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## Senate

The Senate met at 10:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

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

Let us pray.

God, our God, we honor Your Name. You have been our help in ages past; you are our hope for the years to come.

Continue to guide our Senators with Your love. Answer them when they cry to You for assistance. Be for them a shade by day and a defense by night. May they exercise sound judgment as they listen closely to the whisper of Your wisdom that will keep them on the path that leads to life. May they trust in Your unfailing love to make the crooked places straight. Lord, give them the wisdom to permit godliness to fill their lives with light and joy.

We pray in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

The PRESIDING OFFICER (Mr. LUJÁN). The Senator from Vermont.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### VIOLENCE AGAINST ASIAN AMERICANS

Mr. SCHUMER. Mr. President, we live in partisan times, but there are moments when we can break through the typical divisions and work together on matters of real urgency. The anti-Asian hate crimes legislation this week is such a matter. It is a very straightforward and relatively modest bill to address a pressing and important issue in the country. It would designate a point person at the Justice Department to identify hate crimes towards Asian Americans related to COVID-19—telling Federal law enforcement to make these hate crimes a top priority during the pandemic.

Just as important, it would send a strong message to two groups: to the Asian-American community that the country is paying attention to them and to all of America that this kind of bigotry cannot be tolerated.

I was gratified to hear the Republican leader yesterday say that the Senate Republican conference wanted to move forward on the bill.

This bill was never intended to be some kind of “gotcha” legislation. It is led by Senators HIRONO and DUCKWORTH, two outstanding Asian-American Senators who rightfully want to respond to the rising tide of anti-Asian violence over the past year. When they asked me to move the bill quickly, I thought that was exactly the right thing to do, and here it is on the floor.

The fact that Leader MCCONNELL said yesterday he believes discrimination against Asian Americans is a real problem and wants to move forward and be constructive is a very good thing, and I salute him for it. The entire Senate ought to stand up against the recent surge of anti-Asian violence. We can take the first step later today by voting to proceed to the legislation.

As I said yesterday, my intention is to have a bipartisan amendment process, beginning with the amendment of-

fered by Senators MORAN and BLUMENTHAL—one a Republican and one a Democrat. In consultation with the Republican leader, we can work out an agreement on other germane, non-“gotcha” amendments to the bill if Senators have them. We should be able and should really try in earnest to reach a final resolution and pass the bill through the Senate very, very soon.

### WATER INFRASTRUCTURE

Mr. SCHUMER. Mr. President, taking a step back for a moment, this is how the process should work in a closely divided Senate. If the Republican minority allows the Senate to move forward with a bill where we have shared priorities, the Democratic majority will work to set up a process for the Senate to consider germane amendments from both sides.

That is the essence of the organizing resolution we all agreed to earlier this year, and hopefully it is a process we can repeat. In fact, we will test that proposition on the very next piece of legislation. If we are able to finish the anti-Asian hate crimes bill in a timely manner, I will move next to consider a bipartisan water infrastructure bill.

The bill, the Drinking Water Infrastructure Act, was advanced by the Environment and Public Works Committee on a unanimous-unanimous-vote. It will authorize tens of billions of dollars to make sure American families, especially low-income families, have access to safe and clean drinking water. I salute Senator CARPER, the chair of the committee, as well as Senator CAPITO, the ranking Republican on the committee, for coming together on such an important and necessary bill.

So, in addition to further nominations, it is my intention to move the bipartisan water infrastructure bill next week.

As the country turns the corner from COVID-19, our focus will soon shift to

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



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how we can cement our economic recovery and create the jobs of the future. President Biden's Build Back Better agenda—a big, bold investment in infrastructure and jobs—is extremely important to that effort. It has wide support among Democrats and wide support among the American people. Many, many Republicans out there in the country support this bill and this concept. The water infrastructure bill is a small but important part of that overall effort.

We hope our Republican colleagues join us in advancing these proposals to repair and reimagine our Nation's infrastructure for a new century. Just like the anti-Asian hate crimes bill, if Republicans let us get on the bill, we can work out a process to have bipartisan debate and amendments, but if the Republican minority prevents the Senate from even debating some of these commonsense proposals, we will have to try to move forward without them.

#### AFGHANISTAN

Mr. SCHUMER. Mr. President, yesterday President Biden announced that American forces will come home from Afghanistan by September 11, 2021. It has been 20 years since that fateful day when the Towers fell and the Pentagon was hit. We in New York live particularly hard with that. I still think of the people I knew who perished: a guy I played basketball with in high school; a businessman who helped me on the way up; a brave firefighter who used to go around the city urging people to donate blood together. But in that time since then, America's Armed Forces, thank God, have become extremely successful in deterring and rooting out terrorist networks around the globe.

President Obama authorized the mission that took out Osama bin Laden, the architect of the 9/11 attacks. Our intelligence agencies have assessed that al-Qaida and other terrorist groups do not pose an immediate threat to strike the United States from Afghanistan because of the brave work of our Armed Forces and intelligence organizations. So after sinking two decades of blood and treasure into wars in the Middle East, it is time to bring our troops home. America does not need to fight forever wars.

I applaud President Biden's decision. Unlike President Trump, President Biden and Secretary Austin have developed a careful and thought-out plan. This isn't President Trump waking up one morning and announcing a random new policy on Twitter while our generals scramble to catch up. This will be a careful and thought-out plan with a real timetable and a firm end date.

Whenever we talk about American troops in the Middle East, one of the concerns is missions creep and the enormous pressure to kick the can down the road and delay final decisions. We should and must stick to the date the President has proposed as the

last day our troops will be there. I have been assured by the White House that the September 11 date will stick and that President Biden will not kick the can down the road.

I know many Senators have questions, so I am happy to let my colleagues know that the administration has agreed to brief all Senators on this important decision. The briefing will take place soon. It will be in the SCIF, and everyone's questions can be asked and answered. The President himself will address the Nation later today and explain the reasons for his decision.

In my view, President Biden's plan to bring American troops home from Afghanistan is a very wise one.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### AFGHANISTAN

Mr. MCCONNELL. Mr. President, "Biden takes the easy way out of Afghanistan. The likely result is disaster." This is the morning's lead editorial from one of the Nation's most liberal newspapers.

The administration has decided to abandon U.S. efforts in Afghanistan, which have helped keep radical Islamic terrorism in check, and bizarrely, they decided to do so by September 11. Apparently, we are to help our adversaries ring in the anniversary of the 9/11 attacks by giftwrapping the country and handing it right back to them.

Here is what this administration's own national intelligence threat assessment says will happen:

The Taliban is likely to make gains on the battlefield, and the Afghan government will struggle to hold the Taliban at bay if the coalition withdraws support.

This is a quote from this administration.

In 2019, the Democratic leader and the now chairman of the Foreign Relations Committee expressed outrage that the previous administration considered hosting Taliban officials for discussions around the date of September 11.

But now a Democratic administration is going to skip the negotiations and just surrender an entire country back to the Taliban on the very same date? Our President should remember what happened when the Obama administration let political considerations rush a retreat from Iraq—total chaos and bloodshed and ISIS.

Two years ago, I wrote a bipartisan amendment that warned a Republican administration against recklessly withdrawing from Afghanistan or Syria. A supermajority of Senators right here voted for it. A supermajority of Senators voted for it, warning that the terrorist threat had not abated. Where are the Democratic voices today? I hope we will hear from some of them.

Unfortunately, this mistake in Afghanistan is one of several instances of this new administration's surrendering leverage without making America, our allies, or our interests more secure.

In January, President Biden extended the New START agreement with Russia by Executive order for 5 years—no strings attached, no concessions secured, not even a shorter term extension to keep up pressure on Russia to cooperate on a better agreement. Just a gift—a gift.

And then there is Iran. Senior administration officials have gone from denigrating the former administration's "maximum pressure" strategy to simply begging for direct talks with Iran, to proactively offering to remove sanctions that are "inconsistent with the JCPOA." So which sanctions exactly are inconsistent with the JCPOA? Our sanctions on Iran's terrorist organizations or its ballistic missile program?

Most Republicans would be thrilled if President Biden could actually secure a better deal that holds Iran accountable. Giving up the leverage of sanctions before we even get to the table—before we even get to the table—or just return to a bad deal is certainly not a good sign.

It would be hard to support any deal that isn't part of a broader strategy that also confronts the nonnuclear threats Iran poses to America and to the region.

On China, the administration's tough talk has been welcome, but its proposal to cut defense spending after inflation suggests there is less interest in walking the walk. We will not keep pace with China and Russia by cutting defense spending to placate fringe parts of the far left.

The American people need and they deserve a foreign policy that puts our security, our partners, and our interests ahead of the reflexive desire to break with the last 4 years at any cost—at any cost.

If this administration wants a successful legacy on the world stage, if they want accomplishments that will endure, they need to put American strength back at the center and come back to a bipartisan mainstream.

#### THE FOR THE PEOPLE ACT

Mr. MCCONNELL. Now, Mr. President, on a completely different matter, we know Democrats are desperate to create a national controversy over voting regulations, but the facts and the truth keep getting in the way.

For more than a year, we have seen a coordinated campaign to call any

American institution that occasionally frustrates liberal activists an evil relic of Jim Crow. Let me say that again. For more than a year, we have seen a coordinated campaign to call any American institution that occasionally frustrates liberal activists an evil relic of Jim Crow.

When these talking points came into circulation last summer, their focus was the legislative filibuster here in the Senate, except it was Senate Democrats who had just used the legislative filibuster to kill Senator TIM SCOTT's police reform, body camera, and anti-lynching legislation.

Two days ago, our colleague the assistant Democratic leader suggested he now opposes the filibuster because it was used back in the 1920s to block an anti-lynching bill. To be clear, our colleague from Illinois was a loud and proud defender of the current Senate rules as recently as 2018. This isn't about the 1920s. It is not about the 1920s. It is about Democrats wanting different sets of rules, depending on whether or not they happen to be in the majority.

Our colleague didn't need to go back nine decades to find instances of Democrats' filibustering a Republican anti-lynching bill. He only needed to go back 9 months. He didn't have to go back to the 1920s but just go back 9 months to find an example of Democrats filibustering an anti-lynching bill.

Last summer, 44 Senate Democrats locked arms and filibustered TIM SCOTT's police reform, body camera, and anti-lynching legislation because it was not far left enough or anti-police enough. That is the irony here. If any recent Senate filibusters have been reminiscent of the 1920s, it was when Democrats killed a Republican anti-lynching bill just last summer.

Here is the truth. Our colleagues can't defend any of the details of their radical policies. So they want to change the subject—change the subject—by any means necessary.

Look at voting regulations. The recent bill passed in the State of Georgia mandates more days of early voting than plenty of Democratic-run States allow. It continues no-excuse absentee voting, which some blue States do not allow. There is no factual standard by which its overall approach is radically more restrictive than the rules in place in many other States, blue or red.

The Washington Post has given the White House its worst rating, four—four Pinocchios—for repeated lies about Georgia and the election law. But the President and his staff just keep on doubling down.

One of our colleagues who represents Georgia put his name to a public statement—to a public statement—with inaccurate information about the bill.

In the Rules Committee, the Democratic leader shouted angry attacks at things the Georgia law simply doesn't do.

Why the fake narratives? Why the falsehoods? We all know why. For more

than 2 years, Washington Democrats have been desperate to pass a sweeping partisan takeover of our democracy. It is packed—packed—with shameful provisions that have nothing to do with ballot access.

They want to take the bipartisan Federal Election Commission, make it a partisan body, and give Democrats the majority. They want to send taxpayers' money to political campaigns. They want to expand Washington's policing of Americans' speech. They want to neuter voter ID and mandate ballot harvesting in all 50 States. Strangely enough, for multiple years now, this exact same power grab has been their answer to every changing circumstance. When they didn't like the outcome of the 2016 election, Democrats said our democracy was broken and only this takeover could fix it. Then, in 2020, they got the result they liked. Suddenly, this same bill became the way to simply preserve a system that functioned well.

There seems to be no situation where this attempted power grab is not the Democrats' answer. I think we can learn tomorrow that an asteroid was hurtling toward Earth, and Democrats would say our only hope was to pass H.R. 1.

This isn't about responding to recent State laws. It is not about justice or equity. Washington Democrats want to rewrite all 50 States' election laws. They want to take over the Federal Election Commission. And they have been trying out different justifications for multiple years straight to get what they want.

Any Federal law addressing the ground rules of our democracy has a special obligation to be sober, to be factual, and to be bipartisan. The Senate has done just that in the past. We have passed reasonable laws by huge, bipartisan margins making it easier to vote but harder to cheat.

So ask yourself: Why won't Democrats today deal in truth and facts? Why do they keep using the same smears to distract from their policies? Why are they hell-bent on a bill that passed the House with purely partisan support but bipartisan opposition? Talk about tipping your hand.

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Gary Gensler, of Maryland, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2021.

The PRESIDING OFFICER. The Senator from Kansas.

#### MAIDEN SPEECH

Mr. MARSHALL. Mr. President, today I am honored to stand on this hallowed Senate floor and share my gratitude for and the priorities of the people of Kansas.

I want to start by thanking the people of Kansas who believed in me and sent me here to represent them. It is an honor of a lifetime to follow in the steps of heroic Kansans who preceded me in this legislative body. That includes sharing this tour of duty with my long-time friend whom I have admired for decades and now my senior Senator, JERRY MORAN, as well as legends of this Chamber, my mentors Bob Dole and Pat Roberts.

But before I continue, I want to say a special word of gratitude to my family for all of their support. I would not be here today without the support of my wife of 37 years now, Laina, our four children and their spouses, our three grandchildren, as well as my parents, brother, sister, and extended family, who in so many ways have contributed to our campaigns and the work we have done in Congress. I am grateful for their understanding, their unwavering support, and sacrifice of privacy and family time, but, mostly, I am grateful for the values they passed on to me.

I am grateful for the many teachers, coaches, pastors, and personal friends who inspired me and gave me a solid foundation of values that have seen us through tough times. These values provided the foundation for me, a fifth-generation farm kid, to become a first-generation college student and live my American dream as a physician in rural America.

And these values have become pillars, the sturdiest of which in my life are faith, family, community, education, and hard work—a faith that you live in your heart, not wear on your shirt sleeves; a family that loves and stands beside you no matter what; a community where everyone looks out for each other; an education that is the great equalizer, leveling the playing field for all; and, finally, a belief in hard work that paves the way to achieve your American dream.

As I traveled Kansas this past year, I carried these pillars with me while I heard from people all over the State, and they gave three very clear priorities: No. 1, provide for their safety, health, and security; No. 2, to bring back our jobs and economy; and, No. 3, to protect our values and our God-given, inalienable rights.

I am here in the Senate to do just that, to fight for the people of Kansas,

for all Americans. But more than anyone else, I am here to fight for our children and grandchildren. And like another great Kansan, the 34th President of the United States, Dwight David Eisenhower, the decisions I make will be most guided by the impact they will have on future generations, not by tonight's news or the simultaneous tweet that goes out as I raise my thumb up or down. History will be the judge of my decisions, not social media.

The motto of the 1st Infantry Division of the U.S. Army, the Big Red One, housed in my home State of Kansas is "No Mission Too Difficult. No Sacrifice Too Great. Duty First!"

It is with this fighting attitude I intend to fully fund our military; secure our borders; as the son and brother of veterans, and as a veteran myself, honor our commitment to those who protected our freedoms and values; and as the son of a police chief, fully support our law enforcement.

I am so grateful for all law enforcement officers, including those here at the U.S. Capitol. They put their lives on the line every day, and we join the entire Nation in mourning those heroic officers who have made the ultimate sacrifice keeping us safe.

While we too often hear calls to defund the police and weaken our military readiness, we are still a nation of law and order, and we must advance President Reagan's philosophy of peace through strength.

Pre-COVID, we had the strongest economy in my lifetime, thanks to Republican-led policies put into place over the last 4 years. Lower taxes and deregulation resulted in historically low unemployment rates, as well as American energy independence and affordable energy costs. With agriculture being responsible for 40 percent of the Kansas economy, these policies, along with strong trade agreements, provided the tools necessary to ensure our farmers, ranchers, and producers remain profitable and our rural communities prosperous.

But here is what concerns me today. Like my grandma often told me at the family supper table, there are three things you can count on from the current majority party: They will spend a lot of your money. They will raise your taxes. And they will increase regulations. Just like my grandma warned, within the first 3 months of this new administration, we have seen an onslaught of harmful redtape, proposed tax increases, and an unprecedented spending spree.

Fighting government redtape and working to ensure Kansans keep more of their hard-earned money as a means to harness job growth and help our economy recover will be what I work for each day.

Lastly and most importantly, as this is what is keeping me up late at night, I was sent here to protect the Kansas values I was raised on. These values are still held by the majority of Americans, and many of us are tired of being canceled, censured, and lectured to.

I acknowledge we all need to be woke up sometimes—woke up for church on Sundays, woke as a child to help milk the cows on my grandparents' farm—but we certainly don't need the woke mob to shake us out of bed every day.

Like all nations of people, we make plenty of mistakes and we have room to grow, but we Kansans are still proud of our American history. Rather than cancel it, we should embrace it. America has accomplished incredible things and defeated enemies of freedom. We should be proud of our history, hang onto it, and learn from it.

God has given our Nation enormous bounty and blessings to help feed the world, maintain peace, and protect human rights. America has been called upon to be the salt of the Earth and remain a bright, burning candle, not hidden under a bushel.

I believe our country will not fall from another military giant, nor will it succumb to economic failure created from foreign lands. Our greatest risk of failure comes from falling under our own weight if we continue to ignore the self-evident values our forefathers taught us.

Indeed, if we continue paying too much attention to silly hyperbole, social media hype, and political correctness, this Nation will struggle and not be the leader of the free world we were intended to be.

Before I leave the subject of values, I want to share how important and personal the sanctity of life is to me. I had the honor, as an obstetrician, to deliver over 5,000 babies, and I promise I will work as hard in this Chamber to protect the lives of the unborn and our children as I did in the delivery room all those years. I will always lead on this issue and protect our values.

Leadership is the quality I most remember my dad looking for and praising in others, and I have always tried to study and emulate great leaders. To this end, as I sometimes wander the Capitol looking for solitude and inspiration, I am struck by one of my favorite paintings hanging in the Capitol Rotunda.

In this portrait, the artist depicts General George Washington, shortly after the Revolutionary War, surrendering his commission as an officer. And behind Washington, resting on an otherwise empty King's throne, are the robes of a King, the robes he declined.

The leadership lesson is that great leaders don't seize more power when they see the opportunity. Three months into this 117th Congress, it appears that the power grab General Washington declined is now the majority's primary *modus operandi*. We have seen a record number of Executive orders, the first partisan COVID relief bill, steps to grant DC statehood to tip the scales of power, an attempt to federalize elections and destroy election integrity with H.R. 1, and now a commission to study expanding the Supreme Court.

Like Dorothy in the Wizard of Oz watching the grains of sand dropping

through the hourglass, additional partisan priorities remain on standby while the timing of dropping the ultimate power grab—the elimination of the filibuster—is carefully weighed.

The filibuster is meant to force both parties to work together to come up with long-lasting policies which help Americans. Without it, we will see tax laws and many other policies go up and down like a roller coaster, creating uncertainty and making it impossible for long-term planning.

We are witnessing what may be the most blatantly hypocritical policy switch we have ever seen, as most all Senators and the President have been on record previously in support of the filibuster. This flip-flop appears to be all in the name of greed and power.

So while I come to the Senate intent on fighting against efforts to weaken our security, harm our economy, and diminish our American values, I also want to discuss what I am for.

My favorite memories of growing up were spent in the great outdoors with the people I love the most: my friends and family. Make no mistake, I will do everything in my power to leave this world cleaner, safer, and healthier than I found it, and this can be accomplished while at the same time maintaining affordable energy.

Whether it is environmental policy or economic policy, we need to level the playing field, both at home and abroad. We must prioritize jobs for Americans, secure our supply chains, and continue to develop fair and reciprocal trade agreements. We must lower the cost of quality healthcare for all Americans. We must stop intellectual property theft, along with economic coercion, forced technology transfer, and cyber espionage.

We must stop counterfeit products and illicit drugs from entering our Nation. In addition, we must stop all censorship, especially the censorship of conservative thought that is under attack.

For our grandchildren's sake, we must modernize our policies surrounding Big Tech and social media before they engulf our society.

So this Nation, still very young in the scheme of world history, we have our challenges, but as long as we stay true to our American values, we will get more right than we get wrong. But we have to learn to forgive our pasts and forgive each other.

Over this Easter break, one of my sons told me something that made my heart go pitter-patter. He said:

Dad, capitalism keeps America at the tip of the spear.

Capitalism keeps America at the tip of the spear. You know, he was spot on. American innovation, our pioneer spirit, and hard work will always lead the way and bring victory over totalitarianism and singular thought and rule.

Each and every American youth and young adult has their own story to write, and my job here is to ensure everyone has their shot at happiness and

their shot at their American dream. While we cannot guarantee happiness for any of them, those of us in this Chamber can pave the way with an abundance of opportunity.

As the dreams and stories of so many Americans are interweaved, this American portrait—this tapestry of blues and grays, of pastels and earth tones—will keep this Republic in good shape. It is our diversity that makes us great. As long as we pass on our American values that have seen this Nation through so many dark nights, we will succeed through current and future trials and conflicts.

May God bless this great Republic.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

#### BORDER SECURITY

Mr. THUNE. Mr. President, shortly before Easter, I joined a number of my colleagues on a visit to the border to get a firsthand look at the crisis that we are facing. And make no mistake, this is a crisis. Customs and Border Protection apprehensions at our southern border last month were at their highest level in nearly 20 years—20 years.

U.S. Customs and Border Protection reported more than 172,000 encounters with individuals attempting to cross our southern border in March alone. And that is just the individuals they encountered. We don't know how many individuals came across without being identified and are currently residing illegally in our country.

Nearly 19,000 unaccompanied children crossed our southern border in March alone, the largest number ever recorded in a single month. That is 19,000 children making an incredibly dangerous journey without their parents, at the mercy of smugglers, human traffickers, or any other dangerous individual that they might encounter.

Needless to say, the surge at our border is having very serious effects. Border Patrol agents have been pulled off the border to deal with the influx of migrants and unaccompanied children, leaving the borders undermanned. And the government is straining to deal with processing the massive number of people who have come across the border. One facility that we visited was at 16 times its allotted capacity.

The administration has had to deploy the Federal Emergency Management Agency—that is right, our government's disaster recovery Agency—to help deal with the influx of unaccompanied children. And the Department of Health and Human Services has been forced to open emergency shelters and ask the Department of Defense for temporary housing on bases.

Despite the pandemic, adequate COVID safety measures have been unable to be maintained because the numbers needing to be housed have been so great.

While the administration would like to attribute this crisis to the previous administration or anything but the

current President's policies, the truth is, President Biden bears a lot of the responsibility for the situation. His Presidential campaign made it clear that border security was not going to be one of his priorities.

And since taking office, what signals have he and his administration sent? On his very first day in office, President Biden rescinded the declaration of a national emergency at our southern border; he halted construction on the border wall; and he rescinded a Trump administration order that called for the government to faithfully execute our immigration laws, including removals for visa overstays and limiting funding to sanctuary cities—all on his first day.

And that is not all. The President's Department of Homeland Security also issued guidelines that same day pausing deportations, except under certain conditions. The effect of President Biden's actions was to declare to the world that the U.S. borders are effectively open.

That may or may not have been what President Biden and his administration intended, but it certainly has been the effect. The message received by prospective migrants has been, if you can make it to the U.S. border and claim asylum, whether legitimate or not, even if you illegally cross the border, you are in.

Trump administration policies like "Remain in Mexico" and the third country asylum rule relieved pressure on our overburdened immigration case-work and enforcement efforts at the southern border. They allowed for asylum claims to be vetted long before individuals reached the U.S. border, removing the need for people to uproot themselves and attempt a dangerous border crossing only to be sent back home again.

But in his rush to distance himself from President Trump and appease the open borders wing of the Democratic Party, President Biden eliminated these policies, which has helped create the humanitarian crisis we are currently facing.

Under the Biden administration, there is little deterrent or fear of punishment for those who seek to enter the country illegally, knowing that they can claim asylum and join the backlog of roughly 1.3 million cases while they wait in the United States. And the humanitarian crisis that we are seeing at the border is the result.

President Biden and Democrats would like to present themselves as the compassionate alternative to the Trump administration, but there is nothing compassionate about policies that invite illegal immigration, that encourage people to attempt the dangerous border crossing, to run the risk of death or injury or exploitation or disease.

Inviting the surge at the border also shows a significant lack of compassion or consideration for Americans, particularly those in border communities.

While many of those trying to cross our borders illegally are simply looking for a better life, which is not an excuse for going outside our established legal pathways, there are also a lot of dangerous people—dangerous people attempting illegal border crossings: drug traffickers, weapons traffickers, human traffickers, gang members. And when Border Patrol agents have been pulled off the border to help manage the immigration influx, it is not going to be too surprising if we discover that more of these dangerous individuals have made their way into our country. And that represents a real danger to Americans.

Americans living in towns and cities along our southern border are at the greatest risk of having their communities disrupted by border-related criminal activity, but the effects of drug trafficking and other criminal activity across our southern border are felt throughout our entire country.

President Biden helped cause this crisis. There are no ifs, ands, or buts about it. And he could start ending this crisis today by making it clear that his administration will enforce immigration laws and that the way to come to this country is to come legally. He could also help by recommitting our country to serious border security along our southern border, including construction, continued construction of the border wall.

For the sake of the unaccompanied children and all those trying to cross our borders and for the sake of the Americans who have been endangered by his policies, I hope—I hope that President Biden will take action.

I yield the floor.

#### VOTE ON GENSLER NOMINATION

Mr. CRAPO. Mr. President, I ask unanimous consent that the rollcall vote scheduled for 11:45 begin now, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 148 Ex.]

#### YEAS—53

Baldwin	Durbin	Luján
Bennet	Feinstein	Lummis
Blumenthal	Gillibrand	Manchin
Booker	Grassley	Markey
Brown	Hassan	Menendez
Cantwell	Heinrich	Merkley
Cardin	Hickenlooper	Murphy
Carper	Hirono	Murray
Casey	Kaine	Ossoff
Collins	Kelly	Padilla
Coons	King	Peters
Cortez Masto	Klobuchar	Reed
Duckworth	Leahy	Rosen

Sanders  
Schatz  
Schumer  
Shaheen  
Sinema

Smith  
Stabenow  
Tester  
Van Hollen  
Warner

Warnock  
Warren  
Whitehouse  
Wyden

The yeas and nays resulted—yeas 53,  
nays 45, as follows:

[Rollcall Vote No. 149 Ex.]

YEAS—53

NAYS—45

Barrasso  
Blackburn  
Blunt  
Boozman  
Braun  
Burr  
Capito  
Cassidy  
Cornyn  
Cotton  
Cramer  
Crapo  
Cruz  
Daines  
Ernst

Fischer  
Graham  
Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Inhofe  
Johnson  
Kennedy  
Lankford  
Lee  
Marshall  
McConnell  
Moran  
Murkowski

Paul  
Portman  
Risch  
Romney  
Rubio  
Sasse  
Scott (FL)  
Scott (SC)  
Shelby  
Sullivan  
Thune  
Toomey  
Tuberville  
Wicker  
Young

Baldwin  
Bennet  
Blumenthal  
Booker  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Collins  
Coons  
Cortez Masto  
Duckworth  
Durbin  
Feinstein  
Gillibrand  
Graham  
Hassan

Heinrich  
Hickenlooper  
Hirono  
Kaine  
Kelly  
King  
Klobuchar  
Leahy  
Lujan  
Manchin  
Markey  
Menendez  
Merkley  
Murphy  
Murray  
Ossoff  
Padilla  
Peters

Portman  
Reed  
Rosen  
Sanders  
Schatz  
Schumer  
Shaheen  
Sinema  
Smith  
Stabenow  
Tester  
Van Hollen  
Warner  
Warnock  
Warren  
Whitehouse  
Wyden

NOT VOTING—2

Rounds

Tillis

The nomination was confirmed.  
The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. 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 nomination of Executive Calendar No. 53, Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.

Charles E. Schumer, Ron Wyden, Maria Cantwell, Richard J. Durbin, Robert P. Casey, Jr., Jeanne Shaheen, Tim Kaine, Angus S. King, Jr., Tammy Duckworth, John Hickenlooper, Gary C. Peters, Brian Schatz, Patty Murray, Tina Smith, Mazie Hirono, Sheldon Whitehouse, Alex Padilla.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER. Are there any Senators in the Chamber wishing to vote or to change their vote?

Barrasso  
Blackburn  
Blunt  
Boozman  
Braun  
Burr  
Capito  
Cassidy  
Cornyn  
Cotton  
Cramer  
Crapo  
Cruz  
Daines  
Ernst

NAYS—45

Fischer  
Grassley  
Hagerty  
Hawley  
Hoeven  
Hyde-Smith  
Inhofe  
Johnson  
Kennedy  
Lankford  
Lee  
Lummis  
Marshall  
McConnell  
Moran

Murkowski  
Paul  
Risch  
Romney  
Rubio  
Sasse  
Scott (FL)  
Scott (SC)  
Shelby  
Sullivan  
Thune  
Toomey  
Tuberville  
Wicker  
Young

NOT VOTING—2

Rounds

Tillis

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 45.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Brenda Mallory, of Maryland, to be a Member of the Council on Environmental Quality.

The PRESIDING OFFICER. The Senator from Delaware.

#### NOMINATION OF BRENDA MALLORY

Mr. CARPER. Mr. President, the Senate has now invoked cloture on the nomination of Brenda Mallory, President Biden's nominee to serve as the Chair of the White House Council on Environmental Quality. First, let me just say thank you. I want to express my thanks to—and I am sure, on behalf of Brenda Mallory—53 Senators who voted in favor of cloture so that we can move forward and now debate her nomination. We thank each Senator who cast that supporting vote. But I rise in support of Ms. Mallory's nomination to this important position. This is a position a lot of folks have never heard of, but it is a hugely important one. And I urge our colleagues to now join me in supporting, in confirmation, a highly, highly qualified nominee as well.

The Chair of the White House Council on Environmental Quality—or CEQ, as we call it—may not be the first position many Americans think about when they consider consequential Presidential appointments. But it is a crucial body—critical body—with considerable sway over our Nation's health and environment.

One of my mentors was a Republican named Russ Peterson, a great leader of the DuPont company for many years, Governor of Delaware, and later served as Chair of the White House Council on Environmental Quality during the administrations of both Richard Nixon and Gerald Ford.

Governor Peterson used to refer to his role as Chair at the Council on Environmental Quality as similar to that of an orchestra leader, an orchestra conductor. He said: You don't play the instruments as the Chair of the CEQ, but you try hard to ensure that everyone in the orchestra is playing in harmony. The CEQ Chair coordinates action across the entire government in order to ensure that Federal Agencies are working in harmony and that every Federal decision advances the objectives of economic growth, of better public health, and of stronger environmental quality.

While CEQ Chairs do work much like an orchestra leader, a conductor, to achieve harmony across Federal Agencies, they must also pursue balance. That balance includes at least three components: one, growing our economy; two, ensuring a just and healthy society; and, three, protecting our environment for current and future generations. Those are the clear objectives of CEQ as laid out in the National Environmental Policy Act of 1969, known as NEPA, the landmark law that created CEQ, often referred to as “the Magna Carta of environmental laws.”

According to its six pages of statute, NEPA's purpose includes—and I am going to quote—“efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man.” I would add “and woman.” NEPA enshrines democracy by giving the American people a voice to help decide the fate of Federal decisions. For 50 years, NEPA has sought to ensure environmental protection, public health, and the notion that the American people should have a say in the Federal decision-making process that affects their lives.

Like our Constitution, NEPA is one of our Nation's most enduring and replicated laws. The same principles of democracy and citizen participation enshrined in our Constitution are also enshrined in NEPA.

Sadly, the Trump administration's CEQ largely walked away from the tenets of this 50-year-old law, issuing drastic rollbacks that undermine much of its very mission. Instead of advancing the CEQ's three objectives—one, a more productive economy; two, a healthier society; and three, a cleaner environment—the previous administration sadly repeatedly compromised public health and environmental quality for the sake of less redtape.

So one of the many tasks ahead for the next CEQ Chair will be to get us back on track—to harmonize our efforts to address the climate crisis, safeguard public health, and ensure that

we are treating others the way we want to be treated. If that sounds familiar, it should because that is the Golden Rule, which is found in every major religion on this planet.

There are few people as well qualified to tackle this challenge as Brenda Mallory. I believe that she is the kind of experienced, dedicated public servant that we need to lead CEQ at this critical time, not just for the Agency but for our Nation.

Ms. Mallory is a deeply committed public servant with extensive experience under both Democratic and Republican administrations. No stranger to CEQ, Ms. Mallory served there for a number of years after an impressive tenure of more than a decade at EPA, including under President George W. Bush. She has earned respect from both sides of the aisle, and, as the former General Counsel for CEQ, she already knows the Agency inside and out.

Her experience and her reputation as a collaborative, pragmatic leader help to explain why she has garnered broad bipartisan support among environmental leaders who have served before her. Get this—13 past Republican CEQ and EPA appointees, including a former CEQ Chair, and 4 different Republican EPA Administrators have publicly praised Ms. Mallory and urged her confirmation. Now, that doesn't happen every day, as the Presiding Officer knows. But among those former Republican EPA Administrators who have urged her confirmation are these: Bill Reilly, Christine Todd Whitman, Michael Leavitt, Stephen Johnson, and James Connaughton.

Ms. Mallory has also earned the support of the U.S. Chamber of Commerce. I will say that again. Ms. Mallory also earned the support of the U.S. Chamber of Commerce—and a whole bushel of environmental groups across this land.

She has represented business interests in the past as an attorney in private practice, so she understands the importance of timely and well-coordinated environmental reviews, which are crucial for getting investments in telecommunications and in infrastructure off the ground.

Ms. Mallory's expertise will be critical to the task that lies ahead. In addition to restoring balance at CEQ and its mission, the next Chair at CEQ will address a number of pressing crises facing our Nation today. Let me mention some of them. They include the ongoing COVID-19 pandemic, and they include the worst economy since the Great Depression, as well as the enduring problem and challenge of racial injustice. All three—all three of these crises are compounded by a fourth, and that is the climate crisis.

We have no time to waste. We must tackle the climate crisis with conviction and with urgency. My home State of Delaware, which I am privileged to represent, certainly cannot wait any longer. We happen to be the lowest lying State in America. Our State is sinking, and the seas around us are rising.

This is felt by other States across the country too. Climate change is an issue that hits red States and blue States alike. Our colleagues JOHN NEELY KENNEDY and BILL CASSIDY, from Louisiana, tell me that Louisiana loses—get this—a football field of wetlands to rising sea levels every 100 minutes.

Let me mention that again. Louisiana loses a football field of wetlands to rising sea levels every 100 minutes. In another part of the country, the midwestern part of the country, last year, hurricane-force winds flattened over half—over half of the corn and soybean crop in Iowa, literally in the span of about a week, maybe even in a span of about a day.

Out on the west coast, wildfires raged across California as big as the size of Rhode Island, while floods in Florida damaged homes, and roads and deadly ice storms a month or two ago left millions in Texas stranded without power or water.

Natural disasters and extreme weather don't discriminate; they impact all of us. Brenda Mallory knows this. She understands the gravity of the situation and the immense challenge she has ahead of her, should she be confirmed. I know she is ready to seize the opportunity ahead of her in this role.

She also knows that the laws we write and decisions we make can affect who faces the brunt of the consequences. For too long, communities of color have disproportionately suffered from our environmental policies. From chemical contaminants in drinking water to toxic air pollution from our roads and our factories, our most marginalized citizens are too often exposed to environmental public health risks and left behind by our investments and policies.

We need to work to improve environmental outcomes for all Americans—all Americans. Brenda Mallory at the helm of CEQ can play the leadership role that is needed in addressing environmental justice and meeting the challenges of climate change in a way that will lift up all communities and achieve a brighter, more equitable future for each one of them.

As we address the crises we face, we have an opportunity to improve people's lives today and for future generations. To do that, we need principled, enlightened leaders. We need leaders who are humble, not haughty; leaders who have the heart of a servant and understand that their job is to serve, not be served; leaders who unite, not divide; leaders who build bridges, not walls.

I am confident that Brenda Mallory is just that kind of leader. She will bring integrity. She will bring honor and humility to her role just as she has done in her decades of service to this country. As Chair of the Council on Environmental Quality, she will be a leader who brings people together to form lasting solutions to the challenges that we face today.

With that in mind, I strongly urge each of our colleagues to join me in

supporting her confirmation. I thank again those who voted for cloture a few minutes ago.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### FOR THE PEOPLE ACT

Mrs. BLACKBURN. Mr. President, it has been just over 2 months since we transferred majority rule to President Biden and the Democrats, and they have made it very clear that not even their most radical policy proposals are up for debate. They just want to push things through. In fact, based on what we have seen, I am willing to go on the record as saying that they see any possibility of defeat as an impermissible challenge to their hold on power, and they have got quite a long enemies' list.

You will recall that, back in 2016, after Donald Trump won the election, liberal activists blamed the electoral college for their many campaign failures.

In 2020, even as the count came down in their favor, the attacks continued. Faced with the possibility of constitutionalist, conservative judicial nominees, the Supreme Court also became a source of righteous panic. In the wake of the 2020 election, activists were quick to demand that their new majority break the structure of the Court and transform it into a rubberstamp for radical policies that don't stand a chance of surviving this Chamber under regular order.

Just this year, when faced with a much slimmer majority than, I am sure, they expected, many of my Democratic colleagues reversed their positions on the filibuster. Suddenly, the procedural backstop so many of them had once vowed to protect—this was an important check against the tyranny of the majority—was, all of a sudden, nothing more than a racist relic of Jim Crow America. So we are left to assume, I suppose, that tyranny started to look pretty good in the face of such a slim majority.

Yet the filibuster isn't the only Senate institution that came under fire. Debate over a Federal minimum wage increase grew so unhinged that many Democrats suggested firing the Parliamentarian and replacing her with someone who was willing to deploy his or her own rubberstamp. Just this week, news broke that Senate Democrats are now toying with the idea of firing the Director of the Congressional Budget Office. For what? For the unpardonable sin of doing his job.

If you don't like the score, fire the scorekeeper. If you don't like the standard, wipe it off the books. If you don't like the institution, just burn it to the ground.

It is a familiar curriculum now reflected in the Democrats' latest effort to demolish and rebuild the country in their own radical image. They call it the For the People Act, but the basic premise of S. 1 is that, in order to secure our elections, we have no choice



but to take electoral power away from the people and put it in the hands of politicians and bureaucrats. It is a top-down approach that, if implemented, would centralize control over elections in direct contravention to the Constitution, destroy barriers to voter fraud, and enable radical activists to harass and intimidate their political opponents. It is the sort of power grab you would expect a cartoon villain to conduct, but here we are, debating this in the U.S. Senate.

When you dive into the specifics, it really gets worse. Here are some things that it would do.

The bill would, indeed, ban voter ID requirements and force States to allow ballot harvesting schemes.

The Federal Election Commission, which for the moment is a balanced, bipartisan Agency, would morph into a partisan, prosecutorial body, ready to be weaponized against the political minority.

Instead of living or dying by the support of loyal donors, under this new scheme, political campaigns would receive public money payouts, which they could then use to promote whatever message they pleased no matter how objectionable it might be to the taxpayers, who would be funding those campaigns.

Speaking of those donors, if you have ever wondered who was behind a particular campaign, this bill has you covered. It includes new restrictions on political speech in the form of a donor disclosure mandate. Say goodbye to anonymous political activity in the tradition of the Federalist Papers and the civil rights movement. This is cancel culture on steroids, and if the Democrats have their way, this is what is coming to a precinct near you.

Of course, the centralization of power on this scale will require a laundry list of regulations, and on that front, S. 1 does not disappoint. The requirements shoved onto local and State officials are so burdensome and impractical that I refuse to believe anyone involved in the drafting has ever staffed a polling place. Certainly, they have never served as volunteers on a county election commission. That is something I had the honor of doing a couple of decades ago.

If they get their way, the same automatic registration procedures that failed voters in California and in Illinois are coming to a county elections office in your neighborhood.

Felons will regain their right to vote in Federal elections, but no one seems willing to explain how they expect State officials to prevent them from voting in down-ballot races.

Elections officials will have the pleasure of purchasing new paper-backed voting machines just as soon as those machines come into existence. That is right. This bill mandates the use of technology that hasn't hit the marketplace.

Speaking of theoretical technology, for some reason, the drafters of this

bill also thought it would be a good idea to force States to invent new technology to support automated voter registration by phone.

Elections are not easy events to stand up. County officials and volunteers work year-round to ensure that polling places are staffed and safe, that machines are functional, and that volunteers are well trained to recognize illegal electioneering and fraud. Over the years, State and local authorities have found their own solutions to these challenges. When those solutions fail, we have the ability to implement Federal backstops against voter suppression and election mishandling.

Everyone has his own role to play. These roles are outlined in the Constitution for a reason—because the Founders knew that any detached Federal bureaucracy would lack the competence to solve the unique logistical challenges my Democratic colleagues are trying to use as proof that Congress must step in to burn down yet another institution of our democracy. That is the constitutional imperative of the States to set the time, place, and manner of elections.

If we continue to go down this road, this partisan fever dream will become codified chaos that will trickle all the way down to the precinct level and irreparably erode confidence in the electoral process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

#### AFGHANISTAN

Mr. MURPHY. Mr. President and my colleagues, there is a saying about Afghanistan: that we have turned the corner toward victory so many times that we are spinning in circles.

During the beginning of my time in Congress, I went to Afghanistan to visit our troops and military leadership about every 2 years. Each time I went, I was met by a new, capable, impressive general who had just started his yearlong tour, who told me that the last general did it wrong and that, this time, everything was going to be different. I remember coming back from my third trip to Afghanistan—I think it was in 2011—convinced that it was time to leave. The primary mission had been accomplished. Within a few years of our invasion, al-Qaida in Afghanistan had been reduced to a shell of its former self, and we had really shifted to a new mission: nation-building. At the outset, there was reason for us to stay and engage in that mission and to work with the new Afghan Government to help get it on its own feet, but, by 2011, that mission had, for all intents and purposes, become a permanent one.

Now, after 20 years of war and handwringing about when the right time is to leave, we have to acknowledge some basic truths: Our military presence in Afghanistan is not creating the conditions necessary to eradicate the Taliban or the conditions necessary to create a fully functional Afghan military or government.

In fact, the facts on the ground would tell you the opposite is true: The longer we stay, the more powerful the Taliban becomes and the less willing the Afghan Government appears to be to make the hard choices to stand on its own.

We can pretend that another year is going to change this, but it won't. "Just a little bit more time" has become the rinse-and-repeat phrase of the Afghanistan hawks, but to stay any longer is really—let's be honest—a decision to stay forever, and that is something the American people do not support.

I want to tell you one story from my trip to Afghanistan in 2011 that helped to confirm my belief that something was very wrong about our policy there. I went with a bipartisan delegation. I was in the House at the time. We visited a far-off Province in western Afghanistan—a small town called Parmakan—and we were there to visit a group of Army commandos who toured us around this village. They were protecting the farmers in this village from Taliban attack. They attested to us that the attacks had largely stopped, and in the place of those attacks had matured a commerce between the Taliban forces that surrounded the village and the farmers of the village. As we walked around this village, we made our way through fields of these beautiful, beautiful, colorful flowers.

I turned to my colleague next to me, and I asked him if he had a sense as to what this crop was.

He said: I think I do, but let's confirm.

So we asked one of the village elders what they were harvesting in these fields.

Poppy, he told us.

Our U.S. military forces were protecting the poppy trade in this western Province of Afghanistan—in fact, protecting the ability of the Taliban to come in and purchase that poppy in order to fuel the insurgency that we were fighting. Our troops were literally being utilized to protect the revenue source of our enemy. And so no wonder our policy in Afghanistan appears circular. In many ways, it is and it has been for a very long time.

But even for those who disagree with me and contest that our presence there has actually helped facilitate the survival of the Taliban, what evidence is there that staying for another few years is going to make the key difference?

The American war in Afghanistan is nearly 20 years old. It is the longest war in U.S. history, outlasting the Civil War, the Spanish-American War, World War I, World War II, and the Korean war combined.

The United States and other international donors have invested an extraordinary amount of money and effort and blood to help stand up a functioning Afghan Government and civil society. And yet that government has



failed to get widespread support from the Afghan people. There are many reasons for this, but there is one big one: corruption. And the billions upon billions of dollars that are pumped into the Afghan economy by U.S. taxpayers often never find their way to actually helping the people of that country. Too much of our aid has been syphoned off by local leaders and unintentionally we have helped establish a system of corruption that has become so pervasive and so predatory that people have, frankly, become less resistant to Taliban inroads.

Without a functioning police force, local Governors establish their own militias, and the mafia-style system that has developed has led to this vast drug trafficking network, fueled by corruption and that poppy production I talked about.

This has distorted Afghanistan's economy, and it has, frankly, neutralized a lot of our economic aid. And yet the United States often, over the course of the last 20 years, has tolerated these warlords, these drug traffickers, and these corrupt defense contractors inside Afghanistan because we consider the enemy of our enemy to be our friend. Our entire mission there has often been built on a self-defeating strategy.

In fact, what began as a vital mission to eliminate the threat of those who attacked us on September 11 has now, in some ways, become a symbol of nearly everything that is wrong with American foreign policy. Our armed presence in Afghanistan epitomizes this hubristic myth around the power of U.S. troops abroad; that they can completely dismantle terrorist networks by force, install and cultivate a stable democratic government, and eliminate rampant corruption and illegal drug cultivation.

Two decades and nearly \$2 trillion dollars of spending later, we have seen the limitations of those fantastical assumptions. Our generals have offered PowerPoint presentation after PowerPoint presentation on how this time it is going to be different, but it never is because the failure really isn't in the execution. The failure has been in the design.

A few thousand troops—and that is what we have there today—cannot deliver security and political stability to a complex, multicultural, multilingual nation, long resistant to centralized rule, on the other side of the world.

We were right to pursue the al-Qaida terrorists who attacked us on September 11, but that mission is completed, and it is time to face facts about the limitations of American military power in Afghanistan and bring our troops home.

Now, let's be clear, al-Qaida still wants to harm the United States, but the threat that they pose today is nowhere near what it was 20 years ago when they attacked our Embassies in Kenya and Tanzania, bombed the USS *Cole*, and killed thousands of Americans on September 11.

Intelligence estimates tell us that in Afghanistan, there may be only 200, 300, maybe 400 al-Qaida members total. The organization is no longer capable of planning large-scale attacks against the United States. That is what our intelligence estimates tell us. And, frankly, there are far more al-Qaida members today in other countries, like Yemen, for instance. Does that mean that we should also plant huge numbers of U.S. troops in every place where there are security vacuums to eliminate the terrorist threat from those countries? Of course not.

After two decades of the War on Terror, we have made a ton of mistakes, but we have also gotten a lot better in terms of our intelligence capabilities and our ability to strike against a terrorist threat absent a huge in-country presence. Why not apply that lesson learned to Afghanistan?

To their credit, the Trump administration was right to finally call it like it is and state that the U.S. presence in Afghanistan couldn't and shouldn't continue forever.

But as usual, the Trump team didn't put in the work to ensure that we could do this responsibly by their deadline of May 1. So a 4-month extension, announced by President Biden, will give us the space needed, not to magically accomplish what we haven't been able to do in 20 years but to realistically chart out the operational plans for pulling out the 2,500 troops whom we still have there.

Now, finally, I want to be honest. When we withdraw, there is a real possibility the situation in Afghanistan is going to get worse. It is likely that fighting between the Afghan Government and the Taliban escalates. At that point, either the Afghan Government will have to lead the fight without the crutch of American support or the government could collapse.

But this is the key point: That has been the dynamic for the last 15 years, and it is going to continue to be the dynamic for the next 15 years. It wouldn't be any different if we had stayed for another 5 years, another 20 years, or another year. There is simply no evidence to suggest that things are going to change. After 20 years and billions of dollars of investment in the Afghan Government, the onus has to be on them to get their act together and to earn the support of the people.

And one last point, being in Afghanistan is a choice, a choice to not focus on other theaters that present more serious threats to international norms, global stability, and American security. It bogs America down having 2,500 troops there and thousands more contractors and billions of dollars. It bogs us down in a theater that, frankly, just matters less to us today than it did years ago.

Just within the last few days, China has leveled new threats to the territorial integrity of its neighbors; Russia is amassing thousands of troops on the border of Ukraine; and there are new

worries about a potential attack on NATO member states.

And remember, counterterrorism officials and our daily newsfeed remind us that the most serious threat to America today is actually not from foreign terrorist organizations but from domestic groups.

We spend more money than any other nation in the world on security, but even given the gargantuan size of our global military footprint, we cannot and should not be everywhere. We need to make choices every now and again, and right now it is fantasy, not reality, that undergirds an argument to stay in Afghanistan for another 10 years or 5 years or even another year.

A big part of being President is making tough choices, and today President Biden has made the right one to end this war.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FILIBUSTER

Mr. CORNYN. Mr. President, the new power dynamic in Washington has brought about a frenzy of proposed institutional changes by our friends across the aisle.

The American people elected a Democratic President, that is true; they reduced the Democratic majority in the House; and elected a 50-50 Senate. In all of Congress, there are seven more Democrats than Republicans. That is all—7 out of 535 Members.

Despite these tight margins, our friends on the other side have tried to characterize this new power dynamic as a mandate, and they have floated a tsunami of rule changes to go along with it. First came the push to eliminate the filibuster.

Just a few years ago, the idea of such a radical change terrified our Democratic colleagues. We certainly didn't do it when we were in a position to do it, notwithstanding the encouragement of President Trump.

When Republicans held control of the Senate, the House, and the White House, as our Democratic colleagues do now, our friends on the other side of the aisle feared the filibuster would come tumbling down. They were so concerned, in fact, that 33 of our colleagues signed on to a letter insisting that the filibuster be preserved. Leader MCCONNELL agreed. He never wavered to pressure from anyone, even the President, to eliminate the filibuster. He has been around this Chamber and this Senate a long time, and he knows that what goes around comes around.

As the leader correctly noted, Democrats didn't just spend the last 4 years supporting the filibuster, they took every advantage of the opportunity for

the minority to stop legislation they disagreed with. They spent 4 years using it.

Our Democratic colleagues employed the filibuster to kill quite a number of Republican bills on pandemic relief, government funding, pro-life legislation, police reform, and the list goes on and on.

Despite the fact our friends on the other side of the aisle consistently praised and utilized the filibuster in recent years, now, after the election of 2020, they seem to have reversed course. Since the political tides have changed, so, too, have the views of many Senate Democrats.

In recent months, one of our colleagues referred to the filibuster as making a mockery of American democracy.

I happen to remember at John Lewis's funeral—the great civil rights icon—even former President Obama called it a “relic of Jim Crow,” arguably giving permission to Democrats to call the filibuster a racist obstacle to making progress in the country.

Another Senator said that the filibuster had deep roots in racism, even though last summer Democrats used this tool to block an anti-lynching bill.

The entire debate has ballooned beyond reason, and the past few months have been a game of “will they or won't they” when it comes to eliminating the filibuster.

You know, the filibuster has very sound origins. It forces us to do what I think the American people would want us to do anyway, and that is to work together. It forces us to do that. And building consensus is hard, as we all know.

Well, we now have confirmation that our Democratic colleagues do not have the votes. Last week, Senator MANCHIN of West Virginia took to the pages of the Washington Post and said he will not support eliminating or weakening the filibuster. He has been here long enough to know that what you can do in the majority will have consequences when you are in the minority, as you eventually will be if you are here long enough.

I was appreciative of what Senator MANCHIN said in those pages. I am sure it wasn't easy. I am sure there is a lot of pressure on him to be expedient, to jam things through on a partisan basis, and I appreciate his willingness to stand up.

I agree with the Senator from Arizona, who said: We don't have a rule problem. We have a people problem. We have a behavior problem.

We need to restore bipartisan cooperation. There is no chance that will happen if everything in the Senate is jammed through along party lines.

The filibuster is designed to protect our country from the continual change of who is in the majority and who is in the minority and to provide the American people a chance to plan their lives. If anything that can be done in one election can be undone in the next election, that is an invitation to chaos.

Unfortunately, the list of proposed institutional changes doesn't end with the filibuster. Over the last few years, our friends on the other side of the aisle have also set their sights on the Supreme Court.

We all remember the day a sitting Member of this body threatened two Supreme Court Justices by name. As the Justices were debating a case, the current majority leader said, on the steps of the Supreme Court:

You have released the whirlwind and you will pay the price.

Well, I think he realized the error in making that statement because he then followed up with—well, this isn't the point where he realized the error because he doubled down on it. He said:

You won't know what hit you if you go forward with these awful decisions.

Well, we know this wasn't an isolated incident. It is true that the majority leader tried to walk back his words later after he realized how intemperate and inappropriate they were when directed at two sitting members of the U.S. Supreme Court.

We don't have to remember too far in the past to know how the words we speak here in Congress and as public officials—the impact they can have on other people's minds and perceptions, especially those who are not particularly stable in the first place.

Well, several of our Democratic colleagues filed an amicus brief in which they threatened the Supreme Court with retribution unless they got the outcome that they wanted.

Thank goodness our Founders designed the Federal Government with three separate but equal branches. Through this system of checks and balances, they sought to prevent any one branch of government from forcing its will on the other two. Standing up on the steps of the Supreme Court and issuing threats to the Justices that they must do what you want or else is certainly not consistent with the Founders' vision.

Let me be clear. An independent judiciary is the crown jewel of our Constitution and our constitutional Republic—an independent judiciary. In the words of Supreme Court Justice John Roberts, “We should celebrate our strong and independent judiciary as a source of national unity and stability.” But now, even this hallowed institution is being attacked by our Democratic colleagues unless they get the result they want. They are trying to intimidate the members of the Supreme Court.

Then there is the most recent discussion—threat, really—about packing the Supreme Court with additional members. The push to pack the Supreme Court has been a mainstay of the far left for years, but it has now made its way into the Biden administration.

Previously, throughout his campaign, President Biden refused to weigh in on this topic. He knew how explosive this was, this threat to pack the Court, to make it a political body, to elimi-

nate its role as an independent judiciary. Well, he refused to weigh in on it during the campaign, and I have no doubt this was an important strategic decision. He realized how offensive that would be to the voters he hoped would vote for him in 2020. A poll last fall found that less than one-third of Americans support increasing the number of Justices on the Supreme Court.

The President previously said he is “not a fan of court packing.” In fact, he called it a “bonehead idea.” He referred to President Roosevelt's proposal to pack the Court as a “terrible, terrible mistake.” But now President Biden has appeared to have embraced this “bonehead idea” and this “terrible, terrible mistake” that he condemned previously.

The first step was last week when he created a Commission to examine adding members to the Supreme Court of the United States above the current nine. This decision and announcement came despite the fact that Justices on both sides appointed by Presidents on both sides of the aisle have affirmed the integrity of the Supreme Court with just nine members.

Justice Ruth Bader Ginsburg, who was an icon for the liberals on the Court and many people in America, said: “Nine seems to be a good number.”

Just last week, Justice Breyer said that the Court's authority depends on “a trust that the court is guided by legal principle, not politics.” He said that these types of changes would erode the trust that the American people must have in the highest Court in the land.

The American people simply won't have faith in an independent judiciary if one side is adding names to the roster so that they can game the outcome. They need to get involved in the legislative process if they want to make policy, not try to make politics through the judiciary, through the Supreme Court.

So I would urge President Biden to heed his own words that he delivered with such conviction during his time on the Judiciary Committee when he said that President Roosevelt's decision “put in question for an entire decade the independence of the most significant body . . . in this country.”

Well, unfortunately, the power grab doesn't stop there. The single biggest legislative goal of our friends on the other side of the aisle is an attempted takeover of State election laws. That is in spite of the fact that article I of the Constitution explicitly gives the States the power to regulate the “times, places, and manner of holding elections.” Yet this massive bill creates a one-size-fits-all mandate that every State must follow. It preempts State law, but I doubt it would ultimately be held up as constitutional because of the explicit guarantee that the States will regulate the time, manner, and place of holding elections.

But there are also other changes that our Democratic colleagues—where they

seek to reap the benefit of a politicized Supreme Court and Federal Agencies.

In this instance, the Federal Election Commission has six members, three from each party—intentionally designed to be a tie vote if they vote along party lines, to protect the Commission from partisan politics.

We have learned that a fair and balanced Commission, which has been the standard for many years, isn't the gold standard for Democrats when they are in control of Congress and the White House. The election takeover bill introduced by our Democratic colleagues would remove one of the seats held by a Republican member of the Commission and turn the FEC into a partisan body. No more equal representation. No more consensus building. Why bother with that if you can steamroll an agenda with no opposition?

Then there is the taxpayer funding of political campaigns. Instead of candidates working to gain the support, the vote, the activism and contributions from their preferred candidate, our Democratic colleagues want the taxpayer to pay for those campaigns. And it is not even a dollar-for-dollar match. The American taxpayer would pay \$6 dollars for every \$1 dollar that was donated to a candidate. That means if someone donates 200 bucks to their preferred candidate, the Federal Government would match that with up to \$1,200. Those are taxpayer dollars. That is money coming out of your pocket whether you support that candidate's policies or not.

On top of that, there are campaign vouchers proposed which would provide eligible voters with a \$25 voucher to donate to the campaign of their choosing. I would rather this funding support the people and organizations that really need it: crime victims, unaccompanied children on our border, domestic violence, shelters. There are far more urgent needs for this money than our Democratic colleagues' campaign account.

Of course, this effort comes at a time when the House Democrats are already trying to overturn the results of an Iowa congressional election in order to boost their own numbers.

This confluence of institutional changes isn't about repairing a broken system; it is revolutionary. It is a revolution. You can't win every case before the Supreme Court? Well, just add some more liberal Justices. You can't build support for legislation? Well, eliminate the filibuster and the need to build consensus and to work together on a bipartisan basis. You can't win an election? Overturn the results and secure government funding or taxpayer funding for your candidates. And to cement these changes for a generation, better throw in a complete partisan takeover of our election laws.

Our Democratic friends are taking the saying "If you can't win the game, change the rules" to a whole new level. This has been branded by propaganda, really, as a way to fix the system. Well,

the system is not broken, and to the extent it needs reforms, it can be reformed at the State level, where the Constitution provides the authority for the States to run their elections.

Well, I think it is important for the American people to understand exactly what is going on here. You can't understand what is going on here by just reading social media or watching cable news shows that reinforce your own bias. Unfortunately, our news these days seems to be like ships passing in the night, and people pick the channel that reaffirms their previous bias and doesn't challenge people with ideas that perhaps they are not familiar with or don't agree with, which is the way we ought to be dealing with each other. It is OK to disagree, but we ought to engage each other in a civil and respectful manner and to work those out in the crucible of our democracy known as the Congress.

I yield the floor.

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

DR. MARTIN LUTHER KING JR.'S LETTER FROM THE BIRMINGHAM JAIL

Mr. BROWN. Madam President, it is an honor to join my colleagues of both parties, starting with Reverend Warnock and five—two other Democrats and three other Republicans on the floor today to read one of the great pieces of writing of the 20th century, Dr. King's letter from the Birmingham jail.

I thank Senator WARNOCK and Senators MURKOWSKI, Republican from Alaska; TOOMEY, Republican from Pennsylvania; PADILLA, our new colleague from California, a Democrat; Senator CORTEZ MASTO, in her fifth year in the Senate, a Democrat from the Presiding Officer's home State of Nevada; and Senator CASSIDY from Louisiana, a Republican. They will be joining me today for this annual tradition.

Our former colleague, Doug Jones from Alabama, began this reading 3 years ago. I joined him on the floor. He asked me last year after his election to carry on this tradition in the years ahead. I am honored to take that responsibility because Dr. King's words are as powerful, as beautiful, and as relevant as ever.

One of many, many, many incisive things that Dr. King said was that we live in a 10-day world where people forget about public events 10 days later. Not so for him, not so for his words, and certainly not so from the letter from the Birmingham jail.

Twelve years after Dr. King's assassination, when Cesar Chavez was thrown in jail, Dr. King's widow, Coretta Scott King, said:

You cannot keep truth in . . . jail. . . . Truth and justice leap barriers, and in their own way, reach the conscience of the people.

She said that is what Dr. King said, were his words.

In April 1963, Dr. King was detained at the Birmingham jail for leading a series of peaceful protests and boy-

cotts. The goal was to put pressure on the business community to end discrimination in hiring for local jobs.

Some White ministers from Alabama had taken issues with his boycotts. They supported civil rights, they said. They told him to slow down, don't move too fast, and don't demand too much all at once. Dr. King, of course, as we know, rejected that premise.

That is what this letter is all about. It is about demanding justice now. We can't wait around and hope the problems in families' lives will solve themselves. It is up to all of us as citizens, as leaders, as members of our churches and our communities to get to work.

Dr. King made that point more eloquently and more persuasively, certainly, than I can, but we will read this note—we will read his words. Senator WARNOCK will begin, followed by Senator MURKOWSKI and four other Senators.

Senator WARNOCK.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. WARNOCK. Madam President, I want to thank my colleague, Senator BROWN, for bringing us together in this way, reading from a letter from a Birmingham jail by Dr. King, April 16, 1963. Dr. King writes:

MY DEAR FELLOW CLERGYMEN:

While confined here in the Birmingham city jail, I came across your recent statement calling my present activities "unwise and untimely."

Seldom do I pause to answer criticism of my working ideas. If I sought to answer all of the criticisms that cross my desk, my secretaries would have little time for anything other than such correspondence in the course of a day, and I would have no time for constructive work. But since I feel you are men of genuine good will and that your criticisms are sincerely set forth, I will try to answer your statement in what I hope will be patient and reasonable terms.

I think I should indicate why I am here in Birmingham, since you have been influenced by the view which argues against "outsiders coming in." I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every southern state, with headquarters in Atlanta, Georgia. We have some eighty-five affiliated organizations across the South, and one of them is the Alabama Christian Movement for Human Rights. Frequently we share staff, educational and financial resources with our affiliates. Several months ago the affiliate here in Birmingham asked us to be on call to engage in a non-violent direct action program if such were deemed necessary. We readily consented, and when the hour came we lived up to our promise. So I, along with several members of my staff, am here because I was invited here. I am here because I have organizational ties here.

But more basically, I am in Birmingham because injustice is here. Just as the prophets of the eighth century B.C. left their villages and carried their "thus saith the Lord" far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco Roman world, so am I compelled to carry the gospel of freedom beyond my home town. Like Paul, I must constantly respond to the Macedonian call for aid.

Moreover, I am cognizant of the interrelatedness of all communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial "outside agitator" idea. Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds.

You deplore the demonstrations taking place in Birmingham. But your statement, I am sorry to say, fails to express a similar concern for the conditions that brought about the demonstrations. I am sure that none of you would want to rest content with the superficial kind of social analysis that deals merely with effects and does not grapple with underlying causes. It is unfortunate that demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative.

In any nonviolent campaign there are four basic steps: collection of the facts to determine whether injustices exist; negotiation; self purification; and direct action. We have gone through all these steps in Birmingham. There can be no gainsaying the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of brutality is widely known. Negroes have experienced grossly unjust treatment in the courts. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any other city in the nation. These are the hard, brutal facts of the case. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the latter consistently refused to engage in good faith negotiation.

Then, last September, came the opportunity to talk with leaders of Birmingham's economic community. In the course of the negotiations, certain promises were made by the merchants—for example, to remove the stores' humiliating racial signs. On the basis of these promises, the Reverend Fred Shuttlesworth and the leaders of the Alabama Christian Movement for Human Rights agreed to a moratorium on all demonstrations. As the weeks and months went by, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained. As in so many past experiences, our hopes had been blasted, and the shadow of deep disappointment settled upon us. We had no alternative except to prepare for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and the national community. Mindful of the difficulties involved, we decided to undertake a process of self purification. We began a series of workshops on nonviolence, and we repeatedly asked ourselves: "Are you able to accept the blows without retaliating?" "Are you able to endure the ordeal of jail?"

We decided to schedule our direct action program for the Easter season, realizing that except for Christmas, this is the main shopping period of the year. Knowing that a strong economic-withdrawal program would be the by product of direct action, we felt that this would be the best time to bring pressure to bear on the merchants for the needed change.

Then it occurred to us that Birmingham's mayoral election was coming up in March, and we speedily decided to postpone action until after election day. When we discovered that the Commissioner of Public Safety, Eugene "Bull" Connor, had piled up enough votes to be in the run off, we decided again

to postpone action until the day after the run off so that the demonstrations could not be used to cloud the issues. Like many others, we waited to see Mr. Connor defeated, and to this end, we endured postponement after postponement. Having aided in this community need, we felt our direct action program could be delayed no longer.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I continue the reading of the letter from Birmingham jail:

You may well ask: "Why direct action? Why sit ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent tension, but there is a type of constructive, non-violent tension which is necessary for growth. Such as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half truths to the unfettered realm of creative analysis and objective appraisal, so must we see the need for non-violent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood. The purpose of our direct action program is to create a situation so crisis packed that it will inevitably open the door to negotiation. I therefore concur with you in your call for negotiation. Too long has our beloved Southland been bogged down in a tragic effort to live in a monologue rather than dialogue.

One of the basic points in your statement is that the action that I and my associates have taken in Birmingham is untimely. Some have asked: "Why didn't you give the new city administration time to act?" The only answer that I can give to this query is that the new Birmingham administration must be prodded about as much as the outgoing one, before it will act. We are sadly mistaken if we feel that the election of Albert Boutwell as mayor will bring the millennium to Birmingham. While Mr. Boutwell is a much more gentle person than Mr. Connor, they are both segregationists, dedicated to the maintenance of the status quo. I have hoped that Mr. Boutwell will be reasonable enough to see the futility of massive resistance to desegregation. But he will not see this without pressure from devotees of civil rights. My friends, I must say to you that we have not made a single gain in civil rights without determined legal and nonviolent pressure. Lamentably, it is an historical fact that privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture; but as Reinhold Niebuhr has reminded us, groups tend to be more immoral than individuals.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct action campaign that was "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has

almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is just denied."

We have waited for more than 340 years for our constitutional and God given rights. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we still creep at horse and buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "Wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate filled policemen curse, kick and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight cage of poverty in the midst of an affluent society . . . when you take a cross country drive and find it necessary to sleep, night after night, in the uncomfortable corners of your automobile because no motel will accept you; when you are humiliated day in and day out by nagging signs reading "white" and "colored"; when your first name becomes [an expletive], your middle named becomes "boy" (however old you are) and your last name becomes "John," and your wife and mother are never given the respected title "Mrs."; when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of "nobodiness"—then you will understand why we find it difficult to wait.

There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into the abyss of despair.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I will continue the reading of Martin Luther King's letter from the Birmingham jail.

I hope, sirs, you can understand our legitimate and unavoidable impatience. You express a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, at first glance it may seem rather paradoxical for us consciously to break laws. One may well ask: "How can you advocate breaking some laws and obeying others?" The answer lies in the fact that there are two types of laws: Just and unjust. I would be the first to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that "an unjust law is no law at all."

Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an "I it" relationship for an "I thou" relationship and

ends up relegating persons to the status of things. Hence, segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man's tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code that a numerical or a power majority group compels a minority group to obey but does not make binding on itself. This is difference made legal. By the same token, a just law is a code that a majority compels a minority to follow and that it is willing to follow itself. This is sameness made legal. Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that State's segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties in which, even though Negroes constitute a majority of the population, not a single Negro is registered. Can any law enacted under such circumstances be considered democratically structured?

Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First Amendment privilege of peaceful assembly and protest.

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for the law.

Of course, there is nothing new about this kind of civil disobedience. It was evidenced sublimely in the refusal of Shadrach, Meshach, and Abednego to obey the laws of Nebuchadnezzar, on the ground that a higher moral law was at stake. It was practiced superbly by the early Christians, who were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. To a degree, academic freedom is a reality today because Socrates practiced civil disobedience. In our own nation, the Boston Tea Party represented a massive act of civil disobedience.

We should never forget that everything Adolf Hitler did in Germany was "legal" and everything the Hungarian freedom fighters did in Hungary was "illegal." It was "illegal" to aid and comfort a Jew in Hitler's Germany. Even so, I am sure that had I lived in Germany at the time, I would have aided and comforted my Jewish brothers. If today I lived in a Communist country where certain principles dear to the Christian faith are suppressed, I would openly advocate disobeying that country's antireligious laws.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, continuing the reading of the letter from the Birmingham jail.

I must make two honest confessions to you, my Christian and Jewish brothers. First, I must confess that over the past few years I have been gravely disappointed with the white moderate.

I have almost reached the regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Council or the Ku Klux Klanner, but the white moderate, who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: "I agree with you in the goal you seek, but I cannot agree with your methods of direct action"; who paternalistically believes he can set the timetable for another man's freedom; who lives by a mythical concept of time and who constantly advises the Negro to wait for a "more convenient season." Shallow understanding from people of goodwill is more frustrating than absolute misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection.

I had hoped that the white moderate would understand that law and order exist for the purpose of establishing justice and that when they fail in this purpose they become the dangerously structured dams that block the flow of social progress.

I had hoped that the white moderate would understand that the present tension in the South is a necessary phase of the transition from an obnoxious negative peace, in which the Negro passively accepted his unjust plight, to a substantive and positive peace, in which all men will respect the dignity and worth of human personality. Actually, we who engage in nonviolent direct action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open, where it can be seen and dealt with. Like a boil that can never be cured so long as it is covered up but must be opened with all its ugliness for the natural medicines of air and light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.

In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn't this like condemning a robbed man because his possession of money precipitated the evil act of robbery? Isn't this like condemning Socrates because his unswerving commitment to truth and his philosophical inquiries precipitated the act by the misguided populace in which they made him drink hemlock? Isn't this like condemning Jesus because his unique God consciousness and never ceasing devotion to God's will precipitated the evil act of crucifixion? We must come to see that, as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber. I had also hoped that the white moderate would reject the myth concerning time in relation to the struggle for freedom. I have just received a letter from a white brother in Texas. He writes: "All Christians know that the colored people will receive equal rights eventually, but it is possible that you are in too great a religious hurry. It has taken Christianity almost two thousand years to accomplish what it has. The teachings of Christ take time to come to earth." Such an atti-

tude stems from a tragic misconception of time, from the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills.

Actually, time itself is neutral; it can be used either destructively or constructively. More and more I feel that the people of ill will have used time much more effectively than have the people of good will. We will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people. Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be co-workers with God, and without this hard work, time itself becomes an ally of the forces of social stagnation. We must use time creatively, in the knowledge that the time is always ripe to do right. Now is the time to make real the promise of democracy and transform our pending national elegy into a creative psalm of brotherhood. Now is the time to lift our national policy from the quicksand of racial injustice to the solid rock of human dignity.

You speak of our activity in Birmingham as extreme. At first I was rather disappointed that fellow clergymen would see my nonviolent efforts as those of an extremist. I began thinking about the fact that I stand in the middle of two opposing forces in the Negro community. One is a force of complacency, made up in part of Negroes who, as a result of long years of oppression, are so drained of self respect in the sense of "somebodiness" that they have adjusted to segregation; and in part of a few middle-class Negroes who, because of a degree of academic and economic security and because in some ways they profit by segregation, have become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and it comes perilously close to advocating violence. It is expressed in the various black nationalist groups that are springing up across the nation, the largest and best known being Elijah Muhammad's Muslim movement. Nourished by the Negro's frustration over the continued existence of racial discrimination, this movement is made up of people who have lost faith in America, who have absolutely repudiated Christianity, and who have concluded that the white man is an incorrigible "devil."

I have tried to stand between these two forces, saying that we need emulate neither the "do nothingism" of the complacent nor the hatred and despair of the black nationalist. For there is the more excellent way of love and nonviolent protest. I am grateful to God that, through the influence of the Negro church, the way of nonviolence became an integral part of our struggle. If this philosophy had not emerged, by now many streets of the South would, I am convinced, be flowing with blood. And I am further convinced that if our white brothers dismiss as "rabble rousers" and "outside agitators" those of us who employ nonviolent direct action, and if they refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black nationalist ideologies—a development that would inevitably lead to a frightening racial nightmare.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY.

Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro. Something within has reminded him of his birthright of freedom, and something without has reminded him that it can be gained. Consciously or unconsciously, he has been

caught up by the Zeitgeist, and with his black brothers of Africa and his brown and yellow brothers of Asia, South America and the Caribbean, the United States Negro is moving with a sense of great urgency toward the promised land of racial justice. If one recognizes this vital urge that has engulfed the Negro community, one should readily understand why public demonstrations are taking place. The Negro has many pent up resentments and latent frustrations, and he must release them. So let him march; let him make prayer pilgrimages to the city hall; let him go on freedom rides—and try to understand why he must do so. If his repressed emotions are not released in non-violent ways, they will seek expression through violence; this is not a threat but a fact of history.

So I have not said to my people: "Get rid of your discontent." Rather, I have tried to say that this normal and healthy discontent can be channeled through into the creative outlet of nonviolent direct action. And now this approach is being termed extremist. But though I was initially disappointed at being categorized as an extremist, as I continued to think about the matter I gradually gained a measure of satisfaction from the label. Was not Jesus an extremist for love: "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you." Was not Amos an extremist for justice: "Let justice roll down like waters and righteousness like an ever flowing stream." Was not Paul an extremist for the Christian gospel: "I bear in my body the marks of the Lord Jesus." Was not Martin Luther an extremist: "Here I stand; I cannot do otherwise, so help me God." And John Bunyan: "I will stay in jail to the end of my days before I make a butchery of my conscience." And Abraham Lincoln: "This nation cannot survive half slave and half free." And Thomas Jefferson: "We hold these truths to be self evident, that all men are created equal . . ." So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice?

In that dramatic scene on Calvary's hill three men were crucified. We must never forget that all three were crucified for the same crime—the crime of extremism. Two were extremists for immorality, and thus fell below their environment. The other, Jesus Christ, was an extremist for love, truth and goodness, and thereby rose above his environment.

Perhaps the South, the nation and the world are in dire need of creative extremists. I had hoped the white moderate would see this need. Perhaps I was too optimistic; perhaps I expected too much. I suppose I should have realized that few members of the oppressor race can understand the deep groans and passionate yearnings of the oppressed race, and still fewer have the vision to see that injustice must be rooted out by strong, persistent and determined action. I am thankful, however, that some of our white brothers in the South have grasped the meaning of this social revolution and committed themselves to it. They are still all too few in quantity, but they are big in quality. Some—such as Ralph McGill, Lillian Smith, Harry Golden, James McBride Dabbs, Ann Braden and Sarah Patton Boyle—have written about our struggle in eloquent and prophetic terms. Others have marched with us down nameless streets of the South. They have languished in filthy, roach infested jails, suffering the abuse and brutality of policemen who view them as "dirty niggerlovers." Unlike so many of their mod-

erate brothers and sisters, they have recognized the urgency of the moment and sensed the need for powerful "action" antidotes to combat the disease of segregation. Let me take note of my other major disappointment.

I have been so greatly disappointed with the white church and its leadership. Of course, there are some notable exceptions. I am not unmindful of the fact that each of you has taken some significant stands on this issue. I commend you, Reverend Stallings, for your Christian stand on this past Sunday, in welcoming Negroes to your worship service on a nonsegregated basis. I commend the Catholic leaders of this state for integrating Spring Hill College several years ago.

But despite these notable exceptions, I must honestly reiterate that I have been disappointed with the church. I do not say this as one of those negative critics who can always find something wrong with the church. I say this as a minister of the gospel, who loves the church; who was nurtured in its bosom; who has been sustained by its spiritual blessings and who will remain true to it as long as the cord of life shall lengthen.

The PRESIDING OFFICER. The Senator from California.

Mr. PADILLA. Madam President, I thank Senator BROWN for including me on this reading. It is a tremendous honor. I will continue.

When I was suddenly catapulted into the leadership of the bus protest in Montgomery, Alabama, a few years ago, I felt we would be supported by the white church. I felt that the white ministers, priests and rabbis of the South would be among our strongest allies.

Instead, some have been outright opponents, refusing to understand the freedom movement and misrepresenting its leaders; all too many others have been more cautious than courageous and have remained silent behind the anesthetizing security of stained glass windows. In spite of my shattered dreams, I came to Birmingham with the hope that the white religious leadership of this community would see the justice of our cause and, with deep moral concern, would serve as the channel through which our just grievances could reach the power structure. I had hoped that each of you would understand. But again I have been disappointed.

I have heard numerous southern religious leaders admonish their worshipers to comply with a desegregation decision because it is the law, but I have longed to hear white ministers declare: "Follow this decree because integration is morally right and because the Negro is your brother." In the midst of blatant injustices inflicted upon the Negro, I have watched white churchmen stand on the sideline and mouth pious irrelevancies and sanctimonious trivialities. In the midst of a mighty struggle to rid our nation of racial and economic injustice, I have heard many ministers say: "Those are social issues, with which the gospel has no real concern." And I have watched many churches commit themselves to a completely other worldly religion which makes a strange, un-Biblical distinction between body and soul, between the sacred and the secular.

I have traveled the length and breadth of Alabama, Mississippi and all the other southern states. On sweltering summer days and crisp autumn mornings I have looked at the South's beautiful churches with their lofty spires pointing heavenward. I have beheld the impressive outlines of her massive religious education buildings. Over and over I have found myself asking: "What kind of people worship here? Who is their God? Where were their voices when the lips of Governor Barnett dripped with words of

interposition and nullification? Where were they when Governor Wallace gave a clarion call for defiance and hatred? Where were their voices of support when bruised and weary Negro men and women decided to rise from the dark dungeons of complacency to the bright hills of creative protest?"

Yes, these questions are still in my mind. In deep disappointment I have wept over the laxity of the church. But be assured that my tears have been tears of love. There can be no deep disappointment where there is not deep love. Yes, I love the church. How could I do otherwise? I am in the rather unique position of being the son, the grandson and the great grandson of preachers. Yes, I see the church as the body of Christ. But, oh! How we have blemished and scarred that body through social neglect and through fear of being nonconformists.

There was a time when the church was very powerful—in the time when the early Christians rejoiced at being deemed worthy to suffer for what they believed. In those days the church was not merely a thermometer that recorded the ideas and principles of popular opinion; it was a thermostat that transformed the mores of society. Whenever the early Christians entered a town, the people in power became disturbed and immediately sought to convict the Christians for being "disturbers of the peace" and "outside agitators."

But the Christians pressed on, in the conviction that they were "a colony of Heaven," called to obey God rather than Man. Small in number, they were big in commitment. They were too God-intoxicated to be "astronomically intimidated." By their effort and example they brought an end to such ancient evils as infanticide and gladiatorial contests. Things are different now. So often the contemporary church is a weak, ineffectual voice with an uncertain sound. So often it is an arch defender of the status quo. Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent—and often even vocal—sanction of things as they are.

But the judgment of God is upon the church as never before. If today's church does not recapture the sacrificial spirit of the early church, it will lose its authenticity, forfeit the loyalty of millions, and be dismissed as an irrelevant social club with no meaning for the twentieth century. Every day I meet young people whose disappointment with the church has turned into outright disgust.

Perhaps I have once again been too optimistic. Is organized religion too inextricably bound to the status quo to save our nation and the world? Perhaps I must turn my faith to the inner spiritual church, the church within the church, as the true ekklesia and the hope of the world. But again I am thankful to God that some noble souls from the ranks of organized religion have broken loose from the paralyzing chains of conformity and joined us as active partners in the struggle for freedom. They have left their secure congregations and walked the streets of Albany, Georgia, with us. They have gone down the highways of the South on tortuous rides for freedom.

Yes, they have gone to jail with us. Some have been dismissed from their churches, have lost the support of their bishops and fellow ministers. But they have acted in the faith that right defeated is stronger than evil triumphant. Their witness has been the spiritual salt that has preserved the true meaning of the gospel in these troubled times.

They have carved a tunnel of hope through the dark mountain of disappointment. I hope the church as a whole will meet the challenge of this decisive hour. But even if the



church does not come to the aid of justice, I have no despair about the future. I have no fear about the outcome of our struggle in Birmingham, even if our motives at present are misunderstood. We will reach the goal of freedom in Birmingham and all over the nation, because the goal of America is freedom.

Mr. TOOMEY. Continuing the reading of a letter from a Birmingham jail.

Abused and scorned though we may be, our destiny is tied up with America's destiny. Before the pilgrims landed at Plymouth, we were here. Before the pen of Jefferson etched the majestic words of the Declaration of Independence across the pages of history, we were here. For more than two centuries, our forebears labored in this country without wages; they made cotton king; they built the homes of their masters while suffering gross injustice and shameful humiliation—and yet out of a bottomless vitality they continued to thrive and develop. If the inexpressible cruelties of slavery could not stop us, the opposition we now face will surely fail. We will win our freedom because the sacred heritage of our nation and the eternal will of God are embodied in our echoing demands. Before closing I feel impelled to mention one other point in your statement that has troubled me profoundly. You warmly commended the Birmingham police force for keeping “order” and “preventing violence.” I doubt that you would have so warmly commended the police force if you had seen its dogs sinking their teeth into unarmed, nonviolent Negroes. I doubt that you would so quickly commend the policemen if you were to observe their ugly and inhumane treatment of Negroes here in the city jail; if you were to watch them push and curse old Negro women and young Negro girls; if you were to see them slap and kick old Negro men and young boys; if you were to observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I cannot join you in your praise of the Birmingham police department.

It is true that the police have exercised a degree of discipline in handling the demonstrators. In this sense they have conducted themselves rather “nonviolently” in public. But for what purpose? To preserve the evil system of segregation. Over the past few years I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek. I have tried to make it clear that it is wrong to use immoral means to attain moral ends. But now I must affirm that it is just as wrong, or perhaps even more so, to use moral means to preserve immoral ends. Perhaps, Mr. Connor and his policemen had been rather nonviolent in public, as was Chief Pritchett in Albany, Georgia, but they have used the moral means of nonviolence to maintain the immoral end of racial injustice. As T. S. Eliot has said: “The last temptation is the greatest treason: To do the right deed for the wrong reason.” I wish you had commended the Negro sit inners and demonstrators of Birmingham for their sublime courage, their willingness to suffer, and their amazing discipline in the midst of great provocation. One day the South will recognize its real heroes. They will be the James Merediths, with the noble sense of purpose that enables them to face jeering and hostile mobs, and with the agonizing loneliness that characterizes the life of the pioneer. They will be old, oppressed battered Negro women symbolized in a seventy two year old woman in Montgomery, Alabama, who rose up with a sense of dignity and with her people decided not to ride segregated buses, and who responded with ungrammatical profundity to one who inquired about her weariness: “My feet is tired, but my soul is at rest.” They will be

the young high school and college students, the young ministers of the gospel and a host of their elders, courageously and nonviolently sitting in at lunch counters and willingly going to jail for conscience' sake. One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American dream and for the most sacred values in our Judeo Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding founders in their formulation of the Constitution and the Declaration of Independence.

Never before have I written so long a letter. I'm afraid it is much too long to take your precious time. I can assure you that it would have been much shorter if I had been writing from a comfortable desk, but what else can one do when he is alone in a narrow jail cell, other than write long letters, think long thoughts, and pray long prayers?

If I have said anything in this letter that overstates the truth and indicates an unreasonable impatience, I beg you to forgive me. If I have said anything that understates the truth and indicates my having a patience that allows me to settle for anything less than brotherhood, I beg God to forgive me. I hope this letter finds you strong in the faith. I also hope that circumstances will soon make it possible for me to meet each of you, not as an integrationist or a civil-rights leader but as a fellow clergymen and a Christian brother. Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear drenched communities, and in some not too distant tomorrow, the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.

Yours for the cause of Peace and Brotherhood,

MARTIN LUTHER KING, JR.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Ohio.

Mr. BROWN. Madam President, I thank my colleague from the neighboring State, Senator TOOMEY, for joining us. I thank all of my colleagues who were here today, Senators WARNOCK and MURKOWSKI, TOOMEY and CASSIDY, CORTEZ MASTO, and PADILLA for joining to read these powerful words today.

This is about as diverse a group as we could assemble in the U.S. Senate, a group of seven Senators who really reflect our country today: a reverend in a Black church, the son of a union electrical worker, a doctor from the Deep South, an Independent born in the Alaska country, a son of Mexican immigrants, a daughter of Mexican Americans who made this country home for a century, and a son of the Midwest whose father came from Mansfield, OH, and mother came from Mansfield, GA.

We come from different backgrounds, and we disagree on many things, but we love this country—all seven us—and we know we can do better for the people who make it work.

Dr. King and the civil rights leaders of his generation did more than just about anyone to push this country to

live up to our founding ideals and make the dream of America real for everyone.

Protesting, working for change, organizing, demanding our country to do better—those are some of the most patriotic things all of us can do. That is Dr. King's charge of this letter:

Progress never rolls in on wheels of inevitability.

That is our charge. I think about the campaign Dr. King was waging when he was assassinated. You can't forget he was martyred in Memphis when fighting for some of the most exploited workers in this country, sanitation workers. He understood the deep connection between workers' rights and civil rights. As he put it, “What does it profit a man to be able to eat at an integrated lunch counter, if he doesn't earn enough money to buy a hamburger and a cup of coffee?”

Until all Americans have the dignity they have earned, Dr. King's work will remain unfinished. That means paying all workers a living wage, giving them power over their schedules, providing good benefits and safety on the job, letting them, if they choose, organize a union. That means all workers should get a fair share of the wealth they create. It means recognizing the dignity of communities that Black Americans have built over generations.

They were denied wealth and investment. The schools were underfunded. Banks wouldn't lend. Highways tore down businesses and tore apart neighborhoods in the Presiding Officer's largest city in Milwaukee, as they did in the largest cities in my State: Columbus, Cleveland, and Cincinnati.

In the face of all of that, Black Ohioans and people all over the country built businesses and churches and vibrant neighborhoods and loving families. But they should not have to do it on their own.

As we emerge from this pandemic and we work together to build a stronger country out of this crisis, we can't make the mistakes of the past. We learned in the Banking, Housing Committee this week that President Roosevelt's collective bargaining laws and investment in housing with the creation of housing agencies created a middle class for Americans who look like me but didn't create a middle class for a whole lot of other Americans.

Think about the infrastructure investments that we made in the 1930s and the years after World War II. Think how we created millions of new homeowners and grew the middle class. Think of how we expanded economic security, with overtime and workers compensation and Medicare and Social Security.

There is no reason we can't do that again, the same thing again, but this time we bring along everyone. We invest in all communities. We bring us closer to the society Dr. King envisioned, where all labor—as he would say, where “all labor has dignity.”

I suggest the absence of a quorum.



The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

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

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

#### COVID-19 HATE CRIMES ACT

Ms. HIRONO. Madam President, on March 29, Vilma Kari was walking to church near Times Square in Manhattan when a man pushed her to the ground and violently assaulted her in broad daylight.

A silent video of the incident captured by a security camera inside a luxury apartment building showed the attack in vivid detail. In it, we can clearly see the assailant pushing Ms. Kari to the ground and kicking her repeatedly in the head and torso before leaving the scene. This video, which has gone viral, is disturbing enough to watch, but it doesn't capture the full picture of what happened. Witnesses to the attack recounted the assailant's repeatedly yelling "You don't belong here" to Ms. Kari—an immigrant from the Philippines who has lived in our country for decades.

Now recovering from multiple injuries, including a broken pelvis, Vilma Kari has become one of the latest victims in a surging wave of hate crimes targeting the Asian-American, Pacific Islander community during the COVID-19 pandemic.

Over the last year, we have seen businesses defaced with anti-Asian graffiti, elders verbally accosted on the street, women assaulted, and eight people murdered in cold blood at Asian-owned businesses in Georgia during unprovoked attacks. All told, people of Asian descent have reported more than 3,800 hate incidents across all 50 States and the District of Columbia.

These attacks are disturbing and horrifying, but they are, in many ways, a predictable and foreseeable outgrowth of the use of racist and inflammatory language, like "Chinese virus," "Wuhan virus," and "Kung flu," to describe the COVID-19 pandemic. Last year, as some political leaders, including the former President, started using this language, the FBI warned of a potential surge in hate crime incidents targeting people of Asian descent.

At the same time, public health experts warned of the danger of singling out the Asian-American community as being responsible for the virus. These warnings proved prophetic. A study recently published by the American Journal of Public Health found there was a dramatic increase in tweets using anti-Asian phrases after the first time the former President tweeted using the hashtag "China virus" on March 16, 2020.

This rise in hate crimes targeting AAPIs over the past year has shown the extent to which this inflammatory rhetoric has normalized racist attitudes toward and the stigmatization of Asian Americans with devastating con-

sequences. The Center for the Study of Hate and Extremism, for example, assessed that, in 16 of the Nation's largest cities, hate crimes targeting AAPIs spiked nearly 150 percent during the pandemic.

The current dramatic rise in hate crimes targeting Asian Americans might be a recent development, but we all know that racism is never far below the surface in our country, sadly. Asian Americans have always been targeted as the "other" in our country—considered the perpetual "foreigner." It is what drove the passage of the Chinese Exclusion Act of 1882 and is what led to the incarceration of 120,000 Japanese Americans during World War II. It is also what drove two Detroit auto-workers, during the height of hysteria about Japan's growing economic strength, to murder a Chinese-American man named Vincent Chin in 1982 because they thought he was Japanese. Outrageously, neither of Vincent's killers received prison time. Nearly 40 years later, we can see clear parallels between the racism that motivated Vincent Chin's murder and the ongoing surge in anti-Asian racism and hate crimes. We can also see the parallels in the wave of activism both unleashed.

Today, the AAPI community is uniting, once again, to confront this epidemic of racism, discrimination, and hate. We are marching, speaking out, and demanding action in cities and States across the country. As part of our activism, we are working to dispel the model minority myth that all Asians are successful and integrated in society. This racist and discriminatory stereotype devalues the struggles and experiences of an extraordinarily diverse community. The AAPI community is comprised of people from more than 48 distinct ethnic groups who speak over 300 languages. Some of these groups have been in this country for over 100 years. Others have grown in size through waves of immigration in recent decades.

Like other communities of color, elements of the AAPI community have traditionally suffered from a variety of health, economic, and other disparities for years, and the COVID-19 pandemic has only made them worse. AAPIs are contracting and dying from COVID-19 at much higher rates than White Americans and at comparable rates with Black and Hispanic Americans.

Our community has suffered too much over the past year from the two epidemics of racism and COVID, and confronting both will continue to present challenges, but it has been a relief to have a President capable of demonstrating care and empathy and who shares our sense of urgency in confronting this wave of hate.

In his first week as President, Joe Biden issued an executive memorandum that condemned racism, xenophobia, and intolerance targeting the AAPI community and directed the Federal Government to actively combat it. In recent weeks, following the brutal

murder of eight people, including six Asian women in Georgia, President Biden took additional action. He announced new investments for research into anti-Asian xenophobia through the National Science Foundation, directed \$50 million in support for victims of hate crimes, and established a COVID-19 equity task force to combat anti-Asian hate.

Members of President Biden's administration have followed his lead. Attorney General Merrick Garland, for example, pledged to prioritize hate crimes enforcement during his confirmation hearing and has taken additional steps to help local law enforcement agencies investigate bias crimes.

Under President Biden's leadership, the executive branch is doing its part. Now it is time for us—it is time for Congress to act.

I am encouraged that in just a few minutes, the Senate will vote to proceed to the COVID-19 Hate Crimes Act on a strong bipartisan vote. This is not a controversial bill. It would focus Federal leadership to investigate and report hateful acts of violence and provide resources for our communities to come together to take a stand against intolerance and hate.

The COVID-19 Hate Crimes Act directs the Attorney General to designate a person whose responsibility it will be to expedite review of anti-Asian hate crimes and report them. It also instructs DOJ to issue guidance to State and local law enforcement on culturally appropriate public education campaigns and on the collection of data on hate crimes or incidents. Such culturally-sensitive, in-language outreach is an important element for strengthening trust and awareness in impacted communities, and it will help overcome established hesitancy to report hate crimes or incidents to law enforcement.

At a time when the AAPI community is under siege, this bill is an important signal that Congress is taking anti-Asian racism and hatred seriously. Significantly, Democrats and Republicans are working together in good faith to come to consensus to pass this bill. For example, I wholeheartedly support a bipartisan amendment from Senators Blumenthal and Moran to attach their NO HATE Act to this bill. Their amendment improves the data collection and reporting of all hate crimes so that we can better understand their prevalence and implement effective policies to prevent them. Senator COLLINS and I are also working on additional language to broaden support for the bill.

The ongoing wave of anti-Asian violence and hate crimes has touched virtually every single member of the AAPI community. We are talking about millions of people in the AAPI community. Many of us are changing our daily routines. Until recently, I usually have my earbuds in, listening to an audio book whenever I leave my apartment to go for a walk. I don't do that now.

An attack on one group in our country is truly an attack on all of us. By passing the COVID-19 Hate Crimes Act, we can come together on a bipartisan basis to show that the U.S. Senate will not be a bystander to the wave of racist, anti-Asian violence in our country. So let's get it done together.

I yield the floor.

#### VOTE ON MALLORY NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Mallory nomination?

Ms. HIRONO. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 150 Ex.]

#### YEAS—53

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

#### NAYS—45

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

#### NOT VOTING—2

Rounds Tillis

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The majority whip is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. 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 proceed to Calendar No. 13, S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

Charles E. Schumer, Mazie Hirono, Tammy Duckworth, Richard J. Durbin, Patty Murray, Jeff Merkley, Tammy Baldwin, Elizabeth Warren, Robert Menendez, Bernard Sanders, Kirsten E. Gillibrand, Jacky Rosen, Chris Van Hollen, Ron Wyden, Richard Blumenthal, Amy Klobuchar, Christopher Murphy.

The PRESIDING OFFICER. 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 proceed to S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS).

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

The yeas and nays resulted—yeas 92, nays 6, as follows:

[Rollcall Vote No. 151 Ex.]

#### YEAS—92

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

#### NAYS—6

Cotton	Hawley	Paul
Cruz	Marshall	Tuberville

#### NOT VOTING—2

Rounds Tillis

The PRESIDING OFFICER. On this vote, the yeas are 92, the nays are 6.

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

#### LEGISLATIVE SESSION

#### COVID-19 HATE CRIMES ACT— MOTION TO PROCEED

The PRESIDING OFFICER. Cloture having been invoked, the Senate will proceed to legislative session to consider the motion to proceed to S. 937, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, Americans were horrified to witness a recent series of mass shootings involving the Asian-American and Pacific Islander community. On March 16, 2021, mass shootings occurred at three spas and massage parlors in the Atlanta metropolitan area. Eight people were killed, six of whom were Asian-American women, and one other person was wounded. The suspect was taken into custody that day and has been charged with multiple counts of murder. The investigation is continuing as to whether the suspect should be additionally charged with hate crimes, if he deliberately targeted Asian Americans with this senseless violence.

Unfortunately, this mass shooting is not an isolated incident in the United States in terms of hate speech, hate crimes, and violence against Asian Americans in our communities. Sadly, some political figures have used the ongoing COVID-19 pandemic to fan the flames of hate by promoting stereotypes, fear, and xenophobia. Irrationally blaming Asian and Asian-American neighbors for the pandemic is simply wrong and reprehensible and can have deadly consequences.

Let us remember that our Asian-American brothers and sisters are an integral part of the United Nations on so many levels. Our immigrant story and our diversity are some of our unique strengths, not weaknesses, of the United States of America.

There are about 23 million Asian Americans and Pacific Islanders in the United States, constituting 7 percent of the population of our country.

There are approximately 2 million Asian-American owned businesses that generate over \$700 billion in annual revenue and employ millions of workers.

Two million Asian Americans and Pacific Islanders are working on the frontlines of the COVID-19 pandemic as first responders and in healthcare, law enforcement, transportation, supermarkets, and other service industries. Our Asian-American brothers and sisters are putting their lives on the line every day to help protect our communities during the pandemic. That is why it is so despicable to see the rise of anti-Asian rhetoric and hate speech by political leaders and others, which inevitably gives oxygen to extremist groups and individuals and gives license to individuals to commit hate crimes and acts of violence.

The use of anti-Asian terminology and rhetoric related to COVID-19, such as the “Chinese virus,” the “Wuhan virus,” the “Kung flu”—phrases often used by former President Trump and some of his followers—has perpetrated an anti-Asian stigma. The use of anti-Asian rhetoric has resulted in Asian Americans being harassed, assaulted, and scapegoated for the COVID-19 pandemic.

Since January 2020, there has been a dramatic increase in reports of hate crimes and incidents against those of Asian descent throughout the Nation. According to a recent report, there were nearly 3,800 reported cases of anti-Asian discrimination related to COVID-19 between March 2020 and February 2021.

On April 3, 2021, the New York Times ran an analysis article on the rising tide of Asian-American violence entitled “Swelling Anti-Asian Violence: Who is Being Attacked Where.”

The article stated:

Over the last year, in an unrelenting series of episodes . . . people of Asian descent have been pushed, beaten, kicked, spit on and called slurs. Homes and businesses have been vandalized. The violence has known no boundaries, spanning generations, income brackets and regions. . . . Those cases include the fatal attack of a Thai man in January, as well as the assaults of a 91-year-old man in Oakland’s Chinatown and an 89-year-old woman in Brooklyn. Those episodes, and other[s] . . . have terrified the Asian community.

The article continues:

But there is no ambiguity about the cases The Times collected: These are assaults in which the assailants expressed explicit racial hostility with their language, and in which nearly half included a reference to the coronavirus.

This article pointed out some sobering statistics when it comes to hate crimes. Over the last year, hate crimes as classified and reported by the police rose at a faster pace against people of Asian descent than hate crimes overall. In New York City and Boston, hate crimes overall fell while anti-Asian hate crimes spiked.

In New York City alone, the number of hate crimes with Asian-American victims reported to the New York Police Department jumped to 28 last year, up from 3 in 2019, and so far this year, the Department is actively investigating or has solved 35 anti-Asian bias crimes.

Congresswoman GRACE MENG, of New York, said:

We’ve gone from being invisible to being seen as subhuman. We just want to be seen as American, like everyone else.

On April 9, 2021, the Washington Post ran an article examining the effect of mass shootings on marginalized groups and how trauma ripples through those communities.

The article stated:

March 16 marked a turning point for many Asian Americans: It was the day their community was stricken by a mass shooting, becoming the latest minority group to suffer an attack that killed several of its own . . . There’s a specific kind of grief that arises from being targeted, one that more and more marginalized people in the United States know too well. The shooting survivors and victims’ family members span geographies, races and religions, but they are bonded by the shared trauma they have experienced.

The article continues:

These tragedies often leave many in those communities who weren’t directly affected feeling unsafe and traumatized. After a shooting, many members of these communities say they felt hyper-aware of their race and an escalated sense of fear that the same could happen to them or those they love. A mass shooting seems less senseless or inexplicable when it’s directed at one of your own.

I recall with sorrow that in 2018 a gunman killed 11 Jewish worshipers at the Tree of Life in Pittsburgh.

The article continues:

Tree of Life Rabbi Jeffrey Myers said his synagogue practices the “ministry of presence”. . . . After mass shootings, synagogue members reach out to the affected communities and let them know that they’re present, they’re listening.

The Georgia massacre “increases the fear level now of all Asian Americans who prayed, “Am I next?” I know how that feels to have your community wonder, “Am I next?” said Myers, a survivor of the deadliest attack against Jews on American soil.

In recent weeks, flyers have recirculated at Asian-American restaurants—posted in the synagogue’s Squirrel Hill neighborhood after the 2018 Pittsburgh shooting—to show their support for the Jewish community.

One read:

Many of our business members have thrived in this city, particularly in Squirrel Hill, and if we shared in this good fortune, then we bear the burdens.

It was a reminder that Asian Americans and Jews share similar status as minority communities in the United States and now as communities affected by mass shootings.

I was pleased that, shortly after taking office, President Biden issued a Presidential memorandum, “Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States.”

We need to stop the hate. Referring to this global pandemic by anything other than its appropriate, medical names has inflamed the worst stereotypes, fear, and xenophobia in the face of a health crisis. Irrationally blaming

Asian or Asian-American neighbors and random strangers is simply un-American. The Senate and every person in this country needs to call out the hate, bullying, and scapegoating whenever we see it and work together as one community to overcome COVID-19.

In my home State of Maryland, I was pleased to see that, last week, Governor Larry Hogan announced the formation of a statewide workgroup charged with developing strategies, recommendations, and actions to address the rise in violence and discrimination targeting the Asian-American community.

Governor Hogan named the former U.S. attorney for the District of Maryland, Robert K. Hur, to chair the workgroup and spearhead the effort. Mr. Hur was the first Asian American to serve as our U.S. attorney in Maryland’s history, and I had the pleasure of working with him extensively on a number of criminal matters and civil rights issues during his tenure.

I also want to commend the work of our current acting U.S. attorney in Maryland and our FBI Special Agent in Charge, Jennifer C. Boone. They put out a recent statement which condemned bigotry and hatred against the Asian-American and Pacific Islander community and encouraged members of the public to report to law enforcement incidents of violence, threats, and harassment.

Shortly before the shootings in Atlanta, the U.S. Attorney’s Office for Maryland, on March 10, 2021, launched its Civil Rights Unit to ensure that the full spectrum of criminal and civil statutes are employed in addressing hate crimes and discrimination; to conduct outreach to government, not-for-profit, and private entities in Maryland; and to help provide training and resources to local and State law enforcement in Maryland.

Today, I rise in support of S. 937, the COVID-19 Hate Crimes Act, introduced by Senator HIRONO of Hawaii. I am proud to be a cosponsor of this important legislation. I urge the Senate to pass this legislation without further delay.

This legislation would direct the U.S. Department of Justice to designate a DOJ employee to assist with the expedited review of COVID-19 hate crimes reported to Federal, State, and/or local law enforcement. The legislation would provide guidance for State and local law enforcement agencies to establish the online reporting of hate crimes or incidents and to have online reporting available in multiple languages; expand culturally competent and appropriate public education and the collection of data and public reporting of hate crimes; and issue guidance detailing best practices to mitigate racially discriminatory language in describing the COVID-19 pandemic, in coordination with the Secretary of Health and Human Services, the COVID-19 Health Equity Task Force, and community-based organizations.

In the 117th Congress, I was privileged to be named as the chairman of the Commission on Security and Cooperation in Europe, also known as the Helsinki Commission. I additionally serve as the Special Representative on Anti-Semitism, Racism, and Intolerance for the OSCE Parliamentary Assembly.

Over the past year, the world has suffered the crippling impact of COVID-19, which has disproportionately affected our most vulnerable citizens. Racist violence has, once again, reared its ugly head in many OSCE participating States, including our own. I pledge to continue working with the Helsinki Commission and the OSCE to shine a spotlight on discrimination, racism, and anti-Asian violence both at home and abroad as we work together with our partners in the United States and around the world to share best practices and combat this scourge against our democracy and freedoms we hold so dear.

In 2019, at the annual meeting of the OSCE Parliamentary Assembly in Luxembourg, I chaired a section dealing with anti-Semitism. One of the key findings that came out of that section was that every community needs to work together. We are all in this together. An attack on one community is an attack on all of us and the freedom of all of us, and we must join in unity to speak with a clear, strong voice against any of these hate activities.

We now need an all-hands-on-deck approach to combat anti-Asian bias, prejudice, discrimination, hate crimes, and violence. In working together—all communities—with our local, State, national, and international partners, along with our allies in the private sector and faith community, we can stem this dangerous trend and give a sense of peace and security back to our Asian-American brothers and sisters. It starts with our taking up the legislation before us and passing it promptly.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Madam President, we are very pleased that the Senate just took an overwhelmingly bipartisan vote—92 to 6—to move forward with legislation to fight the surge of anti-Asian violence across our country in the wake of the COVID-19 pandemic.

Anti-Asian bigotry and violence is a very serious issue that has deep roots in our country's history. Regrettably, it has grown far worse over the last year. It is something that affects constituents in all of our States and has proud Asian-American citizens fearing for their safety. I have been told stories that make me ache: an older Asian

gentleman afraid to go outside because he would be cursed at, berated, even spat upon. A young lady told me she would no longer take the subway to work because the stares at her were so angry and intense that it was just unnerving. Then it is worse with assaults and violence and even a death.

We need to do something, and I am so glad that our Republican colleagues have voted with us to proceed with this legislation. This was never intended as gotcha legislation. It was always intended as bipartisan legislation, and for the information of the Senate, we are making good progress on reaching a bipartisan agreement with sensible, germane, and constructive amendments coming from Republican colleagues—the Senator from Kansas, the Senator from Maine—that, I believe, make the bill even stronger. So we want to continue with this bipartisan process.

I intend the first amendment to the bill to be an amendment offered by Senators Moran and Blumenthal. We are working with the Republican leader to determine if and how many other amendments to the bill there will be so that we can consider them and vote on final passage without any gotcha or not germane amendments, but we are moving this bill forward because it does need to go forward with a sense of urgency.

The legislation will send a loud and clear message that racism and violence against Asian Americans have no place—no place—in American society. We should endeavor to finish our work as quickly as possible and without delay.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### UNANIMOUS CONSENT REQUEST

Mr. SCOTT of Florida. Madam President, the United States is a beacon of democracy in the world, and our Nation was founded on free and fair elections, but if the American people don't have confidence in our elections, we don't have a sustainable democracy.

What we saw this past election was confusion and chaos caused by inconsistent standards and last-minute changes to established election laws by State officials and activist judges. Yet it is not just the chaos from this past election that troubles Americans across the country. For more than a decade, growing numbers of Americans have become less confident that their votes were accurately cast and counted. If we want to continue as a thriving democracy, we have to reverse this trend and take action so Americans trust in free and fair elections. There is no other option.

That is why I have joined my colleagues in introducing the Save Democracy Act to restore faith in our Federal elections and guarantee that voters decide the outcomes of elections, not the courts, and that is why I am here today to ask my colleagues to join me in passing one specific section

of the Save Democracy Act—the Promoting Election Integrity by Proving Voter Identity Act—to require voter ID.

It is pretty simple. If you want to vote in person, you will need to bring your current and valid ID. If you want to vote by mail, you will need to provide a copy of your ID. Like I said, it is pretty simple and straightforward. We want 100 percent participation in our elections and zero percent fraud. We want it to be easy to vote and hard to cheat. Voter ID helps us to meet that goal.

Of course, the Democrats will do anything to fight against these commonsense reforms. It is absurd. You have to have ID to drive a car, board a plane, open a bank account, and pick up a prescription. Do they object to that? Of course not. These are much needed, commonsense reforms to our election systems.

Just look at what is happening in Georgia. Two recent news articles show that President Biden and the Democrats spread lies to pressure companies to boycott Georgia over commonsense voting laws even though the Washington Post gave President Biden four Pinocchios for his lies about the Georgia law.

I ask unanimous consent to have printed in the RECORD the two articles I have with me today which outline how much the Democrats have been grossly misleading the public.

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

[From the Washington Post, Mar. 30, 2021]

BIDEN FALSELY CLAIMS THE NEW GEORGIA LAW 'ENDS VOTING HOURS EARLY'

(By Glenn Kessler)

"What I'm worried about is how un-American this whole initiative is. It's sick. It's sick . . . deciding that you're going to end voting at five o'clock when working people are just getting off work."—President Biden, in remarks at a news conference, March 25

"Among the outrageous parts of this new state law, it ends voting hours early so working people can't cast their vote after their shift is over."—Biden, in a statement "on the attack on the right to vote in Georgia," March 26

During his first news conference, President Biden became especially passionate when discussing a law being pressed by Republican lawmakers in Georgia that he said was intended to make it harder for people to vote. He reiterated those concerns the next day in a written statement after Gov. Brian Kemp (R) signed the bill into law.

The law has come under fire for restricting the distribution of food and water to people standing in line, making it harder to cast absentee ballots, reducing drop boxes for mail ballots, barring mobile voting places and for making significant procedural changes that potentially give more power to the GOP-controlled legislature in the election process.

Biden has echoed many of those concerns. But there was one line in both his news conference and his statement that has kept us puzzling until our puzzler was sore. It also puzzled experts who have studied the new law.

Let's take a look.

#### THE FACTS

On Election Day in Georgia, polling places are open from 7 a.m. to 7 p.m., and if you are

in line by 7 p.m., you are allowed to cast your ballot. Nothing in the new law changes those rules.

However, the law did make some changes to early voting. But experts say the net effect of the new early-voting rules was to expand the opportunities to vote for most Georgians, not limit them.

"You can criticize the bill for many things, but I don't think you can criticize it for reducing the hours you can vote," said University of Georgia political scientist Charles S. Bullock III. He speculated that Biden may have been briefed on an early version of the bill—"there were 25 versions floating around"—and he did not get an update on the final version.

For instance, at one point lawmakers considered nixing all early voting on Sundays, thus eliminating "souls to the polls," a get-out-the-vote initiative popular with predominantly Black churches. But that idea was scrapped in the end.

"One of the biggest changes in the bill would expand early voting access for most counties, adding an additional mandatory Saturday and formally codifying Sunday voting hours as optional," Stephen Fowler of Georgia Public Broadcasting said in an excellent and comprehensive report on the impact of the new law. "Counties can have early voting open as long as 7 a.m. to 7 p.m., or 9 a.m. to 5 p.m. at minimum. If you live in a larger metropolitan county, you might not notice a change. For most other counties, you will have an extra weekend day, and your weekday early voting hours will likely be longer."

Charles Stewart III, an election expert at the Massachusetts Institute of Technology, said: "I had also heard this generally reported as expanding early voting, so I'm surprised by the characterization." He studied the precise language changes at our request and said it indicated an expansion of hours, especially in rural counties.

So where would Biden get this perception that ordinary workers were getting the shaft because the state would "end voting at five o'clock"? We have one clue.

The law used to say early "voting shall be conducted during normal business hours." Experts said that generally means 9 a.m. to 5 p.m. The new law makes it specific—"beginning at 9:00 AM and ending at 5:00 PM." A Georgia election official said the change was made in part because some rural county election offices only worked part time during the week, not a full eight-hour day, so the shift to more specific times makes it clear they must be open every weekday for at least eight hours.

But, as noted, the law also allows individual counties to set the hours anywhere between 7 a.m. and 7 p.m. So the practical effect of the 5 p.m. reference in the law is minimal.

During the 2020 election, for instance, vote-rich Fulton County, with a substantial Black population, set early-voting hours at 8:30 a.m. to 6 p.m. on most weekdays and two Saturdays, though the last weekdays had 7 a.m. to 7 p.m. voting hours. Voting was allowed on two Sundays between 12 p.m. and 6 p.m.

Under the new law, Fulton County could set the exact same hours for in-person early voting—or expand them from 7 a.m. to 7 p.m. every day.

Bullock noted that one change in the law may impact early voting in runoff elections. The law reduced the period between the initial election and the runoff election, from nine to four weeks, potentially shortening the period for early voting.

We were curious what the early-voting rules were in Delaware, Biden's home state. It turns out Delaware did not allow any in-

person early voting in 2020. A law signed in 2019 will permit early voting starting in 2022. (Voting hours are 7 a.m. to 8 p.m. on Election Day.)

We sought an explanation from the White House for the reason for Biden's remarks but did not receive an on-the-record response.

#### THE PINOCCHIO TEST

Biden framed his complaint in terms of a slap at working people. The law would "end voting at five o'clock when working people are just getting off work" or "ends voting hours early so working people can't cast their vote after their shift is over."

Many listeners might assume he was talking about voting on Election Day, not early voting. But Election Day hours were not changed.

As for early voting, the law made a modest change, replacing a vague "normal business hours"—presumed to be 9 a.m. to 5 p.m.—to a more specific 9 a.m. to 5 p.m. time period. But that's the minimum. Under the new law, counties have the option to extend the voting hours so voters can start casting ballots as early as 7 a.m. and as late as 7 p.m.—the same as Election Day in Georgia. Moreover, an additional mandatory day of early voting on Saturday was added and two days of early voting on Sunday were codified as an option for counties.

One could understand a flub in a news conference. But then this same claim popped up in an official presidential statement. Not a single expert we consulted who has studied the law understood why Biden made this claim, as this was the section of law that expanded early voting for many Georgians.

Somehow Biden managed to turn that expansion into a restriction aimed at working people, calling it "among the outrageous parts" of the law. There's no evidence that is the case. The president earns Four Pinocchios.

[From Fox News, Apr. 12, 2021]

WARNOCK ADMITS TO SIGNING EMAIL WITH FALSE INFORMATION ABOUT GEORGIA VOTING LAW

(By David Rutz)

Sen. Raphael Warnock, D-Ga., admitted to signing off on false information in a third-party advocacy group's email that went out about the Georgia voting law after it passed.

The Washington Post flagged an email Warnock signed from the liberal nonprofit 3.14 Action as an example of Democratic misinformation about the sweeping Georgia voting reforms, as it claimed the new law restricted weekend early voting and ended no-excuse mail voting.

"Sen. Raphael G. Warnock, one of two new Democratic senators representing Georgia, signed an email sent out by the advocacy group 3.14 Action after the law passed, which claimed it ended no-excuse mail voting and restricted early voting on the weekends—also early proposals that did not become law," the Post reported.

Those ideas were considered but did not make it into the final bill, which actually expands early voting in Georgia to 17 days, including two Saturdays. It also still allows no-excuse absentee voting, albeit with a shorter window of 67 days to apply.

The statement went out on March 30, five days after Georgia Gov. Brian Kemp, a Republican, signed the final bill into law.

A Warnock campaign spokesperson told Fox News it approved the text of the group's email before Kemp signed the bill, while the provisions were still under consideration. The spokesperson noted the Georgia Senate passed a bill to end no-excuse absentee voting earlier in March, and the Georgia House originally proposed restricting weekend early voting.

However, neither provision made it into the final bill, as the 3.14 Action statement Warnock signed appeared to claim.

The law has been the subject of fierce controversy, with President Biden and other Democrats likening it to racist "Jim Crow"-era restrictions. Kemp and other state Republicans have pushed back on the criticism and said the reforms strengthen voting integrity.

Biden has also disseminated false information about the law, getting Four Pinocchios from The Washington Post's Fact-Checker for claiming the law limits voting hours.

The firestorm around the law has already economically hurt Georgia. Bowing to liberal pressure and outrage from Georgia-based corporations like Delta and Coca-Cola, Major League Baseball Commissioner Rob Manfred pulled the 2021 All-Star Game out of Atlanta's Truist Park, costing the area up to an estimated \$100 million in potential revenue.

Warnock said he was disappointed by MLB's decision but framed it as the fault of Republicans, calling it an "unfortunate" consequence of the voting bill.

"It is my hope that businesses, athletes, and entertainers can protest this law not by leaving Georgia but by coming here and fighting voter suppression head on, and hand-in-hand with the community," he said in a statement.

The new Georgia lawmaker is a staunch supporter of the For The People Act, a sweeping national voting bill which Republicans have slammed as a massive federal overreach and Democratic power grab.

Mr. SCOTT of Florida. It just goes to show you how out of touch the Democrats really are.

All my Republican colleagues and I want to see is more Americans vote, and I am thankful Senators BARRASSO and CRAMER are joining me in this effort today. We want a vibrant democracy in which citizens are engaged and participating in government at every level.

Sadly, the Democrats are refusing to work with us to protect our voting systems. Instead, the Democrats want to make it easier to cheat and harder to stop election fraud. That is why the Democrats are pushing H.R. 1, which would perpetuate distrust in our elections, impose anti-democratic mandates, and further erode our country's institutions. H.R. 1 is the most radical piece of voting legislation this Nation has ever seen at a time when restoring confidence in elections has never been more important.

H.R. 1 removes the most basic safeguards against election fraud. The Democrat solution to election security is the same as their solution to all problems: a completely inept, big-government approach that fails at every level.

Before continuing, I would like to yield to my colleague from Wyoming and thank him for his leadership on this effort.

THE PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I come to join my colleague from Florida, former Governor and now U.S. Senator, and talk about the Save Democracy Act and the issues that are facing our Nation today, and I want to

do that because over the past several weeks, Democrats, the media, their corporate allies have been misleading the American people about our voting laws.

Democrats have been pushing a false narrative all around the country, trying to scare Americans into pushing and pressuring Congress into passing a Federal election takeover.

Federal election laws and State election laws, as guided by our Constitution, say that it is States that should be making the decisions about how we run our elections at home. But what you see coming out of the Democrats in their H.R. 1—that is called S. 1—is a law that changes things dramatically and takes decisions out of the folks at home in Wyoming and puts them in the hands of folks in Washington, DC. People in Wyoming, as I talked to them the last 2 weeks, don't want anything to do with that.

Now, Democrats have this listed as their No. 1 priority bill for the year; otherwise, why would they have listed it as No. 1? Not coronavirus, not pandemic, not infrastructure—no, taking elections away from the States, putting them in the hands of Washington.

The bill is over 800 pages long. Virtually every page would, I believe, make it easier to cheat. That is not what the American people want. They want to make it easier to vote and harder to cheat.

The bill, H.R. 1, now S. 1, expands ballot harvesting, which is where paid political operatives, unsupervised, can go door to door, nursing home bed to nursing home bed, picking up people's ballots and deciding which ballots to turn in and which ballots to destroy.

The bill would register people automatically when they sign up for Medicaid or assistance in other forms from the government. It would force taxpayers to fund political campaigns and political operatives. Paying for campaign ads, your tax dollars would go for that and things that—a candidacy you are not for, and you would be paying for their ads and their computer time and their web pages and their yard signs. People in Wyoming don't want that.

When I describe each one of these to the people of Wyoming, they say: Don't let that happen to America.

I think many Democrats haven't read the 800 pages, and I know if the American people read the 800 pages, they would be just as upset as the people in Wyoming who have heard what is in the bill.

The American people want security in elections. We want integrity, accountability, transparency in how it all works, and that is why I am so proud to be here and supporting Senator SCOTT and cosponsoring, along with Senator HYDE-SMITH and Senator LUMMIS, a bill that gives confidence to people in elections, because our bill—overall bill bans voter harvesting. It says no to automatic registration. It requires at least a Social Security

number to register to vote. Under our bill, you could still vote by mail, as people have done year after year in Wyoming—done it very successfully. You just need to request a ballot, say your information is up-to-date, and then you get the ballot in the mail—basic commonsense measures to protect against fraud and against error.

So the differences between what we propose and what the Democrats propose could not be more clear. I believe the Democrat bill makes it easier to commit fraud; the Republican bill makes it harder to commit fraud.

If the Democrat bill were good, they wouldn't need to use scare tactics, which they have been using all across the country, and wouldn't need to spread false information.

So the people of Wyoming tell me they want elections to be fair. They want them to be free from voter fraud. They want it to be easier to vote, as I said, harder to cheat, and just basically using an identification card or a means to identify yourself when you go to vote would make common sense. That is what we do in Wyoming, and it should be continued to be allowed so when someone shows up to vote, they can just confirm that they are who they say they are.

And that is why I am proud to stand here today with Senator SCOTT and support him on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, we can and must pass commonsense reforms to restore confidence in our elections.

The easiest thing we can do right now is require voter ID. Americans agree this is a necessary step.

If we are serious about working together to move our country forward, restore public trust, and protect the democracy our Nation cherishes, we need to pass my bill today, and I look forward to all my colleagues joining me to protect our democracy.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1130, introduced earlier today. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. MERKLEY. Madam President, my colleagues have talked about free and fair elections, but I am quite concerned that this bill does quite the opposite.

I am really quite stunned that one would think that a bill that dictates exactly how every State has to use an ID law affects the access to the ballot box for every single American, that it would be requested that it would be passed with no process, no possibility of a committee to examine the fact that every single American voter is im-

pacted by this effort to erect a barricade between the voter and the ballot box.

I was thinking about how, when we were here on January 6, the boxes that had the electoral college votes—gorgeous, ornate, old wooden boxes were here on the counter, and they are just a symbol of the pulsating heart of our Republic, the ability of every citizen to participate in the vision for their country, how their country will operate, how their children will have an opportunity to thrive—that ballot box.

So here is a bill designed to make it harder to get your voice heard, harder to get your ballot counted, being asked to be considered by this Chamber with absolutely no process of committee deliberation.

If we had such a process, it would be pointed out that currently millions of Americans don't have the IDs required in this measure. Well, that makes it a lot harder for millions of Americans to vote.

It would also be pointed out in the committee process that of those who don't have those IDs, about three times as many Black Americans don't have those IDs as White Americans, even though Black Americans are a much smaller percentage of the American population, which means that this measure is hugely discriminatory against Black Americans. And it is just wrong to engage in that type of discrimination in an effort to manipulate the outcome of elections.

Now, it would be quite a different conversation if we had evidence that there were an actual, real problem being addressed. But, fortunately, this has been studied time and time and time again. We had the Governor of Michigan testifying here on Capitol Hill just a few days ago, and we asked when they did the study—the investigation because of the lawsuits that were filed related to the last election—how many people voted illegally in vote by mail. And that effort to find the evidence of fraud turned out, she said, zero. Zero.

And I asked her a question because I was stunned that it was zero. Certainly one person who thought they were a citizen but wasn't a citizen and voted who was found? Zero. Zero.

And there is study after study after study. So we understand what this is, and that is what would be explored in committee. It is an effort to make it harder for Americans to vote.

It is not about security because there is not a security problem. It is about the fact that this disproportionately affects low-income Americans and Black Americans.

So I stand here today considering whether to object because I believe in that vision of Americans having a full, free, fair chance to be involved in their elections, defending the ballot box for every single American, and this bill does the opposite.

I object.

The PRESIDING OFFICER. The objection is heard.



The Senator from Florida.

Mr. SCOTT of Florida. Madam President, my goal is 100 percent participation and zero percent fraud. It is not voter suppression or racist to prove your identity for in-person voting. It is not voter suppression or racist to prove your identity for mail-in voting. It is not voter suppression or racist to require ballot boxes to be monitored. It is not voter suppression or racist to make sure your vote is in on time.

My colleague wants to call any attempt to fight fraud in our elections voter suppression. My colleague wants to call any attempt to fight fraud in elections racist. That is just not accurate.

Voter ID should not be controversial. You need an ID to get on a plane, open a bank account, drive a car—even an ID to get into the White House. But we shouldn't have an ID to vote for the President? It just doesn't make sense.

Americans believe in voter ID. It is a logical step to make our elections more secure, and it is a simple change we can pass today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### AMERICAN MANUFACTURING

Ms. STABENOW. Madam President, first, I want to say I want to thank the Senator from Oregon for objecting to the previous motion, and I share his concerns.

I rise today to speak about some big choices our Nation has to make. Will we continue to limp along with an economy that works for only a few wealthy people or will we invest in making things in America and in our infrastructure and, most importantly, in our people?

Will we continue to allow other countries to outpace us on technology while remaining dependent on critical parts made on the other side of the globe or will we seize a future that is made in America?

And will we continue to ignore the climate crisis and leave it for the next generation to deal with and leave an even bigger catastrophe or will we take action right now—right now—to put our Nation on a path to a future of good-paying jobs fueled by clean energy?

I have often said that in Michigan we don't have an economy unless someone makes something and somebody grows something. That is what we do in Michigan. We make things and grow things. And I know that my friend, the Presiding Officer from Minnesota, feels the same—making things, growing things. That is how we have an economy. It has been the secret to our success in Michigan and in so many other places around the country. We need to make things, and we need to grow things.

Unfortunately, while we have been talking about making things for a long time, the rest of the world has actually been acting.

It is estimated that the Chinese Government has invested at least \$100 bil-

lion to support its electric vehicle industry. That might be why they have hundreds of companies making electric vehicles.

You can't build a competitive auto industry without electric vehicles, and you can't build electric vehicles without a whole lot of batteries and a whole lot of other component parts. They could all be made here, but most of them aren't.

Right now, none of the major electric vehicle battery providers are American companies. They could be if we helped partner with them to make that happen.

And we have seen what happens when our automakers depend on semiconductors made overseas. Over the past few months, a shortage of computer chips no bigger than a Kellogg's cornflake have idled multiple plants and led to layoffs in Michigan and across the country.

In fact, the Alliance for Auto Innovation estimates that U.S. automakers will produce a million fewer cars this year because of this shortage of this little chip.

It is not enough to say we need to build things in America. We all know that. But we can't build things here without first investing in our capacity and having a national strategy to build things here in America. Thankfully, we have a President of the United States who understands that. He understands the moment we are in and is ready to meet the moment.

Now it is time for Congress to step up. Senate Democrats are excited and ready to take action, working with the President of the United States and hopefully working with our colleagues across the aisle, in this moment for America and America's future.

It is important to note that it won't be the first time that actions we have taken here have had lasting consequences. More than 100 years ago, Henry Ford and Thomas Edison partnered to build an affordable electric car. That was the first kind of car they wanted to make—an electric car. They even built several prototypes in Dearborn, MI. The challenge, Ford told the New York Times in 1914, was "to build a storage battery of light weight which would operate for long distances without recharging." Sound familiar? That is a challenge most of our automakers are very familiar with.

Interestingly, around the same time, in 1916, Congress passed a change to the tax laws that in effect provided oil and gas companies interest-free loans. It was America's first fossil fuel subsidy.

Perhaps it is no surprise, then, that given the various issues and struggles and costs, Ford chose to focus on an internal combustion engine.

Just thinking about it, more than 100 years later, we are still lighting prehistoric plants and animals on fire to get to the grocery store and to get to work.

Now, it is true that my home State of Michigan benefited from these choices.

We put the world on wheels. We are extremely proud of our place in history and extremely proud of the wonderful workers, the skill and ability of our workers. But I also understand that we would have been better off today if the issues of carbon pollution had been addressed at the very beginning.

The good news is that we have the opportunity now to fulfill Ford and Edison's electric vision. Just last week, I toured GM's new Factory ZERO, which soon will be building electric Hummers and electric Chevy Silverado trucks. These are big vehicles, and they are going to be all electric. It is very exciting. Stellantis has plans to build four new electric hybrid Jeeps in Detroit, and Henry Ford's company is investing more than \$22 billion to introduce electric versions of its vehicles, including Mustangs, Ford F-150 trucks, and commercial vans—all very exciting.

These changes are what we need right now, but our car companies can't do it without a partnership with us, with the Federal Government. Just as companies around the world have not had to do it alone, we need to make sure we are partnering with them to actualize this vision for the future.

You know, the oil companies like to say—whenever we talk about various incentives for wind or solar or electric vehicles or batteries, they always like to say: We shouldn't be picking winners and losers in our country. But I would argue that in 1916, with the first fossil fuel subsidy, our country picked a winner, and they have been subsidized over and over again and winning the energy race ever since. In fact, that subsidy is to the tune of at least \$20 billion every year. Even in the tax cuts in 2017, the Republican tax cuts for the wealthiest and most well-connected people in the country, there was even another new foreign oil tax break in there.

I would argue it is time to give equal opportunity to competing technology and level the playing field. At the same time, we can create good-paying jobs here at home, revitalize American manufacturing, and put America in the driver's seat of the clean energy future. That, we can do—that is so exciting to do—if we work with our President to get this done.

If we are going to build back better, it is time to start building. The first thing we can do is to pass the American Jobs Plan, which invests in American manufacturing, creates an American supply chain for products and technologies, and strengthens "Buy American" laws. This plan has been long overdue, I can tell you, and it is just the start of what we need to do.

My bipartisan American Jobs in Energy Manufacturing Act, which I introduced with Senator MANCHIN and Senator DAINES, would provide incentives for manufacturers to build and retool existing plants to make advanced energy parts like semiconductors and batteries and retool for electric vehicle



facilities. It builds on the successful 48C advanced energy manufacturing tax credit, which I authored in 2009. That helped boost U.S. manufacturing and create good-paying jobs then, and we can do it now.

On the Finance Committee, we are also working on legislation that would provide an investment tax credit for building American battery, semiconductor, and solar cell plants and a corresponding tax credit for producing these key components.

I am so pleased that President Biden's American Jobs Plan includes electric charging stations as part of our infrastructure investment—it certainly is part of our infrastructure for the future, for today and tomorrow—and consumer incentives to purchase electric vehicles.

We also need to make sure that American taxpayer dollars are spent on American products. You know, that sounds simple, but that is actually not what is being done in every case right now, even though we have had laws on the books for decades and decades and decades.

My bipartisan Make It in America Act with Senator BRAUN makes it harder for Federal Agencies to use waivers to get around “Buy American” rules to purchase foreign-made products. Right now, there has not been enough accountability and structure to make sure that waivers are not being given so that purchases can be made of foreign cars. That needs to stop.

I also want to thank Senator TAMMY BALDWIN for her leadership on these “Buy American” issues as well.

The Federal Government is an enormous consumer, and we are set to make big infrastructure investments. “Buy American” rules means that American dollars flow into local economies when we purchase American-made PPE and American-made iron and steel and great American-made electric vehicles. These rules also create good jobs, and we will need highly trained workers to fill them. By investing in our workforce, which is an important part of this plan, we will help the 18 million Americans currently on unemployment find new opportunities—and others as well—new opportunities for good jobs and will ensure that our young people are on a path for good-paying jobs, including skilled trades, after high school.

I am laser-focused on supporting our community colleges and uplifting and expanding registered apprenticeship programs because these institutions and programs help build our middle class and ensure working people have the skills they need to thrive, not just survive. These are great-paying jobs, professional jobs, licensed, highly skilled jobs, and we need to be encouraging more and more young people to be able to choose these jobs.

Henry Ford once said this, one of my favorite quotes:

What's right about America is that, although we have a mess of problems, we have

great capacity—intellect and resources—to do something about them.

There is no doubt that we face big challenges, but Henry Ford was right: We do have great capacity, intellect, and resources to do something about them. Now is the time to do that, to act. People in Michigan have been waiting long enough, waiting way too long, and people across the country have waited far too long for us to act on what we know we can do to make things in America, to remake things in America, to build back better. We can make this an American moment, or we can sit back and wait for the future to happen to us.

This is the moment to invest in our workers who build our country's infrastructure, including those things we need today that they didn't need 100 years ago, like high-speed internet and electric charging stations, and the things that we will need to make us successful and global leaders moving forward.

We need to rebuild our supply chains in America so we are not being held up because of a really important part that is made only in one country halfway around the world. That is absurd. We can do that. We can do that. We can do that by deciding we are going to invest in America. And we need to use the power of American ingenuity to ensure a livable and prosperous future for everyone.

This is the moment to act. I am excited about that. I know that we have this moment right now to be able to jump-start the future, to be able to build our economy back better, to make things in America, and I hope we will seize this moment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### COVID-19 HATE CRIMES ACT

Mr. GRASSLEY. Madam President, today I express my concern over the rise in violent crime and in particular the hate crimes against Asian Americans and Pacific Islanders.

Every single one of us ought to be horrified to see our fellow Americans attacked because of their race or ethnicity. We are united in our opposition to this hateful violence. We are united in seeing it investigated and prosecuted to the fullest extent of the law. I introduced a resolution to this effect, and I will welcome all my Senate colleagues to join me.

I am very happy to see that Attorney General Garland has turned his attention to this problem. On March 30, he directed the Department of Justice to engage in a 30-day review of the Department's response to hate crimes. I hope the Senate will benefit from the results of that review. However, our responses to the problem of hate crimes must be guided by the facts and a pursuit of sound policy. I am not sure that we have done the legwork to arrive at a legislative solution that will make a difference to preventing, deterring, and punishing these crimes.

Along with my colleague Senator COTTON, the ranking member of the Subcommittee on Criminal Justice and Counterterrorism, we are requesting a full or subcommittee hearing on the issue, and we should do that after the Attorney General's review has been completed.

We now have before the Senate S. 937, the COVID-19 Hate Crimes Act, being introduced before the Attorney General's review began and appears to be duplicative or even in conflict with some of the DOJ's existing efforts. This does not seem to me to be the best path, but that is the path the Senate is on now, and I voted to proceed hours ago to S. 937. I am thankful that it is coming up. I know that Members of the Republican caucus have amendments that will hopefully improve the bill and make it a very useful piece of legislation.

We hope these amendments will be listened to and fairly considered by our Democratic colleagues. This is too important of an issue to get wrong.

#### ELECTION SECURITY

Madam President, now, on another point. Between Democrats who believe Russia rigged the vote to elect Trump in 2016 and Republicans who believe various theories questioning Biden's election victory, they all add up to what seems to be a bipartisan supermajority of Americans casting doubt about our elections. In fact, one prominent claim by some Trump supporters that a particular brand of voting machine switched Trump votes to Biden appears to have been plagiarized from the Democratic Party's playbook from the election of 2004.

I heard from many left-leaning Iowans at that time who questioned President Bush's victory based on claims that a particular brand of voting machine switched votes in Ohio. That was 2004. It seems kind of similar, doesn't it, today.

Those totally unsubstantiated claims ultimately led Democrats to force a vote in a joint session of Congress in 2005 to reject Ohio's electoral votes cast for President Bush. There are still Democratic Members of Congress in both Chambers who voted to overturn Ohio State's certified election in 2004.

Now, after the 2018 gubernatorial election in Georgia, the losing Democratic candidate refused to concede, claiming, without evidence that would stand up in court, that she, as a Democratic candidate for Governor of Georgia, would have won but for voting irregularities. Now, rather than distance itself from questioning a certified election in 2018, the Democratic Party invited her to speak at their convention in 2020.

Two years later, the tables are now turned. Trump lost Georgia by a far smaller margin than that Democratic candidate for Governor in Georgia in 2018 did, but we are now told that to suggest that there were flaws in the 2020 Georgia election is somehow unacceptable and undermining democracy.

It is pretty obvious, after this history, that we need to break the cycle of partisans questioning elections when their side lost or it is OK to complain when their side lost, but if the other side does the same thing, there is something wrong with it. So there is a lesson for both Republicans and Democrats. Both parties must stop finger-pointing, stop blaming, and stop the partisan accusations. We all need to work together to restore Americans' faith in elections.

So that brings me to something very current because it passed the House of Representatives. So that brings me to the Democrats' so-called For the People Act. Incidentally, don't you find that name a little creepy? So often in history, when people claim to speak for "the people," they were just seeking power.

For the People Act was introduced after the 2018 elections as a clear political statement to build the hyperpartisan narrative that Democratic defeats were due to widespread voter suppression.

Now, we always hear about voter suppression before and since the 2020 election, but just think of the historic turnout—not only the historic turnout that the losing candidate had but the historic turnout that the winning candidate had. And yet we have voter suppression.

H.R. 1 was then, and remains, a hastily cobbled together collection of every Democratic proposal for new election mandates. No care was taken to make it cohesive or workable. It is evident that State and local election officials were not consulted in its drafting.

You know, just to consider the size of the bill, the Voting Rights Act of 1965, I think, was only two pages. For the People Act, the bill introduced—or heard—before the Senate Rules Committee is 800 pages.

Now, that bill that I just talked about had actually passed the House in 2019 on party lines and was placed directly on the Senate calendar at Senator SCHUMER's request. Now, this is very typical of political messaging bills so the minority leader can force a vote to proceed. I assume, in 2019, that Senator SCHUMER did not force the Senate vote to take up the bill because partisan activists got more traction out of blaming Leader MCCONNELL for not bringing it up. Regardless, in 2019, it was clearly designed as a messaging bill and not one designed to ever get to the President's desk.

Now, in 2021, we are back at it again, considering a totally partisan messaging bill that would radically rework all States' election systems, where it has been in the Constitution the primary concern of the State legislators and Congress seldomly intervening. I suppose the most obvious is that on a certain date in November we all have Presidential elections and congressional elections on the same date in all 50 States, but beyond that, it is pretty much up to each State how they want to conduct their elections.

So how does this bill, passing the House, once again, over here in the Senate—how does that jibe with the message from Democrats just a couple of months ago that State-run elections are beyond reproach? Don't you remember? Because all 50 States had State-certified elections, that gave Biden his win.

Now, it is pretty common sense. Either State-run elections are fundamentally flawed and unfair, requiring massive Federal intervention and Americans who question the outcome are taking a moral stand, or State-run elections are, by and large, very fair, and Americans can have confidence in the outcomes.

Either way, the same principle should apply to the last several elections whether Republicans or Democrats were relatively more successful in each case. I get it. I get it that having unleashed this partisan tiger—the bill that came from the House of Representatives—it is very hard to get that partisan tiger back in the cage.

But when this bill fails, as it must, we need to tamp down the partisan accusations and work across party lines to restore faith in American elections. Now, the way the environment here is in Washington and in Congress, it isn't going to be easy, but the alternative is unthinkable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### INFRASTRUCTURE

Mr. BARRASSO. Madam President, I come to the floor today to oppose the Democrats' latest liberal spending spree. Just over a month ago, Democrats put \$2 trillion onto America's credit card. They said it was for coronavirus. That was false advertising, and that is because only \$1 out of every \$11 in the \$2 trillion being spent was actually going to public health.

The bill turned out to be a big payoff to the people who run the Democratic Party: the union bosses, the DC bureaucrats, and the bankrupt blue States. Democrats crammed the bill through the Senate with just 50 votes. Democrats haven't even finished their victory lap.

Yet, at this time, they want another \$2.3 trillion. They have already told us they are going to cram it through with just 50 votes, once again, and, once again, they are using more false advertising.

President Biden calls this an infrastructure bill. Well, that is a new definition of the word "infrastructure." Only about \$1 out of every \$20 would go to roads and bridges.

Now, here are just a few other items that the Democrats call infrastructure: \$100 billion for so-called workforce development and over \$300 billion on housing and upgrading of Federal buildings—Federal buildings—the ones we work in. It includes \$100 billion for something called the greening of schools, which, when you go through

and see what does that include, it includes making greener lunches. It includes eliminating paper products in the cafeterias and making the cafeteria trays that people use to carry their food, makes each one of those into trays that can be recycled.

Call it what you will, this is not infrastructure. The largest spending part of the bill is \$400 billion to expand Medicaid. The list goes on and on. That is just the tip of the iceberg.

Now, some of the spending in the overall bill may have merit. That spending should go through regular order, going through committees and coming to the floor of the Senate for amendments and then votes.

But it is still not infrastructure. This isn't an infrastructure bill. Even the White House Press Secretary admitted it. She said this. She said it is partly infrastructure—partly infrastructure.

Now, the bill includes another big payoff to the union bosses because it forces long-term healthcare facilities to unionize if they want to receive the funding in the bill. There is Medicaid expansion. That would hurt States like Wyoming and others that protect and believe in the right to work.

The bill would also hurt Wyoming because of its attack on American energy. Representative ALEXANDRIA OCASIO-CORTEZ has compared the bill to the Green New Deal. One Democratic Senator admitted it. He said it is a way of accomplishing many of the goals of the Green New Deal.

Out of all the payoffs in the bill, one of the biggest goes to the electric car industry. The bill would spend more money on electric cars than it does on roads, bridges, ports, airports, and waterways combined—an astonishing amount of money.

President Biden announced the bill in one of America's greatest energy-producing regions, which is Western Pennsylvania. Yet energy-producing States like Pennsylvania and Wyoming have a lot to lose from this bill.

The bill would spend \$10 billion on something called the Civilian Climate Corps. These are taxpayer-funded activists who would advance environmental justice. That is what it says: \$10 billion to Civilian Climate Corps to advance environmental justice.

And then there is another \$35 billion on climate innovation and \$27 billion in clean energy and sustainability accelerator. It just seems that they are throwing money and names onto things. These are slush funds. They are going to give government bureaucrats more power to pick winners and losers in our economy.

We all remember the disaster called Solyndra. It was a Silicon Valley startup. The last time Joe Biden was in the White House, his administration, along with Barack Obama, gave them \$500 million—taxpayer dollars—for so-called clean energy. We later found out that Solyndra lied on their loan application form, and, apparently, no one in

the administration caught it. The company went bankrupt—500 million taxpayer dollars gone forever.

President Biden is bringing back this kind of central planning. It is all in the name, he says, of green energy. If we pass this bill, I will tell you that we are going to see another Solyndra and another one after that and another one after that.

So how are Democrats going to pay for this piece of legislation? Well, they are going to cram through the largest tax increase of the century. They are going to use 15 years' worth of tax increases to pay for 8 years of spending. So the spending is temporary, but the tax increases will be permanent.

If the bill becomes law, it will be harder for American companies to compete with companies in other countries, and the concern is that means more companies are going to move overseas because taxes there will be lower. When they do, they are going to take good American jobs with them.

You know, with the Republican tax cuts that we did in 2017, we saw \$1 trillion flow back into this country in just 2 years. President Biden is ready to send all of that money back overseas.

The official name of the bill is the American Jobs Plan. Yet it is not much of a jobs bill. The jobs this bill would allegedly create would cost \$800,000 each job. It is a lot to pay for a single job when communities all across the country have outside of their businesses "Help wanted" signs.

I saw one in Afton, WY, last week. A small community in western Wyoming there is a convenience store, and the sign said:

Your father called. He said you need a job. We're hiring.

There are signs like that all over the country. Small businesses and small business owners I have talked to continue to say: We cannot find people to hire. And yet the administration has a jobs plan, they say, where it is going to cost taxpayers \$800,000 for each job to create. At the same time, the bill is going to eliminate many good-paying energy jobs, and that is a real concern.

Democrats are cramming this through at a time when our economy is already recovering. The pandemic is coming to an end. The experts say we are going to create 11 million more jobs over the next 4 years even if we don't pass the bill. And there are jobs available today.

One analysis from the Wharton Business School said the bill would actually slow down the economy. That is because the bill would discourage businesses from investing. It is not an infrastructure bill, not much of a jobs bill. It is a slush fund for more liberal spending. That is what is on the minds of the Democrats who are pushing this bill forward.

It is not what the United States needs right now. We need real infrastructure improvements. We need a real infrastructure bill—one that will build road, bridges, our waterways, and

allow us to do things faster and better and cheaper and smarter. If Democrats want to do that, Republicans are ready to support it.

Last Congress, I worked with Senator TOM CARPER of Delaware on a bipartisan infrastructure bill in the Senate Environment and Public Works Committee. I chaired it in the last Congress. Our bill was so bipartisan that Senator BERNIE SANDERS voted for it, and so did I. It passed the committee unanimously, 21 to 0. When we went to work with Democrats in the House on the legislation, they ignored it and replaced it with the Green New Deal.

That is what President Biden is doing right now as well. He is ignoring the bill we passed and trying to sneak the Green New Deal into law.

So I would urge my Democratic colleagues to reverse course, to throw out this liberal wish list, this slush fund of liberal spending, and start over working in a bipartisan way with Republicans.

We should start with a bipartisan bill that the Senate Committee on EPW passed last year. Instead of paying off the unions and the climate activists, let's rebuild our roads and our bridges and do it in a way that works for all Americans.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from North Carolina.

#### REMEMBERING ALVIN SYKES

Mr. BURR. Mr. President, I rise today to pay tribute to the life of a gentleman named Alvin Sykes, who passed away on March 19, 2021, in Kansas City, MO.

Teddy Roosevelt once famously said, in life, "The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again . . . but who does actually strive to do the deeds; who knows great enthusiasms, [the] great devotions; who spends himself in a worthy cause."

Alvin Sykes was the man in the arena. He was a man who knew great devotion, who dedicated himself to a worthy cause, and who helped move our Nation even closer to our founding promise of "liberty and justice for all."

Alvin was born to a teenage mother. He ended his public school enrollment after the eighth grade, but he never ended his education. In his own words, Alvin transferred from public school to the public library.

In the coming decades, Alvin immersed himself in learning about civil rights crimes and cold cases, becoming an expert on an often overlooked issue. He researched the history of these tragic crimes, the relevant laws, and the statutes of jurisdiction.

Alvin was so well versed, when he testified about such cases before Congress in 2007, one Member mistakenly assumed he was an attorney. Alvin replied that he was not an attorney, but

it was evident the knowledge and insight he possessed on these issues surpassed even the best-educated lawyers in this town.

What made Alvin so remarkable, however, wasn't the knowledge he acquired but what he did with it. As he learned more about unsolved civil rights crimes—the ones no one talked about, the ones no one looked into—Alvin realized we needed a system in place to investigate those cold cases and uncover the truth.

I met Alvin Sykes in 2016 through Senator Tom Coburn, a great and dear and missed friend today. Dr. Coburn ran into Alvin Sykes and heard this story and built a relationship that wasn't just personal—it was professional—because he wanted to help Alvin fix these wrongs.

Through Alvin's advocacy and guidance, I joined Congressman John Lewis—a civil rights icon who, sadly, also passed away this last year—to introduce the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act. The legislation was named for 14-year-old Emmett Till, who was brutally murdered in Mississippi in 1955 and whose killers were acquitted.

After we introduced the bill, Alvin did what he had been doing for years: He went to work. He got in the arena. And he did not stop until there was legislation authorizing a Department of Justice unit dedicated to investigating and prosecuting cold cases that remained unsolved from the civil rights era.

To date, the Justice Department has investigated 152 cases under this program. And while many others were dedicated to making this a reality as well, Alvin's expertise, his passion, and his persistence were second to none.

Last year, Alvin reached out to me again, seeking to posthumously recognize Emmett Till and his mother Mamie Till-Mobley for their role in starting the civil rights movement. His advocacy led me to introduce legislation with Senator BOOKER to award Emmett Till and Mamie the Congressional Gold Medal, the Nation's highest civilian honor. I can't think of two individuals more worthy of it than them.

This bill is also a worthy coda for Alvin Sykes' life and his legacy. You see, Alvin was born only a year after Emmett Till's mother. And when he first became involved in that case, he heard Emmett's mother Mamie say she had been fighting to get justice since 1956.

Alvin said he thought to himself: I was born in 1956. That means she has been trying to do one thing my entire life.

Now Alvin is no longer with us, but the pursuit of justice for the Till family continues. My hope is that Congress will soon pass this legislation to recognize and honor their legacy. Today, though, I want to give Alvin the credit and the honor he deserves. His passion, his advocacy, and his high achievements made our Nation a better place.

Personally, I learned from Alvin Sykes. I admire Alvin Sykes. I mourn his passing. I pay tribute to him today and thank God that he created Alvin Sykes.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

### MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

### SENATE COMMITTEE ON RULES AND ADMINISTRATION LEGISLATIVE ACTIVITIES REPORT

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent for the legislative activities report of the Committee on Rules and Administration during the 116th Congress be printed in the CONGRESSIONAL RECORD.

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

#### REVIEW OF LEGISLATIVE ACTIVITY DURING THE 116TH CONGRESS FOREWORD

This report reviewing the legislative activity during the 116th Congress of the Committee on Rules and Administration is submitted pursuant to paragraph 8(b) of Rule XXVI of the Standing Rules of the Senate. Paragraph 8 provides that standing committees of the Senate shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts thereof, the subject matter of which is within their jurisdiction, and submit to the Senate, not later than March 31 of each odd-numbered year, a report detailing the activities of that committee for the preceding Congress. The text of paragraph 8(b) of rule XXVI is as follows:

8.(b) In each odd-numbered year, each such committee shall submit, not later than March 31, to the Senate, a report on the activities of that committee under this paragraph during the Congress ending at noon on January 3 of such year.

AMY KLOBUCHAR, *Chairwoman*.

#### JURISDICTION OF THE COMMITTEE ON RULES AND ADMINISTRATION

The jurisdiction of the Committee on Rules and Administration is set forth in paragraph 1(n)(1) of rule XXV of the Standing Rules of the Senate. The following are excerpts from that paragraph.

#### RULE XXV

##### STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or other-

wise on matters within their respective jurisdictions:

\* \* \* \* \*

(n)(1) Committee on Rules and Administration, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Administration of the Senate Office Buildings and the Senate wing of the Capitol, including the assignment of office space.

2. Congressional organization relative to rules and procedures, and Senate rules and regulations, including floor and gallery rules.

3. Corrupt practices.

4. Credentials and qualifications of Members of the Senate, contested elections, and acceptance of incompatible offices.

5. Federal elections generally, including the election of the President, Vice President, and Members of the Congress.

6. Government Publishing Office, and the printing and correction of the Congressional Record, as well as those matters provided for under rule XI.

7. Meeting of the Congress and attendance of Members.

8. Payment of money out of the contingent fund of the Senate or creating a charge upon the same (except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee).

9. Presidential succession.

10. Purchase of books and manuscripts and erection of monuments to the memory of individuals.

11. Senate Library and statuary, art, and pictures in the Capitol and Senate Office Buildings.

12. Services to the Senate, including the Senate restaurant.

13. United States Capitol and congressional office buildings, the Library of Congress, the Smithsonian Institution (and the incorporation of similar institutions), and the Botanic Gardens.

(2) Such committee shall also—

(A) make a continuing study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution of the United States; and

(B) identify any court proceeding or action which, in the opinion of the Committee, is of vital interest to the Congress as a constitutionally established institution of the Federal Government and call such proceeding or action to the attention of the Senate.

\* \* \* \* \*

#### RULES OF PROCEDURE

##### MEETINGS OF THE COMMITTEE

Rule 1. The regular meeting dates of the Committee shall be the second and fourth Wednesdays of each month, at 10:00 a.m., in Room 301, Russell Senate Office Building. Additional meetings of the Committee may be called by the Chairman as he may deem necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

Rule 2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into

closed session to discuss only whether the matters enumerated in subparagraphs (a) through (f) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the Members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings:

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if:

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under the provisions of law or Government regulations. (Paragraph 5(b) of rule XXVI of the Standing Rules.)

Rule 3. Written notices of committee meetings will normally be sent by the committee's staff director to all Members of the committee at least a week in advance. In addition, the committee staff will telephone or e-mail reminders of committee meetings to all Members of the committee or to the appropriate assistants in their offices.

Rule 4. A copy of the committee's intended agenda enumerating separate items of legislative business and committee business will normally be sent to all Members of the committee and released to the public at least 1 day in advance of all meetings. This does not preclude any Member of the committee from discussing appropriate non-agenda topics.

Rule 5. After the Chairman and the Ranking Minority Member, speaking order shall be based on order of arrival, alternating between Majority and Minority Members, unless otherwise directed by the Chairman.

Rule 6. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed testimony and an executive summary thereof, in such form as the chairman may direct, unless the Chairman and the Ranking Minority Member waive such requirement for good cause.

Rule 7. In general, testimony will be restricted to 5 minutes for each witness. The time may be extended by the Chairman, upon the Chair's own direction or at the request of a Member. Each round of questions by Members will also be limited to 5 minutes.

#### QUORUMS

Rule 8. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, a majority

of the Members of the committee shall constitute a quorum for the reporting of legislative measures.

Rule 9. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, one-third of the Members of the committee shall constitute a quorum for the transaction of business, including action on amendments to measures prior to voting to report the measure to the Senate.

Rule 10. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 Members of the committee shall constitute a quorum for the purpose of taking testimony under oath and 1 Member of the committee shall constitute a quorum for the purpose of taking testimony not under oath; provided, however, that in either instance, once a quorum is established, any one Member can continue to take such testimony.

Rule 11. Under no circumstances may proxies be considered for the establishment of a quorum.

#### VOTING

Rule 12. Voting in the committee on any issue will normally be by voice vote.

Rule 13. If a third of the Members present so demand a roll call vote instead of a voice vote, a record vote will be taken on any question by roll call.

Rule 14. The results of roll call votes taken in any meeting upon any measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor of and the votes cast in opposition to each such measure and amendment by each Member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

Rule 15. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matter shall require the concurrence of a majority of the Members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a Member's position on the question and then only in those instances when the absentee committee Member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

#### AMENDMENTS

Rule 16. Provided at least five business days' notice of the agenda is given, and the text of the proposed bill or resolution has been made available at least five business calendar days in advance, it shall not be in order for the Committee to consider any amendment in the first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and by at least 5:00 p.m. the day prior to the scheduled start of the meeting and circulated to each of the offices by at least 6:00 p.m.

Rule 17. In the event the Chairman introduces a substitute amendment or a Chairman's mark, the requirements set forth in Rule 16 shall be considered waived unless such substitute amendment or Chairman's mark has been made available at least five business days in advance of the scheduled meeting.

Rule 18. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

Rule 19. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

#### DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN

Rule 20. The Chairman is authorized to sign himself or by delegation all necessary vouchers and routine papers for which the committee's approval is required and to decide on the committee's behalf all routine business.

Rule 21. The Chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

Rule 22. The Chairman is authorized to issue, on behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

#### DELEGATION OF AUTHORITY TO COMMITTEE CHAIRMAN AND RANKING MINORITY MEMBER

Rule 23. The Chairman and Ranking Minority Member, acting jointly, are authorized to approve on behalf of the committee any rule or regulation for which the committee's approval is required, provided advance notice of their intention to do so is given to Members of the committee.

#### LEGISLATIVE ACTIVITY

\* passed Senate; + obviated

#### *Bills and Resolutions Considered by the Senate*

S. 959, a bill to establish in the Smithsonian Institution a comprehensive women's history museum, and for other purposes.

S. 5086, a bill to allow Senators, Senators-elect, committees of the Senate, leadership offices, and other offices of the Senate to share employees, and for other purposes.\*

S. Con. Res. 6, a concurrent resolution authorizing the printing of a commemorative document in memory of the late President of the United States, George Herbert Walker Bush.\*

S. Con. Res. 7, a concurrent resolution authorizing the printing of the 26th edition of the pocket version of the Constitution of the United States.\*

S. Con. Res. 14, a concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.\*

S. Con. Res. 27, a concurrent resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the House wing of the Capitol for the Honorable Elijah E. Cummings, late a Representative from the State of Maryland.\*

S. Con. Res. 38, a concurrent resolution to establish the Joint Congressional Committee on Inaugural Ceremonies for the inauguration of the President-elect and Vice President-elect of the United States on January 20, 2021.\*

S. Con. Res. 45, a concurrent resolution providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building and the Capitol for the late honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court.\*

S.J. Res. 65, a joint resolution providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution. Public Law No: 116-118.

S.J. Res. 66, a joint resolution providing for the appointment of Denise O'Leary as a citizen regent of the Board of Regents of the Smithsonian Institution. Public Law No: 116-138.

S.J. Res. 67, a joint resolution providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution. Public Law No: 116-119.

S.J. Res. 72, a joint resolution providing for the reappointment of Michael M. Lynton as a citizen regent of the Board of Regents of the Smithsonian Institution.\*

S.J. Res. 73, a joint resolution providing for the appointment of Franklin D. Raines as a citizen regent of the Board of Regents of the Smithsonian Institution.

S. Res. 50, a resolution improving procedures for the consideration of nominations in the Senate.+

S. Res. 86, a resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library.\*

S. Res. 87, a resolution authorizing the printing of a collection of the rules of the committees of the Senate.\*

S. Res. 200, a resolution authorizing the taking of a photograph in the Senate Chamber.\*

S. Res. 428, a resolution authorizing the taking of pictures and filming in the Chamber of the Senate for use by the Capitol Visitor Center.\*

S. Res. 446, a resolution authorizing the printing of tributes and other related materials in honor of the late Senator Janet Kay Hagan.\*

S. Res. 619, a resolution to provide for the printing of the Senate Manual for the One Hundred Sixteenth Congress.\*

S. Res. 801, a resolution authorizing the use of the atrium in the Philip A. Hart Senate Office Building for a piano performance by Senator Lamar Alexander.\*

S. Res. 803, a resolution designating Room S-124 of the United States Capitol as the "U.S. Senator Margaret Chase Smith Room" and designating Room S-115 of the United States Capitol as the "U.S. Senator Barbara A. Mikulski Room", in recognition of their service to the Senate and the people of the United States.\*

H.R. 1623, a bill to amend the Federal Election Campaign Act of 1971 to provide for the treatment of payments for child care and other personal use services as an authorized campaign expenditure, and for other purposes.

H.R. 1980, to establish in the Smithsonian Institution a comprehensive women's history museum, and for other purposes.

H.R. 2420, to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.\*

H.R. 2722, an Act to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes.

H.R. 4617, to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes.

H.R. 4990, to direct the National Institute of Standards and Technology and the National Science Foundation to carry out research and other activities to promote the security and modernization of voting systems, and for other purposes.

H. Con. Res. 10, authorizing the use of the rotunda of the Capitol to honor the last surviving Medal of Honor recipient of the Second World War upon death.

H. Con. Res. 16, authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.\*

H. Con. Res. 19, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.\*

H. Con. Res. 31, authorizing the use of Emancipation Hall for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

H. Con. Res. 44, directing the Joint Committee on the Library to revise the statue commemorating women's suffrage which is located in the rotunda of the United States Capitol, commonly known as the "Portrait Monument", by placing on the statue an inscription which is based on the original inscription which was on the statue when the statue was delivered to the United States Capitol in 1921, and for other purposes.

H. Con. Res. 53, authorizing the use of Emancipation Hall for an event to commemorate the 400th anniversary of the arrival of the first African slaves to the territory that would become the United States.\*

H. Con. Res. 57, authorizing the use of Emancipation Hall for an event to commemorate the 400th anniversary of the arrival of the first African slaves to the territory that would become the United States.\*

H. Con. Res. 87, authorizing the use of Emancipation Hall for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.\*

H. Con. Res. 90, authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition.

H. Con. Res. 91, authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal collectively to the Chinese-American veterans of World War II.\*

H. Con. Res. 92, authorizing the printing of a revised and up-dated version of the House document entitled "Women in Congress, 1917-2006".\*

H. Con. Res. 94, authorizing the use of the rotunda of the Capitol for a ceremony to present the statue of Mary McLeod Bethune from the people of Florida for placement in National Statuary Hall.

H. Con. Res. 96, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 105, permitting the remains of the Honorable John Lewis, late a Representative from the State of Georgia, to lie in state in the rotunda of the Capitol.\*

H. Con. Res. 106, directing the Architect of the Capitol to transfer the catafalque situated in the Exhibition Hall of the Capitol Visitor Center to the rotunda of the Capitol for use in connection with services conducted for the Honorable John Lewis, late a Representative from the State of Georgia.\*

#### *Original Resolutions from the Committee*

S. Res. 70, an original resolution authorizing expenditures by committees of the Senate for the periods March 1, 2019 through September 30, 2019, October 1, 2019 through September 30, 2020, and October 1, 2020 through February 28, 2021.\*

#### *Resolutions Related to Committee Funding*

S. Res. 40, an original resolution authorizing expenditures by the Committee on Finance.\*

S. Res. 41, an original resolution authorizing expenditures by the Committee on Environment and Public Works.\*

S. Res. 42, an original resolution authorizing expenditures by the Committee on Armed Services.\*

S. Res. 45, an original resolution authorizing expenditures by the Committee on Energy and Natural Resources.\*

S. Res. 46, an original resolution authorizing expenditures by the Committee on Environment and Public Works.\*

S. Res. 47, an original resolution authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.\*

S. Res. 48, an original resolution authorizing expenditures by the Committee on Commerce, Science, and Transportation.\*

S. Res. 49, an original resolution authorizing expenditures by the Committee on

Homeland Security and Governmental Affairs.\*

S. Res. 51, an original resolution authorizing expenditures by the Select Committee on Intelligence.\*

S. Res. 52, a resolution authorizing expenditures by the Committee on Indian Affairs.\*

S. Res. 54, an original resolution authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.\*

S. Res. 55, an original resolution authorizing expenditures by the Committee on Veterans' Affairs.\*

S. Res. 56, an original resolution authorizing expenditures by the Committee on Foreign Relations.\*

S. Res. 57, an original resolution authorizing expenditures by the Committee on the Judiciary.\*

S. Res. 58, an original resolution authorizing expenditures by the Special Committee on Aging.\*

S. Res. 60, an original resolution authorizing expenditures by the Committee on the Budget.\*

S. Res. 62, an original resolution authorizing expenditures by the Committee on Small Business and Entrepreneurship.\*

S. Res. 64, an original resolution authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.\*

#### *Bills and Resolutions Referred to Committee*

S. 20, Presidential Tax Transparency Act

S. 26, Vote By Mail Act of 2019

S. 507, Save Voters Act

S. 547, CLEAR Act

S. 549, Voter Empowerment Act

S. 550, Register America to Vote Act

S. 621, PROVE Act

S. 624, Same Day Registration Act

S. 625, Students VOTE Act

S. 728, a bill to direct the Joint Committee on the Library to obtain a statue of Shirley Chisholm for placement in the United States Capitol.

S. 823, a bill to require information sharing with respect to the ownership of election service providers.

S. 825, a bill to amend the Help America Vote Act of 2002 to require all states to take steps to ensure domestic ownership and control of election service providers, and for other purposes.

S. 890, Senate Cybersecurity Protection Act.

S. 942, a bill to amend the Federal Election Campaign Act of 1971 to require all political committees to notify the Federal Election Commission within 48 hours of receiving cumulative contributions of \$1,000 or more from any contributor during a calendar year, and for other purposes.

S. 955, a bill to amend the Help America Vote Act of 2002 to reduce waiting times for voters in Federal elections.

S. 956, a bill to amend the Federal Election Campaign Act of 1971 to require the disclosure of all donations.

S. 957, a bill to amend the Help America Vote Act of 2002 to establish minimum requirements for early voting.

S. 958, a bill to amend the National Voter Registration Act of 1993 to save eligible voters from voter purging, and for other purposes.\*

S. 1147, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 1247, a bill to amend the Federal Election Campaign Act of 1971 to require reporting to the Federal Election Commission and the Federal Bureau of Investigation of offers by foreign nationals to make prohibited contributions, donations, expenditures, or disbursements, and for other purposes.

S. 1267, a bill to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.

S. 1274, a bill to amend the Federal Election Campaign Act to provide for public financing for Federal elections through vouchers directed by eligible voters to the candidates of their choice.

S. 1319, a bill to establish an Election Security grant program.

S. 1356, a bill to enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public, and for other purposes.

S. 1397, a bill to amend the Help America Vote Act of 2002 to provide for a national Federal write-in absentee ballot for domestic use.

S. 1454, a bill to amend the Help America Vote Act of 2002 to add a representative of the Department of Homeland Security from the Cybersecurity and Infrastructure Security Agency on the Technical Guidelines Development Committee.

S. 1472, a bill to amend the Help America Vote Act of 2002 to require paper ballots and risk limiting audits in all Federal elections, and for other purposes.

S. 1540, a bill to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes.

S. 1562, a bill to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts.

S. 1566, a bill to require information and opportunities for registration for voting and absentee ballot requests for members of the Armed Forces who are undergoing deployment overseas, and for other purposes.

S. 1569, a bill to amend the Federal Election Campaign Act of 1971 to allow certain expenditures for cybersecurity-related services or assistance.

S. 1692, a bill to provide grants to support continuing education in election administration or cybersecurity for election officials and employees.

S. 1962, a bill to prevent foreign adversaries from influencing elections by prohibiting foreign nationals from purchasing at any time a broadcast, cable, or satellite communication that mentions a clearly identified candidate for Federal office, and for other purposes.

S. 2053, a bill to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes.

S. 2232, a bill to amend the Federal Election Campaign Act of 1971 to reduce the number of members of the Federal Election Commission from 6 to 5, to revise the method of selection and terms of service of members of the Commission, to distribute the powers of the Commission between the Chair and the remaining members, and for other purposes.

S. 2238, a bill to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes.

S. 2242, a bill to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Presidential campaigns to detect and report such acts.



S. 2398, a bill to amend the Federal Election Campaign Act of 1971 to ensure privacy with respect to voter information.

S. 2509, a bill to rename the Office of Technology Assessment as the Congressional Office of Technology, to revise the functions and duties of the Office, and for other purposes.

S. 2639, a bill to restore integrity to America's Election.

S. 2656, a bill to disclose access to election infrastructure by foreign nationals.

S. 2669, a bill to amend the Federal Election Campaign Act of 1971 to clarify the obligation to report acts of foreign election influence and require implementation of compliance and reporting systems by Federal campaigns to detect and report such acts, and for other purposes.

S. 2726, a bill to amend the Federal Election Campaign Act of 1971 to provide for the treatment of payments for child care and other personal use services as an authorized campaign expenditure, and for other purposes.

S. 2851, a bill to amend section 442 of title 18, United States Code, to exempt certain interests in mutual funds, unit investment trusts, employee benefit plans, and retirement plans from conflict of interest limitations for the Government Publishing Office.

S. 3206, a bill to amend the Help America Vote Act of 2002 to increase voting accessibility for individuals with disabilities and older individuals, and for other purposes.

S. 3268, Determining Election Blunders and Correcting Logical Errors Act.

S. 3340, a bill to amend the Help America Vote Act of 2002 to support state and local governments making a transition to ranked choice voting.

S. 3423, a bill to direct the Joint Committee on the Library, in accordance with section 1831 of the Revised Statutes, to accept a statue depicting Harriet Tubman from the Harriet Tubman Statue Commission of Maryland and display the statue in a prominent location in the Capitol.

S. 3440, Resilient Elections During Quarantines and Natural Disasters Act of 2020.

S. 3529, Natural Disaster and Emergency Ballot Act of 2020.

S. 3725, a bill to expand vote by mail and early voting, and to improve the safety, accessibility, and efficiency of in-person voting during elections for Federal office.

S. 3778, a bill to permit the Election Assistance Commission to waive the matching requirement for payments made to states for election security grants under the Coronavirus Aid, Relief, and Economic Security Act.

S. 3822, a bill to establish DemocracyCorps to assist state and local governments administer elections and to promote democracy, to establish special procedures and authorize funding for Federal election in 2020 in response to COVID-19, to amend the Help America Vote Act of 2002 to establish additional permanent requirements for Federal elections, and for other purposes.

S. 3845, a bill to end the practice of including more than one subject in a single bill by requiring that each bill enacted by Congress be limited to only one subject, and for other purposes.

S. 3863, a bill to direct the Architect of the Capitol to replace the bust of Roger Brooke Taney in the Old Supreme Court Chamber of the United States Capitol with a bust of Thurgood Marshall to be obtained by the Joint Committee on the Library, and for other purposes.

S. 3879, a bill to preserve the constitutional authority of Congress and ensure accountability and transparency in legislation.

S. 3950, a bill to establish a panel of constitutional experts to recommend to Con-

gress an appropriate process for providing for the case of the death of a candidate in a contingent presidential or vice-presidential selection.

S. 3957, a bill to remove all statues of individuals who voluntarily served the Confederate States of America from display in the Capitol of the United States.

S. 3961, a bill to require states and local jurisdictions to allow absentee voting in the November 2020 general election for Federal office for individuals impacted by coronavirus disease 2019, and for other purposes.

S. 4033, a bill to require states to establish contingency plans for the conduct of elections for Federal office in response to national disasters and emergencies, and for other purposes.

S. 4132, a bill to establish the Commission on the COVID-19 Pandemic in the United States.

S. 4146, a bill to require the Federal Election Commission to conduct a study on the classification of political campaign emails as spam.

S. 4193, a bill to develop and nationally disseminate accurate, relevant, and accessible resources to promote understanding about African-American history.

S. 4382, a bill to direct the Joint Committee on the Library to replace the bust of Roger Brooke Taney in the Old Supreme Court Chamber of the Capitol with a bust of Thurgood Marshall to be obtained by the Joint Committee on the Library and to remove certain statues from areas of the Capitol which are accessible to the public, to remove all statues of individuals who voluntarily served the Confederate States of America from display in the Capitol, and for other purposes.

S. 4517, a bill to provide states additional time relating to the appointment of electors and for the meeting of electors for the 2020 election for President and Vice President.

S. 4540, Poll Worker Recruitment Act of 2020.

S. 4652, a bill to require the United States Postal Service to treat election mail as first-class mail and deliver such mail at no cost to the sender, and for other purposes.

S. 4668, a bill to amend the Help America Vote Act of 2002 to ensure that voters in elections for Federal office do not wait in long lines in order to vote.

S. 4707, a bill to amend the Help America Vote Act of 2002 to provide Federal standards for mail-in ballots and reporting of election results with respect to elections for Federal office.

S. 4710, a bill to obtain and direct the placement in the Capitol or on the Capitol Grounds of a monument to honor Associate Justice of the Supreme Court of the United States Ruth Bader Ginsburg.

S. 4721, a bill to amend the National Voter Registration Act of 1993 to increase the criminal penalties under such Act.

S. 4893, a bill to amend the Help America Vote Act of 2002 to provide for the establishment of election integrity measures by states and to prohibit ballot harvesting in Federal elections.

S. 4895, a bill to establish a Bipartisan Advisory Committee to analyze the integrity and the administration of the 2020 general election for Federal office.

S. 4925, a bill to provide for additional space and resources for the protection and preservation of national collections held by the Smithsonian Institution and the National Gallery of Art.

S. 5028, a bill to amend the Federal Election Campaign Act of 1971 to require each authorized committee or leadership PAC of a former candidate for election for Federal office to disburse all of the remaining funds of

the committee or PAC after the election, and for other purposes.

S. Con. Res. 8, a concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

S. Con. Res. 17, a concurrent resolution authorizing the use of the rotunda of the Capitol for the lying in state of the remains of the last Medal of Honor recipient of World War II, in order to honor the Greatest Generation and the more than 16,000,000 men and women who served in the Armed Forces of the United States from 1941 to 1945.

S. Con. Res. 49, a concurrent resolution mandating procedures to ensure adequate precautions against COVID-19 in Senate buildings.

S. Res. 18, a resolution authorizing the Senate Legal Counsel to represent the Senate in Texas v. United States No. 4:18-cv-00167—O (N.D. Tex.).

S. Res. 80, a resolution establishing the John S. McCain III Human Rights Commission.

S. Res. 97, a resolution establishing the Select Committee on the Climate Crisis.

S. Res. 98, SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program Resolution.

S. Res. 207, a resolution congratulating the Senate GLASS Caucus staff association for lesbian, gay, bisexual, and transgender Senate staff on the 15-year anniversary of the association.

S. Res. 378, a resolution expressing the sense of the Senate that the House of Representatives should, consistent with longstanding practice and precedent, prior to proceeding any further with its impeachment investigation into President Donald J. Trump, vote to open a formal impeachment inquiry and provide President Trump with fundamental constitutional protections.

S. Res. 410, a resolution establishing a McCain-Mansfield Fellowship Program in the Senate.

S. Res. 463, a resolution amending the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials.

S. Res. 467, a resolution expressing the sense of the Senate that the House of Representatives should, consistent with its constitutional obligations, immediately transmit the 2 articles of impeachment against President Donald J. Trump passed by the House of Representatives on December 18, 2019, under House Resolution 755.

S. Res. 501, a resolution amending the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials to ensure adequate access to witnesses and documents in impeachment trials of a President or Vice President, and for other purposes.

S. Res. 538, a resolution authorizing the use of the atrium in the Philip A. Hart Senate Office Building for the National Prescription Drug Take Back Day, a semiannual event for the Drug Enforcement Administration.

S. Res. 548, a resolution amending the Standing Rules of the Senate to enable the participation of absent Senators during a national crisis.

S. Res. 551, a resolution providing that the salaries of Senators shall be held in escrow until the Senate has passed legislation that appropriately addresses the COVID-19 outbreak.

S. Res. 604, a resolution expressing the sense of the Senate that the Senate should not vote on the nomination of Michael Pack to be Chief Executive Officer of the United States Agency for Global Media unless and until Michael Pack corrects his false statements to the Committee on Foreign Relations of the Senate and the Internal Revenue Service.



S. Res. 605, a resolution providing for sufficient time for legislation to be read.

S. Res. 725, a resolution establishing the Senate Human Rights Commission.

S. Res. 158, a resolution authorizing the use of the atrium in the Philip A. Hart Senate Office Building for the National Prescription Drug Take Back Day, a semiannual event of the Drug Enforcement Administration.

#### COMMITTEE HEARINGS AND BUSINESS MEETINGS

December 3, 2020—Business Meeting: Members of the Federal Election Commission, S. 959, and H.R. 2420

November 18, 2020—Nomination Hearing: Nomination Hearing for Members of the Federal Election Commission

November 17, 2020—Committee Hearing: To Review S. 959, Smithsonian American Women's History Museum Act; and S. 1267, National Museum of the American Latino Act

July 22, 2020—Committee Hearing: 2020 General Election Preparations

June 30, 2020—Organizational Meeting: Joint Congressional Committee on Inaugural Ceremonies

May 7, 2020—Business Meeting: Nomination of James E. Trainor

March 10, 2020—Nomination Hearing: Nomination Hearing for a Member of the Federal Election Commission

December 16, 2019—Business Meeting: Nomination of James Brett Blanton

December 12, 2019—Nomination Hearing: Nomination Hearing for the Architect of the Capitol

November 18, 2019—Business Meeting: Nomination of Hugh Nathaniel Halpern, of Virginia, to be Director of the Government Publishing Office

November 14, 2019—Nomination Hearing: Nomination Hearing for Director of the Government Publishing Office

November 14, 2019—Committee Hearing: Annual Oversight Hearing of the Smithsonian Institution

November 7, 2019—Committee Hearing: Library of Congress Modernization Oversight

July 24, 2019—Committee Hearing: Oversight of the Government Publishing Office—Office of the Inspector General

May 15, 2019—Committee Hearing: Oversight of the U.S. Election Assistance Commission

April 30, 2019—Organizational Meeting: Joint Committee on the Library

March 27, 2019—Committee Hearing: Annual Oversight of the Smithsonian Institution

March 6, 2019—Committee Hearing: Annual Oversight of the Library of Congress

February 13, 2019—Business Meeting: Improving Procedures for the Consideration of Nominations in the Senate

#### NOMINATIONS

PN2303 Sean J. Cooksey, of Missouri, to be a Member of the Federal Election Commission for a term expiring April 30, 2021, vice Lee E. Goodman, term expired.

Latest Action: December 9, 2020—Confirmed by the Senate by Yea-Nay Vote. 50-46. Record Vote Number: 260.

PN2302 Shana M. Broussard, of Louisiana, to be a Member of the Federal Election Commission for a term expiring April 30, 2023, vice Ann Miller Ravel, term expired.

Latest Action: December 9, 2020—Confirmed by the Senate by Yea-Nay Vote. 92-4. Record Vote Number: 259.

PN2237 Allen Dickerson, of the District of Columbia, to be a Member of the Federal Election Commission for a term expiring April 30, 2025, vice Caroline C. Hunter, resigned.

Latest Action: December 9, 2020—Confirmed by the Senate by Yea-Nay Vote. 49-47. Record Vote Number: 258.

PN1600 James E. Trainor III, of Texas, to be a Member of the Federal Election Commission for a term expiring April 30, 2023, vice Matthew S. Petersen, term expired.

Latest Action: May 19, 2020—Confirmed by the Senate by Yea-Nay Vote. 49-43. Record Vote Number: 96.

PN1324 J. Brett Blanton, of Virginia, to be Architect of the Capitol for the term of ten years, vice Stephen T. Ayers.

Latest Action: December 19, 2019—Confirmed by the Senate by Voice Vote.

PN1245 Hugh Nathaniel Halpern, of Virginia, to be Director of the Government Publishing Office, vice Davita Vance-Cooks.

Latest Action: December 4, 2019—Confirmed by the Senate by Voice Vote.

PN198 Robert C. Tapella, of Virginia, to be Director of the Government Publishing Office, vice Davita Vance-Cooks.

Latest Action: June 24, 2019—Received message of withdrawal of nomination from the President.

PN197 James E. Trainor III, of Texas, to be a member of the Federal Election Commission for a term expiring April 30, 2023, vice Matthew S. Petersen, term expired.

Latest Action: January 3, 2020—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

#### COMMITTEE PUBLICATIONS

S. Prt. 116-8—Congressional Pictorial Directory

S. Rept. 116-68—Review of Legislative Activity during the 115th Congress

S. Pub. 116-4—The Congressional Directory

S. Doc. 116-1—United States Senate Manual

S. Doc. 116-6—Authority and Rules of Senate Committees, 2019-2020

S. Doc. 116-21—Tributes Delivered in Congress: Lamar Alexander, United States Senator—2003-2021

S. Doc. 116-22—Tributes Delivered in Congress: Michael B. Enzi, United States Senator—1997-2021

S. Doc. 116-23—Tributes Delivered in Congress: Cory Gardner, United States Senator—2015-2021

S. Doc. 116-24—Tributes Delivered in Congress: Johnny Isakson, United States Senator—2004-2019

S. Doc. 116-25—Tributes Delivered in Congress: Doug Jones, United States Senator—2018-2021

S. Doc. 116-26—Tributes Delivered in Congress: Martha McSally, United States Senator—2019-2020

S. Doc. 116-27—Tributes Delivered in Congress: Pat Roberts, United States Senator—1997-2021

S. Doc. 116-28—Tributes Delivered in Congress: Tom Udall, United States Senator—2009-2021

#### EXECUTIVE COMMUNICATIONS

POM158 Senate Rules and Administration (November 18, 2019)

A bill adopted by the Legislature of the State of Florida requesting the Joint Committee on the Library of Congress to approve the replacement of the statute of Confederate General Edmund Kirby

Smith in the National Statuary Hall Collection with a statue of Mary McLeod Bethune; to the Committee on Rules and Administration.

POM159 Senate Rules and Administration (November 18, 2019)

A petition from a citizen of the State of Texas relative to impeachment protocols; to the Committee on Rules and Administration.

EC71 Senate Rules and Administration (January 10, 2019)

A communication from the Chair of the Federal Election Commission, transmitting,

pursuant to law, a report relative to eleven (11) legislative recommendations; to the Committee on Rules and Administration.

EC162 Senate Rules and Administration (January 24, 2019)

A communication from the Executive Director, Office of Congressional Workplace Rights, transmitting, pursuant to Section 201(b) of the Congressional Accountability Act of 1995 Reform Act, a report relative to amounts previously paid with public funds in connection with violations of sections 201(a) or 207 of the Congressional Accountability Act, received in the office of the President pro tempore of the Senate; to the Committee on Rules and Administration.

EC323 Senate Rules and Administration (February 13, 2019)

A communication from the Director, Office of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2018; to the Committee on Rules and Administration.

EC344 Senate Rules and Administration (February 25, 2019)

A communication from the Executive Director, Office of Congressional Workplace Rights, transmitting, pursuant to Section 201(b) of the Congressional Accountability Act of 1995 Reform Act, a biennial report entitled "Recommendations for Improvements to the Congressional Accountability Act" received in the office of the President pro tempore of the Senate; to the Committee on Rules and Administration.

EC529 Senate Aging and other committees . . . (March 7, 2019)

A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Final Sequestration Report to the President and Congress for Fiscal Year 2019"; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC703 Senate Aging and other committees . . . (March 27, 2019)

A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2020"; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC704 Senate Aging and other committees . . . (March 27, 2019)

A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Report to the Congress on the Joint Committee

Reductions for Fiscal Year 2020"; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC778 Senate Rules and Administration  
(March 27, 2019)

A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC2598 Senate Rules and Administration  
(September 17, 2019)

A communication from the Chair, Federal Election Commission, transmitting, pursuant to law, a report relative to its budget request for fiscal year 2021; to the Committee on Rules and Administration.

EC3278 Senate Rules and Administration  
(November 20, 2019)

A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Federal Voting Assistance Program (FVAP)" (RIN0790-AI27) received in the Office of the President of the Senate on November 13, 2019; to the Committee on Rules and Administration.

EC3870 Senate Rules and Administration  
(February 3, 2020)

A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Report on Fiscal Year 2019 Competitive Sourcing Efforts as required by the Consolidated Appropriations Act of Fiscal Year 2004; to the Committee on Rules and Administration.

EC3871 Senate Appropriations and other committees . . . (February 3, 2020)

A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committees on Rules and Administration; Armed Services; and Appropriations.

EC3922 Senate Aging (Special) and other committees . . . (February 5, 2020)

A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Final Sequestration Report to the President and Congress for Fiscal Year 2020"; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC4002 Senate Aging (Special) and other committees . . . (February 24, 2020)

A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Sequestration Preview Report to the President and Congress for Fiscal Year 2021"; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC4003 Joint Committee on Taxation and other committees . . . (February 24, 2020)

A communication from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "OMB Report to the Congress on the Joint Committee Reductions for Fiscal Year 2021"; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; Joint Committee on Taxation; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC4233 Senate Rules and Administration  
(March 9, 2020)

A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Federal Voting Assistance Program (FVAP)" (RIN0790-AK90) received in the Office of the President of the Senate on March 3, 2020; to the Committee on Rules and Administration.

EC4234 Senate Rules and Administration  
(March 9, 2020)

A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, a report relative to the memorial construction; to the Committee on Rules and Administration.

#### VAISAKHI AND THE 400TH BIRTHDAY OF GURU TEG BAHADUR

Mr. TOOMEY. Mr. President, I rise today to join my Sikh friends, Pennsylvania's Sikh community, and Sikhs around the world in recognizing two important Sikh celebrations taking place this week: (the holiday of Vaisakhi and the 400th anniversary of the birth of Guru Teg Bahadur.

Sikhism traces its origins to the Punjab region of India and has flourished around the world for nearly 600 years. The Sikh tradition is built upon ideals of peace, respect, and equality. Further, Sikhs are dedicated to the principle that every person is created equal before God, no matter their race, gender, religion, or creed. Today, Sikhs number 30 million globally, making

Sikhism one of the world's major religions. Nearly 700,000 Sikhs live in the United States, and many of them have made Pennsylvania their home.

Sikhs share a strong sense of community, family, and selfless service, as evidenced by their commitment to welcoming and serving individuals from all religious, cultural, and ethnic backgrounds. During the COVID-19 pandemic, Sikh communities across the country, including in Pennsylvania, mobilized to deliver meals, groceries, masks, and other supplies to tens of thousands of families in need. In my own travels across the Commonwealth, I have witnessed firsthand the spirit of this community when meeting with Sikh constituents. It is clear they have enriched their neighborhoods and contributed in numerous ways to the growth and vitality of Pennsylvania and the United States.

As a proud member of the American Sikh Congressional Caucus, each year, I join many voices across Congress and the United States in commemorating the holiday of Vaisakhi, which took place on April 13 this year. Vaisakhi marks the spring harvest and serves as a day of reflection of Sikhism's origins. During Vaisakhi, Sikhs commemorate the founding in 1699 of the Khalsa Panth, an order of devout Sikhs who played a fundamental role in cultivating the religion's history and identity.

Traditionally, Sikhs recognize Vaisakhi with parades, dancing, singing, and other festivities. Sikhs also commemorate this special day with community service, both organizing and volunteering in various community projects. In years past, Sikhs from around the country have organized a parade here in Washington, DC to commemorate Vaisakhi as National Sikh Day. While the pandemic has prevented such largescale, public celebrations both last year and this year, I look forward to welcoming Pennsylvania's Sikh community back to D.C. in the years to come.

In addition to celebrating Vaisakhi, Sikhs will also mark the 400th anniversary of the birth of spiritual leader Guru Teg Bahadur on April 18. The Ninth Guru of Sikhism, Guru Teg Bahadur is remembered as a champion of religious liberty for all. In 1675, Guru Teg Bahadur confronted Moghul Emperor Aurangzeb against the forced religious conversation of Hindus, an act for which he was publicly beheaded in Delhi. In giving his life to protect a religion that was not his own, he is fondly remembered by Sikhs as Dhram Di Chadar, or Shield of the Religions.

I extend my best wishes to the Sikh community for the joyous celebrations of Vaisakhi and the 400th anniversary of the birth of Guru Teg Bahadur.

#### MESSAGE FROM THE HOUSE

At 10:32 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has agreed to

the amendment of the Senate to the bill (H.R. 1868) to prevent across-the-board direct spending cuts, and for other purposes.

#### ENROLLED BILL SIGNED

The message also announced that the Speaker has signed the following enrolled bill:

H.R. 1868. An act to prevent across-the-board direct spending cuts, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

#### 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-663. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “2,2-Dimethyl-1,3-dioxolane-4-methanol; Exemption From the Requirement of a Tolerance” (FRL No. 10015-73-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-664. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Spinosad; Pesticide Tolerances” (FRL No. 10020-23-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-665. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Penthiopyrad; Pesticide Tolerances” (FRL No. 10017-27-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-666. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “2,2-Dimethyl-1, 3-dioxolane-4-methanol; Exemption from the Requirement of a Tolerance” (FRL No. 10015-73-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-667. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Pyriofenone; Pesticide Tolerances” (FRL No. 10019-55-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-668. A communication from the Army Federal Register Liaison Officer, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Admission to the United States Military Academy” (RIN0702-AB09) received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2021; to the Committee on Armed Services.

EC-669. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-670. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order that terminates the national emergency declared in Executive Order 13928 of June 11, 2020, and revokes that Executive Order; to the Committee on Banking, Housing, and Urban Affairs.

EC-671. A communication from the Executive Director, Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller’s 2020 Office of Minority and Women Inclusion Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-672. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled “Statement of Policy Regarding Prohibition on Abusive Acts or Practices; Rescission” (12 CFR Chapter X) received in the Office of the President of the Senate on March 25, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-673. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Texas; Interstate Visibility Transport” (FRL No. 10021-20-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Environment and Public Works.

EC-674. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of State Plans for Designated Facilities and Pollutants; South Dakota; Control of Emissions from Existing Municipal Solid Waste Landfills” (FRL No. 10020-22-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Environment and Public Works.

EC-675. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Extension of Compliance and Attest Engagement Reporting Deadlines for 2019 and 2020 Renewable Fuel Standards” (FRL No. 10021-95-OAR) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Environment and Public Works.

EC-676. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; California; Infrastructure Requirements for Ozone” (FRL No. 10015-36-Region 9) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Environment and Public Works.

EC-677. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Maine; Infrastructure State Implementation Plan Requirements for the 2015 Ozone Standard and Nega-

tive Declaration for the Oil and Gas Industry for the 2008 and 2015 Ozone Standards” (FRL No. 10021-93-Region 1) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Environment and Public Works.

EC-678. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled “Fiscal Year 2020 Superfund Five-Year Review Report to Congress”; to the Committee on Environment and Public Works.

EC-679. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Regulatory Guide (RG) 1.240, ‘Fresh and Spent Fuel Pool Criticality Analyses’” received in the Office of the President of the Senate on March 25, 2021; to the Committee on Environment and Public Works.

EC-680. A communication from the Acting Director of the Human Resources Management Division, Environmental Protection Agency, transmitting, pursuant to law, eighteen (18) reports relative to vacancies in the Environmental Protection Agency, received in the Office of the President of the Senate on March 25, 2021; to the Committee on Environment and Public Works.

EC-681. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “2019 National Healthcare Quality and Disparities Report”; to the Committee on Finance.

EC-682. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Computation of Annual Liability Insurance (Including Self-Insurance), No-Fault Insurance, and Worker’s Compensation Settlement Recovery Threshold”; to the Committee on Finance.

EC-683. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Coverage of Innovative Program; Medicare Coverage of Innovative Technology (MCIT) and Definition of ‘Reasonable and Necessary’; Delay of Effective Date and Reopening of Comment Period (CMS-3372-IFC)” (RIN0938-AT88) received in the Office of the President of the Senate on March 25, 2021; to the Committee on Finance.

EC-684. A communication from the Chief of the Publications and Regulations Branch, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2021 Calendar Year Resident Population Figures” (Notice 2021-19) received in the Office of the President of the Senate on March 25, 2021; to the Committee on Finance.

EC-685. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2021-0044—2021-0051); to the Committee on Foreign Relations.

EC-686. A communication from the Secretary of the Army, transmitting, pursuant to law, a report entitled “Annual Report to Congress on the Activities of the Western Hemisphere Institute for Security Cooperation (WHINSEC) for fiscal year 2020”; to the Committee on Foreign Relations.

EC-687. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of

the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 on April 1, 2015; to the Committee on Foreign Relations.

EC-688. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2021-0052 - 2021-0055); to the Committee on Foreign Relations.

EC-689. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the submission of the 2021 Report on Implementation of the New START Treaty, and the 2021 Certification and Report on Technical Collection for the New START Treaty (OSS-2021-0177); to the Committee on Foreign Relations.

EC-690. A communication from the Regulations Coordinator, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Securing Updated and Necessary Statutory Evaluations Timely; Administrative Delay of Effective Date; Correction" (RIN0991-AC24) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-691. A communication from the Regulations Coordinator, Office of the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Fraud and Abuse; Removal of Safe Harbor Protection for Rebates Involving Prescription Pharmaceuticals and Creation of New Safe Harbor Protection for Certain Point-of-Sale Reductions in Price on Prescription Pharmaceuticals and Certain Pharmacy Benefit Manager Service Fees; Additional Delayed Effective Date" (RIN0936-AA08) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-692. A communication from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2019 Performance Report to Congress for the Office of Combination Products"; to the Committee on Health, Education, Labor, and Pensions.

EC-693. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Medicare National Coverage Determinations for Fiscal Year 2019"; to the Committee on Health, Education, Labor, and Pensions.

EC-694. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Implementation of Executive Order on Access to Affordable Life-Saving Medications" (RIN0906-AB25) received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-695. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-38, "Workplace Safety During the COVID-19 Pandemic Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-696. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 24-39, "Homeland Security Fusion Center and Law Enforcement Authority Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-697. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-38, "Adams Morgan Business Improvement District Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-698. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-38, "Fair Meals Delivery Temporary Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-699. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-38, "TOPA COVID-19 Tolling Exemption for Low Income Housing Tax Credit Transfers Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-700. A communication from the Managing Director of Congressional Affairs, U.S. International Development Finance Corporation, transmitting, pursuant to law, the Department's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-701. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report entitled "Financial Report of the United States Government for Fiscal Year 2020"; to the Committee on Homeland Security and Governmental Affairs.

EC-702. A communication from the Assistant General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-703. A communication from the Director, Office of Civil Rights, Environmental Protection Agency, transmitting, pursuant to law, the Agency's fiscal year 2020 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-704. A communication from the Report to the Nation Delegation Director, Boy Scouts of America, transmitting, pursuant to law, the organization's 2020 annual report; to the Committee on the Judiciary.

EC-705. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Bars and Processing; Delay of Effective Date" (RIN1615-AC57) received in the Office of the President of the Senate on March 25, 2021; to the Committee on the Judiciary.

EC-706. A communication from the Chief of the Regulatory Coordination Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Asylum Interview Interpreter Requirement Modification Due to COVID-19; Extension" (RIN1615-AC59) received in the Office of the

President of the Senate on March 25, 2021; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SCHATZ, from the Committee on Indian Affairs, without amendment:

S. 108. A bill to authorize the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes (Rept. No. 117-10).

S. 314. A bill to repeal the Klamath Tribe Judgment Fund Act (Rept. No. 117-11).

S. 325. A bill to amend the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act to extend the deadline for a report by the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes (Rept. No. 117-12).

S. 548. A bill to convey land in Anchorage, Alaska, to the Alaska Native Tribal Health Consortium, and for other purposes (Rept. No. 117-13).

S. 549. A bill to provide for the conveyance of certain property to the Tanana Tribal Council located in Tanana, Alaska, and for other purposes (Rept. No. 117-14).

S. 550. A bill to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes (Rept. No. 117-15).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 208. An act to designate the facility of the United States Postal Service located at 500 West Main Street, Suite 102 in Tupelo, Mississippi, as the "Colonel Carlyle 'Smitty' Harris Post Office".

H.R. 264. An act to designate the facility of the United States Postal Service located at 1101 Charlotte Street in Georgetown, South Carolina, as the "Joseph Hayne Rainey Memorial Post Office Building".

S. 566. A bill to designate the facility of the United States Postal Service located at 42 Main Street in Slatersville, Rhode Island, as the "Specialist Matthew R. Turcotte Post Office".

By Mr. CARPER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 914. A bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to reauthorize programs under those Acts, and for other purposes.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. PETERS for the Committee on Homeland Security and Governmental Affairs.

\*Jason Scott Miller, of Maryland, to be Deputy Director for Management, Office of Management and Budget.

\*Deanne Bennett Criswell, of New York, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

\*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.

## 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. MENENDEZ (for himself, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MURPHY, Mr. MARKEY, Mr. MERKLEY, Mr. REED, Ms. WARREN, Ms. ROSEN, Ms. CORTEZ MASTO, Mr. KING, Mr. BOOKER, Ms. DUCKWORTH, Mr. CARPER, Mr. DURBIN, Mr. COONS, Ms. SMITH, Mr. CARDIN, Ms. KLOBUCHAR, Mr. PADILLA, Mr. CASEY, Mr. KAINE, Mr. SANDERS, Mrs. MURRAY, Ms. HIRONO, and Mr. VAN HOLLEN):

S. 1108. A bill to regulate large capacity ammunition feeding devices; to the Committee on the Judiciary.

By Ms. ROSEN (for herself and Mr. TILLIS):

S. 1109. A bill to require the Administrator of the Small Business Administration, in consultation with the National Director of the Minority Business Development Agency, to establish a grant program to create or expand programs at minority-serving institutions and historically Black colleges and universities that promote minority business ownership and entrepreneurship, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. ROMNEY (for himself and Mr. BENNET):

S. 1110. A bill to amend the Agricultural Credit Act of 1978 with respect to preagreement costs of emergency watershed protection measures, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEE (for himself, Mr. CRUZ, Mr. HAWLEY, Mr. RUBIO, and Mrs. BLACKBURN):

S. 1111. A bill to subject professional baseball clubs to the antitrust laws; to the Committee on the Judiciary.

By Mr. MORAN:

S. 1112. A bill to amend the National Trails System Act to designate the Chisholm National Historic Trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DAINES (for himself and Mr. KELLY):

S. 1113. A bill to require Federal agencies to timely respond to right-of-way requests for the build out of broadband service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. HASSAN (for herself and Mr. CASSIDY):

S. 1114. A bill to increase vaccination rates among pregnant women enrolled in Medicaid or CHIP, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. SANDERS, Mr. LEAHY, Mr. MENENDEZ, Ms. WARREN, Mr. VAN HOLLEN, and Mr. PADILLA):

S. 1115. A bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARPER (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. KING, and Mr. VAN HOLLEN):

S. 1116. A bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any of certain diseases is the result of the performance of such employees duty, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASSIDY (for himself and Ms. HASSAN):

S. 1117. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of approved vaccines for pregnant women; to the Committee on Finance.

By Mr. LEE:

S. 1118. A bill to amend title 49, United States Code, to add definitions for the terms "common carrier" and "personal operator", and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself and Mr. RUBIO):

S. 1119. A bill to amend the Truth in Lending Act to prohibit certain unfair credit practices, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CORTEZ MASTO (for herself, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. MURPHY, and Ms. WARREN):

S. 1120. A bill to establish minimum standards of disclosure by franchises whose franchisees use loans guaranteed by the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mrs. SHAHEEN (for herself, Mr. ROUNDS, and Ms. HASSAN):

S. 1121. A bill to require the Secretary of Veterans Affairs to establish and maintain a registry for certain individuals who may have been exposed to per- and polyfluoroalkyl substances due to the environmental release of aqueous film-forming foam on military installations; to the Committee on Veterans' Affairs.

By Mrs. SHAHEEN:

S. 1122. A bill to provide protection for survivors of domestic violence or sexual violence under the Fair Housing Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BLACKBURN:

S. 1123. A bill to preserve non-interference under the Medicare part D Prescription Drug Benefit program; to the Committee on Finance.

By Mr. LEE:

S. 1124. A bill to amend title 49, United States Code, to add a definition for the term "common carrier", and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself and Mrs. CAPITO):

S. 1125. A bill to recommend that the Center for Medicare and Medicaid Innovation test the effect of a dementia care management model, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself and Mr. YOUNG):

S. 1126. A bill to amend the Education Sciences Reform Act of 2002 and the Educational Technical Assistance Act of 2002 to strengthen research in adult education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself and Mr. SCHATZ):

S. 1127. A bill to require the National Oceanic and Atmospheric Administration to make certain operational models available to the public, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI (for herself and Mr. SULLIVAN):

S. 1128. A bill to provide for the continuation of higher education through the conveyance to the University of Alaska of certain public land in the State of Alaska, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEE:

S. 1129. A bill to amend title 49, United States Code, to require the Administrator of the Federal Aviation Administration to give

preferential consideration to individuals who have successfully completed air traffic controller training when hiring air traffic control specialists, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT of Florida (for himself, Mr. CRAMER, and Mr. BARRASSO):

S. 1130. A bill to amend the Help America Vote Act of 2002 to promote integrity in the casting of ballots in elections for Federal office; to the Committee on Rules and Administration.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. BENNET, Mr. HEINRICH, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Mr. PADILLA, Mr. DURBIN, Ms. HIRONO, Mr. MARKEY, Mr. BOOKER, Mr. KELLY, Ms. ROSEN, Mrs. MURRAY, Ms. DUCKWORTH, Mrs. FEINSTEIN, and Mr. LUJAN):

S. Res. 155. A resolution honoring the accomplishments and legacy of Cesar Estrada Chavez; to the Committee on the Judiciary.

By Mr. SCOTT of Florida (for himself, Mr. LANKFORD, Mr. CRUZ, Mr. JOHNSON, and Mr. HAWLEY):

S. Res. 156. A resolution commending the officers and personnel of Federal, State, and local agencies deployed by air, ground, and marine, and as tactical border security, for their work during the crisis at the Southern border; to the Committee on Homeland Security and Governmental Affairs.

## ADDITIONAL COSPONSORS

S. 65

At the request of Mr. RUBIO, the names of the Senator from Missouri (Mr. HAWLEY), the Senator from Virginia (Mr. KAINE), the Senator from Michigan (Mr. PETERS) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 65, a bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

S. 98

At the request of Mr. CARDIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 98, a bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for neighborhood revitalization, and for other purposes.

S. 127

At the request of Mr. REED, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 127, a bill to support library infrastructure.

S. 212

At the request of Mr. CARDIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 212, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 285

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 285, a bill to amend title XIX of the Social Security Act to allow States to make medical assistance available to inmates during the 30-day period preceding their release.

S. 321

At the request of Mr. MORAN, the names of the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 321, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight".

S. 403

At the request of Mr. YOUNG, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 403, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects, and for other purposes.

S. 408

At the request of Mr. TOOMEY, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 408, a bill to require the Secretary of Health and Human Services to publish guidance for States on strategies for maternal care providers participating in the Medicaid program to reduce maternal mortality and severe morbidity with respect to individuals receiving medical assistance under such program.

S. 456

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. CASEY), the Senator from Colorado (Mr. BENNET) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 456, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 480

At the request of Mr. DAINES, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 480, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for qualified business income.

S. 488

At the request of Mr. HAGERTY, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 488, a bill to provide for congressional review of actions to terminate or waive sanctions imposed with respect to Iran.

S. 527

At the request of Ms. KLOBUCHAR, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 527, a bill to protect victims of stalking from gun violence.

S. 611

At the request of Mr. DURBIN, the names of the Senator from Georgia

(Mr. WARNOCK) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 611, a bill to deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes.

S. 617

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 617, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 634

At the request of Ms. COLLINS, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 634, a bill to support and expand civic engagement and political leadership of adolescent girls around the world, and other purposes.

S. 657

At the request of Mr. BOOZMAN, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 657, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 659

At the request of Mr. YOUNG, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 659, a bill to require the Secretary of Transportation to promulgate regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes.

S. 697

At the request of Ms. ROSEN, the names of the Senator from Florida (Mr. SCOTT) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 697, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

S. 736

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 736, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 792

At the request of Mrs. FISCHER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 792, a bill to amend the Motor Carrier Safety Improvement Act of 1999 to modify certain agricultural exemptions for hours of service requirements, and for other purposes.

S. 834

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 834, a bill to amend title XVIII of the Social Security Act to provide for the

distribution of additional residency positions, and for other purposes.

S. 884

At the request of Mr. LEE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 884, a bill to close loopholes in the immigration laws that serve as incentives to aliens to attempt to enter the United States unlawfully, and for other purposes.

S. 892

At the request of Mr. WYDEN, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 892, a bill to amend the Internal Revenue Code of 1986 to ensure that kombucha is exempt from any excise taxes and regulations imposed on alcoholic beverages.

S. 896

At the request of Mr. KENNEDY, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 896, a bill to amend the Employee Retirement Income Security Act of 1974 to establish additional criteria for determining when employers may join together in a group or association of employers that will be treated as an employer under section 3(5) of such Act for purposes of sponsoring a group health plan, and for other purposes.

S. 1053

At the request of Mr. HOEVEN, the names of the Senator from Montana (Mr. TESTER) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 1053, a bill to require the Secretary of Transportation to establish a working group to study regulatory and legislative improvements for the livestock, insect, and agricultural commodities transport industries, and for other purposes.

S. 1076

At the request of Mr. LUJÁN, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1076, a bill to amend the Energy Policy Act of 2005 to require the Secretary of the Interior to establish a program to plug, remediate, and reclaim orphaned oil and gas wells and surrounding land, to provide funds to State and Tribal government to plug, remediate, and reclaim orphaned oil and gas wells and surrounding land, and for other purposes.

S. 1081

At the request of Mr. BRAUN, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1081, a bill to authorize the Department of Labor's voluntary protection program.

S. 1084

At the request of Mr. LEE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1084, a bill to amend the Servicemembers Civil Relief Act to

provide for the portability of professional licenses of members of the uniformed services and their spouses, and for other purposes.

S. 1086

At the request of Mr. BLUMENTHAL, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 1086, a bill to provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.

S. RES. 31

At the request of Mr. SCOTT of Florida, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. Res. 31, a resolution expressing the Senate's opposition to the current, ineffective JCPOA.

S. RES. 72

At the request of Mr. COTTON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Res. 72, a resolution opposing the lifting of sanctions imposed with respect to Iran without addressing the full scope of Iran's malign activities, including its nuclear program, ballistic and cruise missile capabilities, weapons proliferation, support for terrorism, hostage-taking, gross human rights violations, and other destabilizing activities.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself and Mr. SCHATZ):

S. 1127. A bill to require the National Oceanic and Atmospheric Administration to make certain operational models available to the public, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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. 1127

*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 "Learning Excellence and Good Examples from New Developers Act of 2021" or the "LEGEND Act of 2021".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term "Administration" means the National Oceanic and Atmospheric Administration.

(2) ADMINISTRATOR.—The term "Administrator" means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

(3) EARTH PREDICTION INNOVATION CENTER.—The term "Earth Prediction Innovation Center" means the community global weather research modeling system described in para-

graph (5)(E) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 4(g).

(4) MODEL.—The term "model" means any vetted numerical model and associated data assimilation of the Earth's system or its components—

(A) developed, in whole or in part, by scientists and engineers employed by the Administration; or

(B) otherwise developed using Federal funds.

(5) OPERATIONAL MODEL.—The term "operational model" means any model that has an output used by the Administration for operational functions.

(6) SUITABLE MODEL.—The term "suitable model" means a model that meets the requirements described in paragraph (5)(E)(ii) of section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)), as redesignated by section 4(g), as determined by the Administrator.

#### SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to support innovation in modeling by allowing interested stakeholders to have easy and complete access to the models used by the Administration, as the Administrator determines appropriate; and

(2) to use vetted innovations arising from access described in paragraph (1) to improve modeling by the Administration.

#### SEC. 4. PLAN AND IMPLEMENTATION OF PLAN TO MAKE CERTAIN MODELS AND DATA AVAILABLE TO THE PUBLIC.

(a) IN GENERAL.—The Administrator shall develop and implement a plan to make available to the public the following:

(1) Operational models developed by the Administration.

(2) Models that are not operational models, including experimental and developmental models, as the Administrator determines appropriate.

(3) Applicable information and documentation for models described in paragraphs (1) and (2).

(4) Subject to section 7, all data owned by the Federal Government and data that the Administrator has the legal right to redistribute that are associated with models made available to the public pursuant to the plan and used in operational forecasting by the Administration, including—

(A) relevant metadata;

(B) data used for operational models used by the Administration as of the date of the enactment of this Act; and

(C) a description of intended model outputs.

(b) ACCOMMODATIONS.—In developing and implementing the plan under subsection (a), the Administrator may make such accommodations as the Administrator considers appropriate to ensure that the public release of any model, information, documentation, or data pursuant to the plan does not jeopardize—

(1) national security;

(2) intellectual property or redistribution rights, including under titles 17 and 35, United States Code;

(3) any trade secret or commercial or financial information subject to section 552(b)(4) of title 5, United States Code;

(4) any models or data that are otherwise restricted by contract or other written agreement; or

(5) the mission of the Administration to protect lives and property.

(c) PRIORITY.—In developing and implementing the plan under subsection (a), the Administrator shall prioritize making available to the public the models described in subsection (a)(1).

(d) EXCLUSION OF CERTAIN MODELS.—In developing and implementing the plan under subsection (a), the Administrator may exclude models that the Administrator determines will be retired or superseded in fewer than 5 years after the date of the enactment of this Act.

(e) PLATFORMS.—In carrying out subsections (a) and (b), the Administrator may use government servers, contracts or agreements with a private vendor, or any other platform consistent with the purpose of this Act.

(f) SUPPORT PROGRAM.—The Administrator shall plan for and establish a program to support infrastructure, including telecommunications and technology infrastructure of the Administration and the platforms described in subsection (e), relevant to making operational models and data available to the public pursuant to the plan under subsection (a).

(g) TECHNICAL CORRECTION.—Section 102(b) of the Weather Research Forecasting and Innovation Act of 2017 (15 U.S.C. 8512(b)) is amended by redesignating the second paragraph (4) (as added by section 4(a) of the National Integrated Drought Information System Reauthorization Act of 2018 (Public Law 115-423; 132 Stat. 5456)) as paragraph (5).

#### SEC. 5. REQUIREMENT TO REVIEW MODELS AND LEVERAGE INNOVATIONS.

The Administrator shall—

(1) consistent with the mission of the Earth Prediction Innovation Center, periodically review innovations and improvements made by persons outside the Administration to the operational models made available to the public pursuant to the plan under section 4(a) in order to improve the accuracy and timeliness of forecasts of the Administration; and

(2) if the Administrator identifies an innovation for a suitable model, develop and implement a plan to use the innovation to improve the model.

#### SEC. 6. REPORT ON IMPLEMENTATION.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall submit to the appropriate congressional committees a report on the implementation of this Act that includes a description of—

(1) the implementation of the plan required by section 4;

(2) the process of the Administration under section 5—

(A) for engaging with interested stakeholders to learn what innovations those stakeholders have found;

(B) for reviewing those innovations; and

(C) for operationalizing innovations to improve suitable models.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(2) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.

#### SEC. 7. PROTECTION OF NATIONAL SECURITY INTERESTS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, the Administrator, in consultation with the Secretary of Defense, as appropriate, may withhold any model or data if the Administrator determines doing so to be necessary to protect the national security interests of the United States.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to supersede any other provision of law governing the protection of the national security interests of the United States.



**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act \$2,000,000 for each of fiscal years 2022 through 2026.

(b) DERIVATION OF FUNDS.—Funds to carry out this section shall be derived from amounts authorized to be appropriated to the National Weather Service that are enacted after the date of the enactment of this Act.

By Mr. REED (for himself and Mr. YOUNG):

S. 1126. A bill to amend the Education Sciences Reform Act of 2002 and the Educational Technical Assistance Act of 2002 to strengthen research in adult education; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to introduce the bipartisan Strengthening Research in Adult Education Act with my colleague, Senator YOUNG. We are in urgent need of identifying and disseminating innovative and effective methods for supporting adult learners. Our legislation will ensure that there is a strong research base to improve the teaching provided for, and the learning of, adults seeking to advance their literacy, numeracy, and digital literacy skills.

The most recent data from the Program for the International Assessment of Adult Competencies show an urgent need for action in adult education with an estimated 19 percent of adults ages 16–65 in the United States performing at the lowest levels of literacy; twenty-nine percent at the lowest levels of numeracy; and 24 percent at the lowest levels of digital problem solving. This is a dire situation. These are essential skills for postsecondary education and the workplace. Beyond their value in the labor market, these skills are also correlated with health and civic participation, making adult education critically important to the health and well-being of our people, our economy, and our democracy.

In Rhode Island, it is estimated that nearly 82,000 working age adults have less than a high school education. Over 55,000 have limited English proficiency. Yet, we are reaching just over 5,000 through the current adult education program. Clearly, we need more resources and innovative, research-based ways to reach more people.

The Strengthening Research in Adult Education Act will support the key reforms to adult education in the Workforce Innovation and Opportunity Act by ensuring that adult education is included in our national education research priorities. Specifically, the Strengthening Research in Adult Education Act will amend the Education Sciences Reform Act to require the Institute for Education Sciences and the National Center for Education Statistics to collect data and carry out research on: successful State and local adult education and literacy activities, the characteristics and academic achievement of adult learners, and access to and opportunity for adult edu-

cation, including digital literacy skills development, in communities across the Nation. It will also ensure that the Institute of Education Sciences draws on the expertise of adult educators when developing policies and priorities. Finally, the legislation would require that at least one research center would focus on adult education.

These straightforward amendments to the Education Sciences Reform Act will go a long way to strengthening the research base that will support the improvement of adult education across the country. I was pleased to work with the adult education community, and particularly, the Coalition of Adult Basic Educators and the National Coalition for Literacy in developing this legislation. I urge my colleagues to support the Strengthening Research in Adult Education Act and to work with me to ensure that its provisions are included in the reauthorization of the Education Sciences Reform Act.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 155—HONORING THE ACCOMPLISHMENTS AND LEGACY OF CÉSAR ESTRADA CHÁVEZ

Mr. MENENDEZ (for himself, Mr. BENNET, Mr. HEINRICH, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Mr. PADILLA, Mr. DURBIN, Ms. HIRONO, Mr. MARKEY, Mr. BOOKER, Mr. KELLY, Ms. ROSEN, Mrs. MURRAY, Ms. DUCKWORTH, Mrs. FEINSTEIN, and Mr. LUJÁN) submitted the following resolution; which was referred to the Committee on the Judiciary:.

#### S. RES. 155

Whereas César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona;

Whereas César Estrada Chávez spent his early years on a family farm;

Whereas, at the age of 10, César Estrada Chávez joined the thousands of migrant farm workers laboring in fields and vineyards throughout the Southwest after a bank foreclosure resulted in the loss of the family farm;

Whereas César Estrada Chávez, after attending more than 30 elementary and middle schools and achieving an eighth grade education, left school to work full-time as a farm worker to help support his family;

Whereas, at the age of 17, César Estrada Chávez entered the United States Navy and served the United States with distinction for 2 years;

Whereas, in 1948, César Estrada Chávez returned from military service to marry Helen Fabela, whom he had met while working in the vineyards of central California;

Whereas César Estrada Chávez and Helen Fabela had 8 children;

Whereas, as early as 1949, César Estrada Chávez was committed to organizing farm workers to campaign for safe and fair working conditions, reasonable wages, livable housing, and the outlawing of child labor;

Whereas, in 1952, César Estrada Chávez joined the Community Service Organization, a prominent Latino civil rights group, and worked with the organization to coordinate voter registration drives and conduct campaigns against discrimination in East Los Angeles;

Whereas César Estrada Chávez served as the national director of the Community Service Organization;

Whereas, in 1962, César Estrada Chávez left the Community Service Organization to establish the National Farm Workers Association, which eventually became the United Farm Workers of America;

Whereas, under the leadership of César Estrada Chávez, the United Farm Workers of America organized thousands of migrant farm workers to fight for fair wages, health care coverage, pension benefits, livable housing, and respect;

Whereas César Estrada Chávez was a strong believer in the principles of non-violence practiced by Mahatma Gandhi and Dr. Martin Luther King, Jr.;

Whereas César Estrada Chávez effectively used peaceful tactics that included fasting for 25 days in 1968, 25 days in 1972, and 38 days in 1988 to call attention to the terrible working and living conditions of farm workers in the United States;

Whereas, through his commitment to non-violence, César Estrada Chávez brought dignity and respect to the organized farm workers and became an inspiration to and a resource for individuals engaged in human rights struggles throughout the world;

Whereas the influence of César Estrada Chávez extends far beyond agriculture and provides inspiration for individuals working to better human rights, empower workers, and advance the American Dream, which includes all people of the United States;

Whereas César Estrada Chávez died on April 23, 1993, at the age of 66 in San Luis, Arizona, only miles from his birthplace;

Whereas more than 50,000 people attended the funeral services of César Estrada Chávez in Delano, California;

Whereas César Estrada Chávez was laid to rest at the headquarters of the United Farm Workers of America, known as “Nuestra Señora de La Paz”, located in the Tehachapi Mountains in Keene, California;

Whereas, since the death of César Estrada Chávez, schools, parks, streets, libraries, and other public facilities, as well as awards and scholarships, have been named in his honor;

Whereas more than 10 States and dozens of communities across the United States honor the life and legacy of César Estrada Chávez each year on March 31;

Whereas March 31 is recognized as an official State holiday in California, Colorado, and Texas, and there is growing support to designate the birthday of César Estrada Chávez as a national day of service to memorialize his heroism;

Whereas, during his lifetime, César Estrada Chávez was a recipient of the Martin Luther King Jr. Peace Prize;

Whereas, on August 8, 1994, César Estrada Chávez was posthumously awarded the Presidential Medal of Freedom;

Whereas, on October 8, 2012, President Barack Obama authorized the Secretary of the Interior to establish a César Estrada Chávez National Monument in Keene, California;

Whereas President Joseph R. Biden Jr. honored the life and service of César Estrada Chávez by proclaiming March 31, 2021, to be “César Chávez Day” and by asking all people of the United States to observe March 31 with service, community, and education programs to honor the enduring legacy of César Estrada Chávez; and

Whereas the United States should continue the efforts of César Estrada Chávez to ensure equality, justice, and dignity for all people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the accomplishments and example of César Estrada Chávez, a great hero of the United States;

(2) pledges to promote the legacy of César Estrada Chávez; and

(3) encourages the people of the United States to commemorate the legacy of César Estrada Chávez and to always remember his great rallying cry, “¡Sí, se puede!”, which is Spanish for “Yes, we can!”.

**SENATE RESOLUTION 156—COM-  
MENDING THE OFFICERS AND  
PERSONNEL OF FEDERAL,  
STATE, AND LOCAL AGENCIES  
DEPLOYED BY AIR, GROUND,  
AND MARINE, AND AS TACTICAL  
BORDER SECURITY, FOR THEIR  
WORK DURING THE CRISIS AT  
THE SOUTHERN BORDER**

Mr. SCOTT of Florida (for himself, Mr. LANKFORD, Mr. CRUZ, Mr. JOHNSON, and Mr. HAWLEY) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 156

Whereas U.S. Customs and Border Protection (referred to in this preamble as “CBP”) is charged with protecting the borders of the United States and facilitating travel and trade;

Whereas President Biden promised a humane approach to immigration but the Biden Administration was woefully unprepared for a surge of migrants from Central America, including a record number of vulnerable, unaccompanied children unlawfully crossing the unsecured United States-Mexico border (referred to in this preamble as the “Southern border”);

Whereas the Southern border is experiencing a humanitarian crisis with unprecedented numbers of vulnerable individuals attempting to unlawfully enter the United States;

Whereas, on March 13, 2021, the Department of Homeland Security directed the Federal Emergency Management Agency to support a government-wide response effort to address the surge of unlawful crossings at the Southern border;

Whereas, in February 2021, 100,441 individuals were apprehended at the Southern border, which is a 28 percent increase from January 2021;

Whereas a total of 458,088 individuals were encountered at the Southern border in fiscal year 2020, which is only 61,130 encounters more than the number recorded in the first half of the current fiscal year;

Whereas, in all of fiscal year 2020, 33,239 unaccompanied minors were encountered at the Southern border, which is only 3,510 encounters more than the number recorded in the first half of the current fiscal year;

Whereas CBP has conducted more than 3,000 daily apprehensions, while still maintaining a posture to secure the border of the Nation and facilitate international trade and travel;

Whereas the immigration policies of President Biden are—

(1) luring hundreds of thousands of migrants to unlawfully cross the Southern border;

(2) leading to an alarming increase in human trafficking and drug smuggling by cartels and transnational criminal organizations; and

(3) putting unaccompanied minors at risk of human trafficking, violence, sexual abuse, and separation from the families of the unaccompanied minors;

Whereas numerous acts of selfless heroism by CBP agents occur on a daily basis, as the agents face dangerous conditions but continue to risk their lives during a global health pandemic to rescue migrants attempting to unlawfully enter the United States along the Southern border;

Whereas the selfless heroism by CBP agents has been on full display as the crisis at the Southern border grows and thousands of aliens attempt to unlawfully enter the United States each day, including recently reported rescues—

(1) in February 2021, of a migrant woman from Mexico abandoned by human smugglers and left to die in a freezing winter storm as they attempted to unlawfully enter Texas;

(2) in March 2021, of a migrant man and a 2-year-old child swept away by a swift current in a canal as they attempted to unlawfully enter Arizona;

(3) in March 2021, of a migrant man who was abandoned by human smugglers unlawfully entering California, remained missing for 8 days, and had to be carried out of the mountainous terrain on the shoulders of a CBP agent; and

(4) in March 2021, of a migrant man in severe distress in a remote desert location who was abandoned by human smugglers attempting to unlawfully enter New Mexico and who required serious medical attention;

Whereas faced with inadequate Federal resources to manage the surge of illegal border crossings, States along the Southern border have installed their own border protection patrols, such as Arizona Border Strike Force and Operation Lone Star in Texas; and

Whereas resources from Federal, State, and local agencies will need to be diverted from other areas to handle the surge of migrants unlawfully entering the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that there is an ongoing and growing crisis on our Southern border; and

(2) commends the men and women of the U.S. Customs and Border Protection, including Border Patrol personnel, Office of Field Operations personnel, Air and Marine Operations personnel, Office of Trade personnel, the Federal Emergency Management Agency, and all support personnel and allies of such agencies from State and local governments for the work of such men and women during the crisis at the Southern border.

**AMENDMENTS SUBMITTED AND  
PROPOSED**

SA 1414. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table.

SA 1415. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1416. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1417. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1418. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1419. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1420. Mr. CORNYN submitted an amendment intended to be proposed by him

to the bill S. 937, supra; which was ordered to lie on the table.

SA 1421. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1422. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1423. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1424. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1425. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1426. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1427. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1428. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1429. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1430. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1431. Ms. ERNST (for herself and Mrs. CAPITO) submitted an amendment intended to be proposed by her to the bill S. 937, supra; which was ordered to lie on the table.

SA 1432. Mr. MORAN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1433. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1434. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1435. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1436. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1437. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1438. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1439. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1440. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

SA 1414. Mr. CRUZ submitted an amendment intended to be proposed by

him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. TASK FORCE ON DISCRIMINATION IN HIGHER EDUCATION OF ASIAN AMERICANS.**

The Attorney General, in coordination with the Secretary of Education, shall establish a task force to investigate, and provide proposals for remedies to, discrimination by institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) against Asian Americans in recruitment, applicant review, and admissions.

**SA 1415.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. RESTRICTION ON THE RELEASE OF INDIVIDUALS WHO UNLAWFULLY ENTER THE UNITED STATES.**

(a) FINDINGS.—Congress finds the following:

(1) There was a 71 percent increase in the number of illegal immigrant encounters by U.S. Customs and Border Protection agents between February and March 2021.

(2) In March 2021, more than 172,000 illegal immigrants were intercepted by U.S. Customs and Border Protection agents, including 53,000 illegal immigrants who entered the United States as part of a family group.

(3) Although Federal law requires the Department of Homeland Security to detain, pending the completion of removal proceedings, any alien who is not “clearly and beyond a doubt entitled to be admitted”, as of April 2021, the Department of Homeland Security is releasing many such individuals into communities in Texas and other border States, which has caused a significant strain on such communities and on State and local governments that lack the resources and infrastructure to care for so many individuals.

(b) RESTRICTION.—The Department of Homeland Security may not release any individual who unlawfully entered the United States into any State, county, or city in the United States unless the governor of such State and the governing body of such county and city expressly consent to such release.

(c) CAUSE OF ACTION.—A violation of subsection (b) shall give rise to a cause of action against the Federal Government by a State, county, or city into which jurisdiction such individual was released.

**SA 1416.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. PROHIBITION OF FEDERAL FUNDS FOR INSTITUTIONS OF HIGHER EDUCATION THAT DISCRIMINATE AGAINST ASIAN AMERICANS.**

Notwithstanding any other provision of law, no institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) may receive any Federal funding if the institution

has a policy in place or engages in a practice that discriminates against Asian Americans in recruitment, applicant review, or admissions.

**SA 1417.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. LIMITATION ON RELEASE OF ALIENS DETAINED FOR UNLAWFULLY ENTERING THE UNITED STATES.**

(a) IN GENERAL.—The Department of Homeland Security may not release from custody any alien who is detained for unlawfully entering the United States unless such alien tests negative for COVID-19 during the 24-hour period immediately preceding the alien's release.

(b) SAVINGS PROVISION.—Nothing in this Act may be construed to authorize the release any person from the custody of the Department of Homeland Security who is not otherwise authorized by law to be released.

**SA 1418.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 3, strike “or disability” and insert “disability, or status as a law enforcement officer or member of the armed forces”.

**SA 1419.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. DEATH PENALTY ELIGIBILITY.**

Section 3592(c) is amended by inserting after paragraph (16) the following:

“(17) COVID-19 HATE CRIMES.—The defendant committed a COVID-19 hate crime, as defined in section 2 of the COVID-19 Hate Crimes Act.”.

**SA 1420.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. INCREASE STATUTORY PENALTIES FOR COVID-19 HATE CRIMES.**

Section 249(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “paragraph (3)” and inserting “paragraph (4)”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(3) by inserting after paragraph (2) the following:

“(3) OFFENSES INVOLVING COVID-19 HATE CRIMES.—

“(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (4), willfully causes bodily injury to any person or, through the use of fire, a

firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of—

“(i) the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person; and

“(ii) the actual or perceived relationship to the spread of COVID-19 of any person because of the characteristic described in clause (i), shall be fined under this title and imprisoned for not less than 10 years or for life, or, if death results, shall be sentenced to not less than 30 years and not more than life, or may be punished by death.

“(B) CIRCUMSTANCES DESCRIBED.—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

“(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

“(I) across a State line or national border; or

“(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

“(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

“(iii) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

“(iv) the conduct described in subparagraph (A)—

“(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(II) otherwise affects interstate or foreign commerce.”; and

(4) in paragraph (4), as so redesignated—

(A) by striking “(1) or in paragraph (2)(A)” and inserting “(1), in paragraph (2)(A)”;

(B) by inserting “, or in paragraph (3)(A) (without regard to whether that conduct occurred in a circumstance described in paragraph (3)(B))” after “paragraph (2)(B))”

**SA 1421.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. ENHANCED PENALTIES FOR COVID-19 HATE CRIMES.**

(a) DEATH PENALTY ELIGIBILITY.—Section 3592(c) is amended by inserting after paragraph (16) the following:

“(17) COVID-19 HATE CRIMES.—The defendant committed a COVID-19 hate crime, as defined in section 2 of the COVID-19 Hate Crimes Act.”.

(b) INCREASE STATUTORY PENALTIES FOR COVID-19 HATE CRIMES.—Section 249(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “paragraph (3)” and inserting “paragraph (4)”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(3) by inserting after paragraph (2) the following:

“(3) OFFENSES INVOLVING COVID-19 HATE CRIMES.—

“(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (4), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive

or incendiary device, attempts to cause bodily injury to any person, because of—

“(i) the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person; and

“(ii) the actual or perceived relationship to the spread of COVID-19 of any person because of the characteristic described in clause (i), shall be fined under this title and imprisoned for not less than 10 years or for life, or, if death results, shall be sentenced to not less than 30 years and not more than life, or may be punished by death.

“(B) CIRCUMSTANCES DESCRIBED.—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

“(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

“(I) across a State line or national border; or

“(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

“(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

“(iii) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

“(iv) the conduct described in subparagraph (A)—

“(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(II) otherwise affects interstate or foreign commerce.”; and

(4) in paragraph (4), as so redesignated—

(A) by striking “(1) or in paragraph (2)(A)”

and inserting “(1), in paragraph (2)(A)”; and

(B) by inserting “, or in paragraph (3)(A)

(without regard to whether that conduct occurred in a circumstance described in paragraph (3)(B))” after “paragraph (2)(B))”

**SA 1422.** Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

In section 3, strike subsection (b).

**SA 1423.** Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. REVIEW OF ANTI-ASIAN DISCRIMINATION IN INSTITUTIONS OF HIGHER EDUCATION.**

(a) DEFINITIONS.—In this section:

(1) APPLICABLE PERIOD.—The term “applicable period” means the 5-year period beginning on the date on which the officer or employee is designated under subsection (b).

(2) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(b) DESIGNATION.—Not later than 1 day after the date of enactment of this Act, the Attorney General shall designate an officer or employee of the Department of Justice whose sole responsibility during the applica-

ble period shall be to review and investigate allegations of anti-Asian discrimination in the admissions policies of institutions of higher education in the United States.

(c) REPORTS.—Not later than 180 days after the date of enactment of this Act, and once every 180 days thereafter until the end of the applicable period, the Attorney General shall submit a report to Congress on the allegations described in subsection (b) reviewed during the reporting period, which shall include—

(1) a summary of each allegation received; and

(2) information about the status of each allegation, including whether the Department of Justice filed or declined to file an action based on the allegation.

**SA 1424.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. REPORT ON RELIGIOUS RESTRICTIONS DURING THE COVID-19 PANDEMIC.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the restrictions on religious exercise imposed by States, the District of Columbia, Puerto Rico, and any other territory or possession of the United States during the COVID-19 pandemic.

(b) CONTENTS.—The report required to be submitted under subsection (a) shall include—

(1) an analysis of whether the same restrictions applied to religious institutions also applied equally to secular organizations or businesses; and

(2) an analysis of whether each imposed restriction complies with the ruling of the Supreme Court of the United States in *Tandon v. Newsom*, No. 20A151, 539 U.S. \_\_\_\_ (2021).

**SA 1425.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

**SEC. 3. REPORT ON RELIGIOUS RESTRICTIONS DURING THE COVID-19 PANDEMIC.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the restrictions on religious exercise imposed by States, the District of Columbia, Puerto Rico, and any other territory or possession of the United States during the COVID-19 pandemic.

(b) CONTENTS.—The report required to be submitted under subsection (a) shall include—

(1) an analysis of whether the same restrictions applied to religious institutions also applied equally to secular organizations or businesses; and

(2) an analysis of whether each imposed restriction complies with the ruling of the Supreme Court of the United States in *Tandon v. Newsom*, No. 20A151, 539 U.S. \_\_\_\_ (2021).

**SA 1426.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

**SEC. 3. DEPARTMENT OF EDUCATION REPORT ON EFFECTS OF PANDEMIC-RELATED SCHOOL CLOSINGS ON CHILDREN.**

The Secretary of Education shall submit a report to Congress on the effects of pandemic-related school closings on the educational development of children during the pandemic.

**SA 1427.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

**SEC. 3. REPORT ON THE EFFECTIVENESS OF THE WORLD HEALTH ORGANIZATION'S RESPONSE TO THE COVID-19 PANDEMIC.**

The Director of the Centers for Disease Control and Prevention shall submit a report to Congress on the effectiveness of the World Health Organization's response to the COVID-19 pandemic.

**SA 1428.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

**SEC. 3. REPORT ON THE HEALTH EFFECTS OF LOCKDOWNS.**

The Secretary of Health and Human Services shall submit a report to Congress on the effects that State and local lockdowns in 2020 had on the mental, emotional, and physical health of the people of the United States.

**SA 1429.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

**SEC. 3. REPORT ON HOW STATE AND LOCAL LOCKDOWNS AFFECTED SMALL BUSINESS OWNERS AND EMPLOYEES.**

The Secretary of Commerce shall submit a report to Congress that details the effects the State and local lockdowns implemented in 2020 had on small business owners and employees.

**SA 1430.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3 and insert the following:

**SEC. 3. REPORT ON ENFORCEMENT OF MASK MANDATES AND SOCIAL DISTANCING RESTRICTIONS DURING PROTEST ACTIVITIES.**

The Attorney General shall submit a report to Congress on whether Federal, State, or local law enforcement officers enforced COVID-19 related social distancing restrictions and mask mandates during protest activities occurring in States, the District of Columbia, Puerto Rico, and any other territory or possession of the United States in 2020.

**SA 1431.** Ms. ERNST (for herself and Mrs. CAPITO) submitted an amendment intended to be proposed by her to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ COVID-19 VIOLENCE AGAINST WOMEN ACT EXTENSION OF AUTHORITY.**

(a) FINDINGS.—Congress finds the following:

(1) According to the American Journal of Emergency Medicine, during the COVID-19 pandemic, police departments across the country reported increases in domestic violence.

(2) One study, published in the journal Radiology, found that at Brigham and Women's Hospital in Boston, radiology scans and superficial wounds consistent with domestic abuse from March 11 to May 3 of last year exceeded the totals for the same period in 2018 and 2019 combined.

(3) Lockdowns associated with the COVID-19 pandemic increased the isolation of survivors of domestic violence and abusers have taken advantage of that isolation to further exert power and coercive control.

(4) Domestic violence programs and hotlines across the country have seen a substantial increase in contacts since the beginning of the COVID-19 pandemic.

(5) Especially in rural areas, survivors are often far from shelter and services, and steps taken to mitigate the spread of COVID-19 have only exacerbated that disparity.

(6) Survivors across the country have tragically experienced greater abuse and isolation due to lockdowns associated with the COVID-19 pandemic and are in desperate need of increased support.

(7) An extension of the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54) that lasts through the COVID-19 pandemic ensures that survivors can have their needs met, and ensures that their abusers are subjected to justice.

(b) AUTHORITY.—Any program, authority, or provision, including any pilot program, authorized under the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54) shall continue in effect through the date that is 6 months after the date on which the public health emergency for COVID-19, as declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d), expires.

**SA 1432.** Mr. MORAN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ JABARA-HEYER NO HATE ACT.**

(a) SHORT TITLE.—This section may be cited as the “Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021” or the “Jabara-Heyer NO HATE Act”.

(b) FINDINGS.—Congress finds the following:

(1) The incidence of violence known as hate crimes, or crimes motivated by bias, poses a serious national problem.

(2) According to data obtained by the Federal Bureau of Investigation, the incidence of such violence increased in 2019, the most recent year for which data is available.

(3) In 1990, Congress enacted the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) to provide the Federal Government, law enforcement agencies, and the public with data regarding the incidence of hate crime. The Hate Crime Statistics Act and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111-84; 123 Stat. 2835) have enabled Federal authorities to understand and, where appropriate, investigate and prosecute hate crimes.

(4) A more complete understanding of the national problem posed by hate crime is in the public interest and supports the Federal interest in eradicating bias-motivated violence referenced in section 249(b)(1)(C) of title 18, United States Code.

(5) However, a complete understanding of the national problem posed by hate crimes is hindered by incomplete data from Federal, State, and local jurisdictions through the Uniform Crime Reports program authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation.

(6) Multiple factors contribute to the provision of inaccurate and incomplete data regarding the incidence of hate crime through the Uniform Crime Reports program. A significant contributing factor is the quality and quantity of training that State and local law enforcement agencies receive on the identification and reporting of suspected bias-motivated crimes.

(7) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal financial assistance to States and local jurisdictions.

(8) Federal financial assistance with regard to certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(c) DEFINITIONS.—In this section:

(1) HATE CRIME.—The term “hate crime” means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631).

(2) PRIORITY AGENCY.—The term “priority agency” means—

(A) a law enforcement agency of a unit of local government that serves a population of not less than 100,000, as computed by the Federal Bureau of Investigation; or

(B) a law enforcement agency of a unit of local government that—

(i) serves a population of not less than 50,000 and less than 100,000, as computed by the Federal Bureau of Investigation; and

(ii) has reported no hate crimes through the Uniform Crime Reports program in each of the 3 most recent calendar years for which such data is available.

(3) STATE.—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(4) UNIFORM CRIME REPORTS.—The term “Uniform Crime Reports” means the reports authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation that compile nationwide criminal statistics for use—

(A) in law enforcement administration, operation, and management; and

(B) to assess the nature and type of crime in the United States.

(5) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(d) REPORTING OF HATE CRIMES.—

(1) IMPLEMENTATION GRANTS.—

(A) IN GENERAL.—The Attorney General may make grants to States and units of local government to assist the State or unit of local government in implementing the National Incident-Based Reporting System, including to train employees in identifying and classifying hate crimes in the National Incident-Based Reporting System.

(B) PRIORITY.—In making grants under subparagraph (A), the Attorney General shall give priority to States and units of local government with larger populations.

(2) REPORTING.—

(A) COMPLIANCE.—

(i) IN GENERAL.—Except as provided in clause (ii), in each fiscal year beginning after the date that is 3 years after the date on which a State or unit of local government first receives a grant under paragraph (1), the State or unit of local government shall provide to the Attorney General, through the Uniform Crime Reporting system, information pertaining to hate crimes committed in that jurisdiction during the preceding fiscal year.

(ii) EXTENSIONS; WAIVER.—The Attorney General—

(I) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to comply with clause (i); and

(II) shall waive the requirements of clause (i) if compliance with that subparagraph by a State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(B) FAILURE TO COMPLY.—If a State or unit of local government that receives a grant under paragraph (1) fails to substantially comply with subparagraph (A) of this paragraph, the State or unit of local government shall repay the grant in full, plus reasonable interest and penalty charges allowable by law or established by the Attorney General.

(e) GRANTS FOR STATE-RUN HATE CRIME HOTLINES.—

(1) GRANTS AUTHORIZED.—

(A) IN GENERAL.—The Attorney General shall make grants to States to create State-run hate crime reporting hotlines.

(B) GRANT PERIOD.—A grant made under subparagraph (A) shall be for a period of not more than 5 years.

(2) HOTLINE REQUIREMENTS.—A State shall ensure, with respect to a hotline funded by a grant under paragraph (1), that—

(A) the hotline directs individuals to—

(i) law enforcement if appropriate; and

(ii) local support services;

(B) any personally identifiable information that an individual provides to an agency of the State through the hotline is not directly or indirectly disclosed, without the consent of the individual, to—

(i) any other agency of that State;

(ii) any other State;

(iii) the Federal Government; or

(iv) any other person or entity;

(C) the staff members who operate the hotline are trained to be knowledgeable about—

(i) applicable Federal, State, and local hate crime laws; and

(ii) local law enforcement resources and applicable local support services; and

(D) the hotline is accessible to—

(i) individuals with limited English proficiency, where appropriate; and

(ii) individuals with disabilities.

(3) BEST PRACTICES.—The Attorney General shall issue guidance to States on best practices for implementing the requirements of paragraph (2).

(f) INFORMATION COLLECTION BY STATES AND UNITS OF LOCAL GOVERNMENT.—

(1) DEFINITIONS.—In this subsection:

(A) APPLICABLE AGENCY.—The term “applicable agency”, with respect to an eligible entity that is—

(i) a State, means—  
(I) a law enforcement agency of the State; and

(II) a law enforcement agency of a unit of local government within the State that—

(aa) is a priority agency; and  
(bb) receives a subgrant from the State under this section; and  
(ii) a unit of local government, means a law enforcement agency of the unit of local government that is a priority agency.

(B) COVERED AGENCY.—The term “covered agency” means—

(i) a State law enforcement agency; and  
(ii) a priority agency.

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

(i) a State; or  
(ii) a unit of local government that has a priority agency.

(2) GRANTS.—

(A) IN GENERAL.—The Attorney General may make grants to eligible entities to assist covered agencies within the jurisdiction of the eligible entity in conducting law enforcement activities or crime reduction programs to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program, including—

(i) adopting a policy on identifying, investigating, and reporting hate crimes;

(ii) developing a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(iii) establishing a unit specialized in identifying, investigating, and reporting hate crimes;

(iv) engaging in community relations functions related to hate crime prevention and education such as—

(I) establishing a liaison with formal community-based organizations or leaders; and

(II) conducting public meetings or educational forums on the impact of hate crimes, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crimes; and

(v) providing hate crime trainings for agency personnel.

(B) SUBGRANTS.—A State that receives a grant under subparagraph (A) may award a subgrant to a priority agency of a unit of local government within the State for the purposes under that subparagraph.

(3) INFORMATION REQUIRED OF STATES AND UNITS OF LOCAL GOVERNMENT.—

(A) IN GENERAL.—For each fiscal year in which an eligible entity receives a grant under paragraph (2), the eligible entity shall—

(i) collect information from each applicable agency summarizing the law enforcement activities or crime reduction programs conducted by the agency to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program; and

(ii) submit to the Attorney General a report containing the information collected under clause (i).

(B) SEMIANNUAL LAW ENFORCEMENT AGENCY REPORT.—

(i) IN GENERAL.—In collecting the information required under subparagraph (A)(i), an eligible entity shall require each applicable agency to submit a semiannual report to the eligible entity that includes a summary of the law enforcement activities or crime reduction programs conducted by the agency during the reporting period to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs

relate to reporting hate crimes through the Uniform Crime Reports program.

(ii) CONTENTS.—In a report submitted under clause (i), a law enforcement agency shall, at a minimum, disclose—

(I) whether the agency has adopted a policy on identifying, investigating, and reporting hate crimes;

(II) whether the agency has developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(III) whether the agency has established a unit specialized in identifying, investigating, and reporting hate crimes;

(IV) whether the agency engages in community relations functions related to hate crime, such as—

(aa) establishing a liaison with formal community-based organizations or leaders; and

(bb) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(V) the number of hate crime trainings for agency personnel, including the duration of the trainings, conducted by the agency during the reporting period.

(4) COMPLIANCE AND REDIRECTION OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), beginning not later than 1 year after the date of this Act, an eligible entity receiving a grant under paragraph (2) shall comply with paragraph (3).

(B) EXTENSIONS; WAIVER.—The Attorney General—

(i) may provide a 120-day extension to an eligible entity that is making good faith efforts to collect the information required under paragraph (3); and

(ii) shall waive the requirements of paragraph (3) for a State or unit of local government if compliance with that subsection by the State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(g) REQUIREMENTS OF THE ATTORNEY GENERAL.—

(1) INFORMATION COLLECTION AND ANALYSIS; REPORT.—In order to improve the accuracy of data regarding the incidence of hate crime provided through the Uniform Crime Reports program, and promote a more complete understanding of the national problem posed by hate crime, the Attorney General shall—

(A) collect and analyze the information provided by States and units of local government under subsection (f) for the purpose of developing policies related to the provision of accurate data obtained under the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) by the Federal Bureau of Investigation; and

(B) for each calendar year beginning after the date of enactment of this Act, publish and submit to Congress a report based on the information collected and analyzed under subparagraph (A).

(2) CONTENTS OF REPORT.—A report submitted under paragraph (1) shall include—

(A) a qualitative analysis of the relationship between—

(i) the number of hate crimes reported by State law enforcement agencies or priority agencies through the Uniform Crime Reports program; and

(ii) the nature and extent of law enforcement activities or crime reduction programs conducted by those agencies to prevent, address, or otherwise respond to hate crime; and

(B) a quantitative analysis of the number of State law enforcement agencies and priority agencies that have—

(i) adopted a policy on identifying, investigating, and reporting hate crimes;

(ii) developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(iii) established a unit specialized in identifying, investigating, and reporting hate crimes;

(iv) engaged in community relations functions related to hate crime, such as—

(I) establishing a liaison with formal community-based organizations or leaders; and

(II) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(v) conducted hate crime trainings for agency personnel during the reporting period, including—

(I) the total number of trainings conducted by each agency; and

(II) the duration of the trainings described in subclause (I).

(h) ALTERNATIVE SENTENCING.—Section 249 of title 18, United States Code, is amended by adding at the end the following:

“(e) SUPERVISED RELEASE.—If a court includes, as a part of a sentence of imprisonment imposed for a violation of subsection (a), a requirement that the defendant be placed on a term of supervised release after imprisonment under section 3583, the court may order, as an explicit condition of supervised release, that the defendant undertake educational classes or community service directly related to the community harmed by the defendant’s offense.”.

**SA 1433.** Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 16, strike “and” and insert the following:

(2) include information relating to the race, ethnicity, immigration status, and political affiliation of the alleged perpetrator of a hate crime or incident in the online reporting described in paragraph (1); and

**SA 1434.** Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 2, insert the following:

“Any guidance issued under this subsection shall not preclude an educator, government official, or any other individual in a position of authority from describing the COVID-19 pandemic as having originated in and subsequently spread from China.”.

**SA 1435.** Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 14, after “incidents,” insert the following: “including establishing criminal penalties for any online reporting of a hate crime that is fraudulent, illegitimate, or retaliatory in nature.”.

**SA 1436.** Mr. TUBERVILLE submitted an amendment intended to be



proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 4. COVID-19 HATE CRIME STUDY.**

(a) IN GENERAL.—Not later than the earlier of 1 year after the date on enactment of this Act or 180 days after the date on which the Director of the Centers for Disease Control and Prevention determines that COVID-19 mitigation measures are no longer necessary, the Attorney General, in coordination with the Secretary of Health and Human Services, shall conduct a study on whether there is a correlation between—

(1) the frequency of COVID-19 hate crimes; and

(2) the existence of more restrictive COVID-19 mitigation measures.

(b) POPULATION ADJUSTMENT.—In conducting the study required under subsection (a), the Attorney General shall adjust data based on the population of a particular area, as appropriate.

**SA 1437.** Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 4. PROHIBITING DISCRIMINATION IN ADMISSION TO POSTSECONDARY INSTITUTIONS.**

Section 601 of the Civil Rights Act of 1964 (42 U.S.C. 2000d) is amended—

(1) by inserting “(a)” before “No person”; and

(2) by adding at the end the following:

“(b) ADMISSION TO POSTSECONDARY INSTITUTIONS.—It shall be unlawful for an employee of a postsecondary institution referred to in section 606(2)(A) and receiving Federal financial assistance, to use, or refer an applicant to, an informal or formal quota system based on race, ethnicity, color, or national origin, during any step of the admissions process, to determine whether the applicant involved shall be admitted to the institution.”.

**SA 1438.** Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REQUIREMENT TO INVESTIGATE INCIDENCE OF DISCRIMINATION AGAINST ASIAN AMERICAN HIGH SCHOOL AND COLLEGE APPLICANTS.**

Not later than 1 day after the date of enactment of this Act, the Attorney General shall designate an officer or employee of the Department of Justice whose sole responsibility shall be to investigate selective high schools and institutions of higher education in the United States accused of discriminating against Asian American applicants.

**SA 1439.** Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . REQUIREMENT TO DISSEMINATE SECOND AMENDMENT INFORMATION TO THE ASIAN AMERICAN COMMUNITY.**

Not later than 1 day after the date of enactment of this Act, the Attorney General shall designate an officer or employee of the Department of Justice whose sole responsibility shall be to disseminate information to Asian Americans in the United States regarding—

(1) rights provided under the Second Amendment to the Constitution of the United States; and

(2) legal protections for individuals who defend themselves against acts of violence.

**SA 1440.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. REPORT ON DISCRIMINATION BY RECIPIENTS OF COVID-19 RELIEF BENEFITS BASED ON ACTUAL OR PERCEIVED COVID-19 STATUS.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all forms of hatred against all people and the rise in violence in the wake of COVID-19 be condemned; and

(2) physical and verbal attacks against Asian American and Pacific Islander persons, such as those resulting in the killing an 84-year old Thai immigrant in San Francisco, California, the setting on fire of an 89-year old Chinese woman in Brooklyn, New York, and the slashing of a 61-year old Filipino American's face with a box cutter while in the New York Subway, are reprehensible, contrary to American values as well as the sanctity of human life, and must be stopped.

(b) DEFINITIONS.—In this section—

(1) the term “COVID-19 relief benefits”—

(A) means any benefit from the Federal Government relating to the COVID-19 pandemic; and

(B) includes any grant, funds, loan, loan guarantee, bankruptcy relief, mortgage, rent, or eviction relief, or other benefit received under the American Rescue Plan (Public Law 117-2), the Consolidated Appropriations Act, 2021 (Public Law 116-260), the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116-139; 134 Stat. 620), the CARES Act (Public Law 116-136; 134 Stat. 281), the Families First Coronavirus Response Act (Public Law 116-127; 134 Stat. 178), the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116-123; 134 Stat. 146), or an amendment made by any such Act; and

(2) the term “crime of violence” has the meaning given that term in section 16 of title 18, United States Code.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report that studies—

(1) crimes of violence motivated by the actual or perceived relationship of any individual to the spread of COVID-19 for any reason, including appearance, mask wearing, or vaccination status; and

(2) the extent to which businesses that received COVID-19 relief benefits discriminated against individuals who are perceived to have spread COVID-19, which shall specifically detail the extent to which businesses that received COVID-19 relief benefits, or agents thereof, denied goods, services, or

travel, or committed a crime of violence, because of the actual or perceived relationship of any individual to the spread of COVID-19 for any reason, including appearance, mask wearing, or vaccination status.

**AUTHORITY FOR COMMITTEES TO MEET**

Ms. STABENOW. Mr. President, I have 10 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 COMMERCE, SCIENCE, AND TRANSPORTATION**

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 10 a.m., to conduct a hearing.

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 10 a.m., to conduct a hearing.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 9:45 a.m., to conduct a hearing on nominations.

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 10 a.m., to conduct a hearing on nominations.

**COMMITTEE ON INDIAN AFFAIRS**

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 2:30 p.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 Wednesday, April 14, 2021, at 10 a.m., to conduct a hearing on nominations.

**COMMITTEE ON VETERANS' AFFAIRS**

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 3 p.m., to conduct a hearing on a nomination.

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 10 a.m., to conduct an open hearing.

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 1 p.m., to conduct an open hearing.

## SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, April 14, 2021, at 2:30 p.m., to conduct a hearing.

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MILITARY RETIREE  
APPRECIATION DAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 148.

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

The bill clerk read as follows:

A resolution (S. Res. 148) recognizing the importance of paying tribute to those individuals who have faithfully served and retired from the Armed Forces of the United States, designating April 18, 2021, as "Military Retiree Appreciation Day", and encouraging the people of the United States to honor the past and continued service of military retirees to their local communities and the United States.

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. DURBIN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 148) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 12, 2021, under "Submitted Resolutions.")

WILLIAM T. COLEMAN, JR., DE-  
PARTMENT OF TRANSPORTATION  
HEADQUARTERS ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 14, S. 400.

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

The bill clerk read as follows:

A bill (S. 400) to designate the headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, as the "William T. Coleman, Jr., Federal Building".

Mr. DURBIN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon table.

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

The bill (S. 400) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 400

*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 "William T. Coleman, Jr., Department of Transportation Headquarters Act".

**SEC. 2. WILLIAM T. COLEMAN, JR., FEDERAL BUILDING.**

(a) IN GENERAL.—The headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, shall be known and designated as the "William T. Coleman, Jr., Federal Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the "William T. Coleman, Jr., Federal Building".

ORDERS FOR WEDNESDAY, APRIL  
15, 2021

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, April 15; 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 conclusion of morning business, the Senate resume consideration of the motion to proceed to Calendar No. 13, S. 937; finally, that at 12 noon, all postcloture time be considered expired and the motion to proceed to S. 937 be agreed to.

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

Mr. DURBIN. For the information of Senators, we expect the first rollcall vote at approximately 12 noon on Thursday.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:27 p.m. adjourned until 10 a.m. tomorrow.

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CONFIRMATIONS

Executive nominations confirmed by the Senate April 14, 2021:

SECURITIES AND EXCHANGE COMMISSION

GARY GENSLE, OF MARYLAND, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING JUNE 5, 2021.

EXECUTIVE OFFICE OF THE PRESIDENT

BRENDA MALLORY, OF MARYLAND, TO BE A MEMBER OF THE COUNCIL ON ENVIRONMENTAL QUALITY.