accessible or special goods.
 § 36.308 Seating in assembly areas.
 § 36.309 Examinations and courses.
 § 36.310 Transportation provided by public accommodations.
 § 36.402 Alterations.
 § 36.403 Alterations: Path of travel.
 § 36.404 Alterations: Elevator exemption.
 § 36.405 Alterations: Historic preservation.
 § 36.406 Standards for new construction and alterations.

Appendix A to Part 36—Guidance on Revisions to ADA Regulation on Nondiscrimination on the Basis of Disability by Public Accommodations and Commercial Facilities.

Appendix B to Part 36—Analysis and Commentary on the 2010 ADA Standards for Accessible Design.

Appendix C to Part 36—Guidance on ADA Regulation on Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities Originally Published on July 26, 1991.

Appendix D to Part 36—1991 Standards for Accessible Design as Originally Published on July 26, 1991.

Appendix E to Part 36—Guidance to Revisions to ADA Title II and Title III Regulations Revising the Meaning and Interpretation of the Definition of “Disability” and Other Provisions in Order to Incorporate the Requirements of the ADA Amendments Act.

Appendix F to Part 36—Guidance and Section-By-Section Analysis.

§ 2.104 Incorporated Regulations from 49 C.F.R. Parts 37 and 38.

The following regulations from 49 C.F.R. Parts 37 and 38 that are published in the Code of Federal Regulations on the effective date of these regulations are hereby incorporated by reference as though stated in detail herein:

§ 37.1 Purpose.
 § 37.3 Definitions.
 § 37.5 Nondiscrimination.
 § 37.7 Standards for accessible vehicles.
 § 37.9 Standards for accessible transportation facilities.
 § 37.13 Effective date for certain vehicle specifications.
 § 37.21 Applicability: General.
 § 37.23 Service under contract.
 § 37.27 Transportation for elementary and secondary education systems.
 § 37.31 Vanpools.
 § 37.37 Other applications.
 § 37.41 Construction of transportation facilities by public entities.
 § 37.43 Alteration of transportation facilities by public entities.
 § 37.45 Construction and alteration of transportation facilities by private entities.
 § 37.47 Key stations in light and rapid rail systems.
 § 37.61 Public transportation programs and activities in existing facilities.
 § 37.71 Purchase or lease of new non-rail vehicles by public entities operating fixed route systems.
 § 37.73 Purchase or lease of used non-rail vehicles by public entities operating fixed route systems.
 § 37.75 Remanufacture of non-rail vehicles and purchase or lease of remanufactured non-rail vehicles by public entities operating fixed route systems.
 § 37.77 Purchase or lease of new non-rail vehicles by public entities operating a demand responsive system for the general public.
 § 37.79 Purchase or lease of new rail vehicles by public entities operating rapid or light rail systems.
 § 37.81 Purchase or lease of used rail vehicles by public entities operating rapid or light rail systems.
 § 37.83 Remanufacture of rail vehicles and purchase or lease of remanufactured rail vehicles by public entities operating rapid or light rail systems.
 § 37.101 Purchase or lease of vehicles by private entities not primarily engaged in the business of transporting people.
 § 37.105 Equivalent service standard.
 § 37.161 Maintenance of accessible features: General.
 § 37.163 Keeping vehicle lifts in operative condition: Public entities.
 § 37.165 Lift and securement use.
 § 37.167 Other service requirements.
 § 37.169 Process to be used by public entities providing designated public transportation service in considering requests for reasonable modification.

§ 37.171 Equivalency requirement for demand responsive service operated by private entities not primarily engaged in the business of transporting people.

§ 37.173 Training requirements.

Appendix A to Part 37—Modifications to Standards for Accessible Transportation Facilities.

Appendix D to Part 37—Construction and Interpretation of Provisions of 49 CFR Part 37.

Appendix E to Part 37—Reasonable Modification Requests.

§ 38.1 Purpose.

§ 38.2 Equivalent facilitation.

§ 38.3 Definitions.

§ 38.4 Miscellaneous instructions.

§ 38.21 General.

§ 38.23 Mobility aid accessibility.

§ 38.25 Doors, steps and thresholds.

§ 38.27 Priority seating signs.

§ 38.29 Interior circulation, handrails and stanchions.

§ 38.31 Lighting.

§ 38.33 Fare box.

§ 38.35 Public information system.

§ 38.37 Stop request.

§ 38.39 Destination and route signs.

§ 38.51 General.

§ 38.53 Doorways.

§ 38.55 Priority seating signs.

§ 38.57 Interior circulation, handrails and stanchions.

§ 38.59 Floor surfaces.

§ 38.61 Public information system

§ 38.63 Between-car barriers.

§ 38.71 General.

§ 38.73 Doorways.

§ 38.75 Priority seating signs.

§ 38.77 Interior circulation, handrails and stanchions.

§ 38.79 Floors, steps and thresholds.

§ 38.81 Lighting.

§ 38.83 Mobility aid accessibility.

§ 38.85 Between-car barriers.

§ 38.87 Public information system.

§ 38.171 General.

§ 38.173 Automated guideway transit vehicles and systems.

§ 38.179 Trams, and similar vehicles, and systems.

Figures to Part 38.

Appendix to Part 38—Guidance Material.

§ 2.105 Incorporated Standard from the Architectural Barriers Act Accessibility Standards (“ABAAS”) (May 17, 2005).

The following standard from the ABAAS is adopted as a standard and hereby incorporated as a regulation by reference as though stated in detail herein:

§ F202.6 Leases.

Recommended Method of Approval:

The Board recommends that (1) the version of the proposed regulations that shall apply to the Senate and entities and facilities of the Senate be approved by the Senate by resolution; (2) the version of the proposed regulations that shall apply to the House of Representatives and entities and facilities of the House of Representatives be approved by the House of Representatives by resolution; and (3) the version of the proposed regulations that shall apply to other covered entities and facilities be approved by the Congress by concurrent resolution.

BARBARA CHILDS WALLACE,
Chair of the Board of Directors,
Office of Congressional Workplace Rights.

ORDERS FOR WEDNESDAY, JULY 27, 2022

Mr. PETERS. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, July 27; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the House message to accompany H.R. 4346; further, that following disposition of the House message to accompany H.R. 4346, the Senate will resume consideration of the House message to accompany S. 3373.

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

Mr. PETERS. For the information of the Senate, there will be two rollcall votes in relation to the CHIPS and Science legislation at approximately 11:30 a.m. and a cloture vote at approximately 4:30 p.m. in relation to the PACT Act.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. PETERS. Madam President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Wednesday, July 27, 2022, at 10 a.m.