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## Senate

The Senate met at 1 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

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

Let us pray.

Our Father in Heaven, You keep us from stumbling and falling. We trust Your power. We sing of Your steadfast love and proclaim Your faithfulness to all generations. Make us one Nation, truly wise with righteousness, exalting us in due season.

Today, inspire our lawmakers to walk in the light of Your countenance. Abide with them so that Your wisdom will influence each decision they make. Keep them from the evil that brings grief, enabling them to avoid the pitfalls that lead to ruin. Lord, empower them to glorify You in all they say and do.

We pray in Your Holy 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. CORNYN). The President pro tempore is recognized.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to, please, have 1 minute in morning business.

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

### 117TH CONGRESS

Mr. GRASSLEY. Mr. President, today is Sunday, and I want to remember what Senator Byrd said on a lot of Sundays when the Senate was in session. He didn't say this because he didn't want to work on Sunday, but he

wanted everybody to remember the significance of Sunday for some people, particularly Christians. He always said: "Remember the Sabbath and keep it holy."

Now, I want to refer to another particular Sunday. Never in the Senate's history has the Senate convened Congress—meaning a new Congress—on a Sunday. The Constitution mandates that Congress convene at noon on January 3, unless the preceding Congress, by law, designates a different day.

Of course, January 3 has fallen on a Sunday over the last 238 years, and each time, by unanimous consent, the Congress set a new convening day other than that Sunday. So now it appears, for the first time in history, that Senate Democrats don't want to agree to such unanimous consent and instead are insisting that the Senate start the 117th Congress on Sunday.

I am not looking to get out of work. I have proven that I have respect for attendance in the Senate. But out of respect, the Senate usually does not have business on religious holidays observed by members of various faiths.

So just like Senator Byrd, I also think the Lord's Day, particularly when it is paired with the weight of starting a new Congress, deserves reverence.

I yield.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### CORONAVIRUS

Mr. MCCONNELL. Mr. President, our bipartisan, bicameral discussions on another major pandemic rescue package continued all night and this morning. We are winnowing down the remaining differences. I believe I can speak for all sides when I say I hope and expect to have a final agreement nailed down in a matter of hours.

Yesterday evening, our Democratic colleagues agreed to important language authored by Senator TOOMEY. Back in March, in the CARES Act, Congress funded several new emergency lending facilities to be operated by the Federal Reserve. Their purpose was simple: to backstop the basic foundations of our economy and prevent any kind of sweeping financial paralysis.

Our actions worked. The other historic relief that Congress passed, combined with the existence of these lending facilities staved off systemic collapse. American workers and families still need much more help, but a total financial meltdown never materialized.

These new emergency lending facilities were always intended to sunset at the end of this year. Senator TOOMEY and our Democratic colleagues have landed on compromise language that ensures this will, in fact, happen.

It also redirects the dormant money in these accounts toward the urgent needs of working Americans and ensures that these expired programs cannot be simply restarted or cloned without another authorization from Congress, all while preserving both the independence of the Federal Reserve and the proper authority of Congress. It is yet another example of good-faith bipartisan collaboration that has defined our discussions all week.

At this point, we are down to the last few differences that stand between struggling Americans and the major rescue package they need and deserve.

These days and nights of negotiations have been encouraging, but our citizens need this waiting game to be over. Yesterday alone, another 3,388 of my fellow Kentuckians tested positive for the coronavirus. The virus continues to spread throughout our country. Thousands of Americans are being robbed of their lives on a daily basis.

And while the resilience of the American people have brought along our economic recovery faster than expected, it will remain both insufficient

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



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and tenuous until the vaccines that will end this fight have been distributed all across the Nation.

For months—literally months—Senate Republicans have been calling for another targeted package to reopen the job-saving Paycheck Protection Program, extend Federal unemployment benefits, fund K-12 schools, fund vaccine distribution, and get a lot more help onto the frontlines as fast as possible. I am relieved that we appear to be just hours away from legislation that will finally do that.

When we get this done, Congress will not deserve any special praise, not with this relief having waited until late December and not with some of our Democratic colleagues openly saying the reason they finally changed their tuned was that they finally got a President-elect of their own party. When we finalize this measure and pass it, Congress will only have done our job. We will have finally done our duty in getting more relief to those who need it most.

Let's make today the day we join together, put differences aside, and finally get it done.

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

The bill clerk read the nomination of Brian Noland, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2024.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### CORONAVIRUS

Mr. SCHUMER. Mr. President, now, we have spent the past 4 to 5 days locked in intense bipartisan negotiations over the final details of an emer-

gency relief package. There are a few issues outstanding, but I am quite hopeful that we are closing in on an outcome. It appears that, barring a major mishap, the Senate and House will be able to vote on final legislation as early as tonight—tonight.

Many of the provisions in this bill are already public. They are all items that the country desperately needs and upon which there is no disagreement. We all are ready to deliver a desperately needed extension of enhanced unemployment benefits; direct survival checks to millions of American families; crucial relief to our schools, our small businesses, our healthcare system; and funding to support the production and distribution of a vaccine.

As of yesterday, we have been steadily working through all of the other outstanding issues, but one issue threatened to derail the bill. The Senator from Pennsylvania made an eleventh-hour demand to curtail the authority of the Fed to respond to economic crises, potentially leaving the Fed with less authority than it had even prior to the pandemic.

The language in his provision was so broad, the intent seemed to be to sabotage the incoming administration's ability to stabilize the economy and save jobs. That was completely unacceptable to Democrats.

But late last night the logjam was broken. Senator TOOMEY accepted my compromise to remove the dangerous "similar to" language in his bill that was overly broad. We sent the Senator far more limited language around 8 p.m. last night, and it was accepted a few hours later with a few technical changes. As a result, the Federal Reserve will retain its tools and authority in the event of a true emergency.

Now, this compromise should not have taken as long as it did, and, frankly, it was irresponsible to threaten the entire package with this ideological attempt to limit the Fed and Treasury's powers in an emergency.

But I am very glad that our Republican colleagues relented and accepted our offer. The Toomey legislation was the last significant stumbling block to a bipartisan agreement moving forward.

Solving our disagreement over the Fed's authority was a key to unlocking the rest of the bill and putting us on a path to final legislation. Now that we have solved that disagreement, we can close in on a final agreement, finish drafting legislation, and move it through both Chambers of Congress—hopefully, as soon as tonight. As we speak, the legislative text is being finalized.

The time has come to move forward and reach a conclusion. The legislation that is coming together will put money in the pockets of everyday people and extend many of the benefits that we included in the CARES Act, a bill I was proud to negotiate with Secretary Mnuchin.

I will be the first to admit that, while this short-term deal is necessary

to meet the urgent and growing needs that so many people are facing immediately going into the winter, this bill is not sufficient. It is necessary. It is not sufficient.

Democrats would have liked to provide more relief, especially to State and local governments and especially to American families on the brink of financial collapse. The survival checks in this bill are a good start, but there was bipartisan support for \$1,200 checks.

So let me be clear about one thing: This bill will not be the final word on congressional COVID relief.

When this Chamber gavel back in 2021, we must pick up immediately where we left off. We must protect people's jobs, whether they work for a company or a local government; whether they live in blue States or red States; whether they are office employees or teachers, bus drivers and firefighters.

Still, the significance of this package should not be underestimated. We will deliver the second largest Federal stimulus in our Nation's history. Only the CARES Act will have been bigger. This package will give the new President a head start as he prepares to right our ailing economy. And it won't include any provision to limit the legal rights of workers who are put in harm's way. It won't include any provision to gratuitously limit the authority of the Fed.

On many issues, where Republicans once refused to grant an inch, we were also able to make meaningful steps forward. Republicans, in their initial proposal, wanted zero direct payments. They wanted zero unemployment insurance. They wanted zero rent relief. Only a few months ago, the Republican leader admitted that 20 Members of his caucus didn't want to approve another dime in spending. Now we are on the verge of passing more than \$900 billion.

Once an agreement is finalized, I will have a lot more to say about the contents of the bill and the process it took to achieve it. But for now, I am happy to report we have surmounted the final largest hurdle, and an ending is in sight. Let's get the job done together for the sake of the American people.

I yield the floor.

#### CLOTURE MOTION

Mr. GARDNER. Mr. President, I ask unanimous consent that the mandatory call be waived.

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

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read the following:

#### 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 Brian Noland, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2024.

Mitch McConnell, Lamar Alexander, Rick Scott, Tom Cotton, Mike Crapo, Cory Gardner, Ron Johnson, James Lankford, Roger F. Wicker, Marco Rubio, Cindy Hyde-Smith, Thom Tillis, Shelley Moore Capito, John Boozman, Joni Ernst, Mike Braun, Pat Roberts.

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 Brian Noland, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2024, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BARR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Idaho (Mr. RICH), and the Senator from South Dakota (Mr. ROUNDS). Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 84, nays 5, as follows:

[Rollcall Vote No. 281 Ex.]

#### YEAS—84

Baldwin	Graham	Portman
Barrasso	Grassley	Reed
Bennet	Hassan	Roberts
Blackburn	Hawley	Romney
Blunt	Heinrich	Rosen
Booker	Hirono	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Schatz
Brown	Inhofe	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Cardin	Kaine	Shaheen
Carper	Kelly	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Klobuchar	Stabenow
Coons	Lankford	Sullivan
Cornyn	Leahy	Tester
Cortez Masto	Lee	Thune
Cotton	Manchin	Tillis
Cramer	McConnell	Toomey
Crapo	Menendez	Udall
Daines	Merkley	Van Hollen
Durbin	Moran	Warner
Ernst	Murkowski	Whitehouse
Feinstein	Murphy	Wicker
Gardner	Murray	Wyden
Gillibrand	Peters	Young

#### NAYS—5

Blumenthal	Markey	Warren
Duckworth	Sanders	

#### NOT VOTING—11

Alexander	Fischer	Perdue
Burr	Harris	Risch
Cruz	Loeffler	Rounds
Enzi	Paul	

The PRESIDING OFFICER. On this vote, the yeas are 84, the nays are 5.

The motion is agreed to.  
The Senator from Texas.

#### GOVERNMENT FUNDING

Mr. CORNYN. Mr. President, the fact that we are here on a Sunday indicates to me something is different about what we are about and, to me, speaks to a sense of urgency that we ought to have to complete our work before the Christmas holiday, and there are few things more pressing than our agenda today.

Government funding, as we know, is scheduled to expire at 12 midnight tonight, and unless we take action in the next few hours, our country will be thrown into another government shutdown. I hope every Member of this body can understand why this is simply not an option. I have heard some people talk about, well, it is not a real shutdown if it happens for just a few hours or a couple of days over the weekend, but I think the appearance is horrible and speaks to our not living up to our responsibility to do this on a timely basis and without any lapse in government funding. This is not the time to furlough hard-working public servants or send our various governmental Departments and Agencies into chaos.

We need to pass a funding bill that will provide stability for the remainder of the fiscal year, through the end of September next year, and give our government the ability to operate with certainty. All you have to do is talk to the leaders at the Pentagon, and they will tell you how chaotic and inefficient it is when Congress passes short-term continuing resolutions, which speaks to the importance of providing some certainty and predictability to the funding stream, but we know government funding is only one of the things left to do on our list.

#### CORONAVIRUS

Mr. President, our country is racing to distribute two now successful vaccines to bring an end to this pandemic that we have been living through that has claimed the lives of more than 315,000 Americans. Millions of workers have lost their jobs. They have no income. They lost those jobs either weeks or several months ago and have been struggling to support themselves and their families. Sometimes I wonder, as we delay in responding and providing additional relief, whether those who receive paychecks have sufficient empathy for those who are receiving no paychecks. Time is of the essence.

Small businesses are crunching the numbers, trying to determine how much longer they can hang on and keep their employees on the payrolls, if they have been able to at all.

Of course, teachers are doing the best they can to teach our children virtually or in hybrid situations, with some children going back to the classroom. This has been a tragic circumstance, I believe, particularly for many low-income children for whom virtual learning is simply not an option or is simply failing them because

many of them have no access to broadband. They may not have sufficient supervision at home to help them through their studies. To me, it is incredible that we expect to put children who are in elementary school in front of computer screens for 8 hours a day and expect them to get what they need in terms of their education.

Of course, none of this is news. We have known about not only the need but the urgency of each of these priorities for months now. Unfortunately, the partisan dysfunction leading up to the election prevented us from making more progress since the CARES Act was passed last March. Yet, with the election in November, we finally saw some interest on the part of congressional leaders on both sides of the aisle, on both sides of the Capitol, in negotiating a compromise.

There are many of our colleagues—some of whom are sitting here in the Chamber today—who have dedicated a lot of time and effort to trying to help the leadership build a consensus and get to yes, which I hope we will get to very soon. We know there have been a lot of negotiations and a lot of loose ends, but vaccines, workers, small businesses, and schools should be our priority.

According to the Democratic leader and the majority leader, we apparently are just hours away from finalizing a bipartisan deal, but none of us have actually seen the text yet of what this looks like. The only responsible thing is for us to be able to study it and understand exactly what is happening. The House Committee on Rules, presumably, will meet and pass a rule, and then it will go to the House floor. I know some people are saying we can get this done today. To me, that seems unlikely, but I guess we can all hope. I hope we do this responsibly and not just quickly.

We do know that the American people are suffering and that this is not the time for politics or delay for delay's sake. This is a time to come together to compromise and make good on the commitment we have made to support the American people. I am sort of expecting smoke signals from some quarters, but I hope the signs that we are all trying to read, the tea leaves and the like, become a lot clearer today so that we can chart a clear path forward to both government funding and coronavirus relief.

While the size and shape of this legislation is still coming together, I hope it will include legislation I introduced earlier this year to help some of our hardest hit small businesses.

Over the last few months, we have heard much about the incredible success of the Paycheck Protection Program, which deserves all of the accolades it has received because it has provided a vital lifeline to America's small businesses and their employees.

These loans helped employees make payroll and cover business expenses during the most difficult parts of the

pandemic, and by any measure, the program has been an incredible success.

But not all small businesses have been eligible for the Paycheck Protection Program, and some of the most heavily impacted are our small, independent venues. These businesses were the first to close when COVID-19 hit, and they are likely to be the last to open when it is behind us.

Live, cultural, musical, theatrical events are not only critical cultural institutions, but they are huge drivers of local economies.

A single event can provide paychecks not only to the artists and performers but to lighting and sound technicians, bartenders, ticket takers, concessions, and merchandise salesmen, as well as security guards, cleaning staff, and the list goes on and on.

Unlike restaurants, which have been able to offer at least carryout or outdoor dining, or retailers, which switched to curbside pickup, there is no virtual substitution for these live events.

That is why, working with the Senator from Minnesota, Senator KLOBUCHAR, I introduced the Save Our Stages Act so that these venues can be kept afloat so that when we are able to put the virus behind us, our favorite, small, independent venues will be able to open their doors once again.

This is a stressful and scary moment for the Texans who work at and frequent our favorite venues, and the Save Our Stages Act can provide some hope for these cultural institutions.

I am proud to say that 58 of our colleagues have cosponsored Save Our Stages, making it one of the most widely supported bipartisan proposals before the Senate.

These final hours of negotiations are not the time to try to change the basic contours of that proposal to benefit well-endowed institutions or institutions that don't, frankly, need the money, while these other venues are dying unless they get the money.

Save Our Stages will benefit beloved, small, independent music venues and other theaters and the like across the country and ensure those marquee will shine bright once again.

So as we all know, time is running out. The Congress needs to take action and take action soon.

We cannot add the stress of another government shutdown to a raging pandemic. It is time for us to come together and get this done for the American people.

I yield the floor.

(Mr. HOEVEN assumed the chair.)

(Mr. DAINES assumed the chair.)

The PRESIDING OFFICER (Mr. BARASSO). The Senator from Missouri.

CORONAVIRUS

Mr. HAWLEY. Mr. President, I rise today to discuss the COVID relief bill that I understand is soon to be brought before the House and then to this floor.

I understand that we have finally, at long last, a deal that hopefully will re-

sult in real relief for the American people. And there is a piece of good news that I want to be sure to note, and that is that this COVID relief package will contain direct assistance to working people. For every working family in this country that needs it, they will be, under this deal, getting a direct check just like they did in March.

Now, that is a victory. There are no two ways about it, and we should celebrate that victory not on our own behalf but for the many people in this Nation who desperately need it and who, until just a few days ago, could expect nothing at all in the way of direct assistance from this body.

I want to thank those who worked so hard to make sure that this relief was available and is going to the working people of this country—not least the President of the United States, who has been very clear, over and over again, that he wants to see direct relief to working families, that it should be the cornerstone of the bill. Of course, I thank Senator SANDERS for his strong stand on this issue, and it has been a privilege to work with him on it.

So this is good news—good news for working families, good news for working people just before Christmas, when they need the help the most.

But I have to say that the levels of support that I understand will be offered to working people are hardly adequate, and we should not pretend otherwise: \$600 per person, \$600 per child. This is a fraction of what was offered to working people in the CARES legislation just a few months ago—legislation, I might add, that every Member of this body voted for—every Member voted for. Now they will be getting only a portion of that. It all adds up to about \$100 billion. And we are told that there just wasn't enough left over, that there just wasn't any more available for working people.

Yet I notice that in the spending bill that we are also going to vote on as part of this package, a bill that costs over \$1 trillion, we managed to have found \$65 million for salmon recovery in the Pacific, \$643 million to carry out international communication activities in the Middle East, \$116 million for the Export-Import Bank, and \$118 million for that sterling example of international leadership, the World Health Organization, which has done more to undermine world health in the last year than I think any international organization in the history of the world.

Then there is the so-called bipartisan proposal, which is the basis for the present deal—the bipartisan proposal which included, I might point out, not a cent—not a cent—in direct relief for working people—almost \$1 trillion in costs, not one penny in direct relief for working people, until it was added recently. That proposal included \$20 billion for higher education—\$20 billion. This is going to many universities that have massive endowments worth billions and billions of dollars, most of that built on the backs of taxpayers, I

might add. Yet we cannot find any further funds to help working people in this country.

I cannot help but note that working people were the last consideration in the draconian shutdowns earlier this year that sent so many of them home, that cost them their jobs, that cost them their wages, that cost them their healthcare on the job, and they have consistently been the last consideration in COVID relief in this body ever since. Frankly, it is disgraceful and, frankly, it is unacceptable.

So the work that we are going to do today—and I hope to see a vote on this floor yet today on this relief—is a step—a step—in the right direction, but it is only a step. And I hope that it will be the beginning of a better approach, the beginning of actually putting working Americans first, putting their needs, putting their independence, putting their strength, their families, their communities first.

That ought to be the economic policy of this Nation. That ought to be the economic policy of this body. And I can assure you, that is the foundation on which economic recovery will be built because it is the working people of this Nation who power the American economy.

Don't believe anything else. We hear a lot about global capital. We hear about the need to secure the financial markets—oh, and, by the way, the Federal Reserve. We are taking back \$430 billion from the Federal Reserve in this piece of legislation—\$430 billion from the Federal Reserve—funded to the max. Wall Street—funded to the max.

But I say again: Wall Street, capital, the financial markets—they are not the foundation of this economy. The working people of this Nation, the working people of Missouri, the working people of our other States—they are the foundation of this economy, and it is time that they were put first—first for COVID relief, first in our economic policy, first in all that we do.

So I hope that this effort to get them direct assistance will be the beginning of a larger effort to orient our economic policy and the policy of this Nation around the strength and the independence and the needs of our great working Americans.

I want to end by saying thank you to them, thank you to the working people of Missouri who have endured through this crisis day in and day out, who have gone to work as essential workers, who have taken care of children at home, who have missed shifts at work in order to care for loved ones, who have contributed food to others in need even when they didn't have enough food for themselves, who have gone without in order to see that their children could eat.

The people of this country, the working people who have sacrificed again and again and again and have borne the brunt of this pandemic and have continued to show up for their families, for

their communities, and for this country—thank you. Thank you for making this country work. Thank you for building this country as we know it.

Help is on the way. Help is on the way in this bill, which I hope will become law tonight. But there is much more to do, and I, for one, stand ready to work to do it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### U.S. AFRICAN-AMERICAN BURIAL GROUNDS NETWORK ACT

Mr. BROWN. Mr. President, I rise today to discuss S. 2827, the African-American Burial Grounds Network Act, introduced by Senator ALEXANDER from Tennessee and me.

We know that for too long and in too many parts of our country, Black families were blocked from burying their loved ones in White cemeteries. These men and women were freed slaves, civil rights champions, veterans, mothers, fathers, and active workers in communities.

Our bill is simple. It directs the National Park Service to conduct a study on ways to identify and preserve and record unmarked, abandoned, or other historic African-American burial grounds.

We need to act now before these sites are lost to the ravages of time or development.

In an op-ed published in the *Memphis Commercial Appeal*, Senator ALEXANDER summed up the need for bills like ours: “Our children need to learn more history in order to grow up knowing what it means to be an American, including our struggle with race.”

For more than two centuries, these cemeteries have been looked after by churches, community groups, and private citizens. I learned about these efforts and the struggle to preserve these sacred places when I visited Union Baptist Church in Cincinnati, where parishioners have worked to preserve their hallowed space from vandals and the inexorable passage of time.

The cemetery I visited in Cincinnati was founded in 1864. It is a final resting place for freed slaves, for Black Union soldiers, and for civil rights activists.

I was there last November on a very cold morning, I remember, with Ms. Angelita Jones, chair of the trustee board for Union Baptist Church, and other elected officials in the city and members of the church, to announce funding to help restore the cemetery. But there is more to do at this cemetery and so many more like it across the country.

Our bill will help us better understand the scope and the scale of the issue and develop the tools needed to help churches, historic organizations, and communities to protect these sacred burial grounds.

I would like to take a minute, as we move this legislation forward—and I appreciate the cooperation of the peo-

ple on all sides—to thank Senator ALEXANDER for his help with this bill. In fact, almost 3 years ago to the day—it was almost exactly this day; I believe it was December 21, 2017—our bill to create an African American Civil Rights Network passed this Chamber. His interest in and awareness of protecting and preserving our history and the contributions to it by all Americans are so important.

He has been a champion for so many issues that I have had the pleasure to work with him on over the years, from protecting the Smokey Mountains to STEM education, to helping me find funding for cleanup efforts at a former uranium enrichment plant in Southern Ohio. His willingness to work across the aisle and to work in good faith for an agreeable compromise will surely be missed. We all regret his retirement and thank him for amazing service.

Mr. President, as if in legislative session, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 2827 and the Senate proceed to its immediate consideration.

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

The bill clerk read as follows:

A bill (S. 2827) to amend title 54, United States Code, to establish within the National Park Service the U.S. African-American Burial Grounds Network, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. BROWN. Mr. President, I ask unanimous consent that the Brown substitute amendment be agreed to and the bill, as amended, be considered read a third time.

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

The amendment (No. 2721) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “African American Burial Grounds Study Act”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **BURIAL GROUND.**—The term “burial ground” means any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which human remains are deposited as a part of the death rite or ceremony of a culture.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior, acting through the Director of the National Park Service.

#### SEC. 3. AFRICAN AMERICAN BURIAL GROUNDS STUDY.

(a) **IN GENERAL.**—The Secretary shall conduct a study of ways to identify, interpret, preserve, and record unmarked, previously abandoned, underserved, or other burial grounds relating to the historic African American experience.

(b) **REQUIREMENTS.**—In conducting the study under subsection (a), the Secretary shall consider—

(1) ways to engage with descendant, local, and other communities historically associated with identified burial grounds by geography, genealogy, or culture;

(2) appropriate processes to identify locations of unmarked and unrecorded African American burial grounds with appropriate consideration for the privacy and safety of the burial grounds;

(3) alternatives for providing in a public database, as appropriate, the locations of, and information on, recorded and unrecorded African American burial grounds;

(4) alternatives for commemorating and interpreting African American burial grounds; and

(5) best practices for preserving burial ground landscapes and caring for artifacts.

(c) **REPORT.**—Not later than 3 years after the date on which funds are first made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing—

(1) the findings of the study; and

(2) any recommendations of the Secretary.

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

Mr. BROWN. Mr. President, I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2827), as amended, was passed.

Mr. BROWN. I ask unanimous consent that the title amendment be agreed to and the motion to reconsider be considered made and laid upon the table.

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

The title amendment (No. 2722) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: “A bill to authorize the Secretary of the Interior to conduct a study of African American burial grounds, and for other purposes.”

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

#### EXECUTIVE CALENDAR—Continued

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

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

#### VOTE ON NOLAND NOMINATION

Mrs. BLACKBURN. Mr. President, I yield back all time.

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

All postcloture time has expired.

The question is, Shall the Senate advise and consent to the Noland nomination?

Mr. BARRASSO. Mr. 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 senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), the Senator from Idaho (Mr. RISCH), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The result was announced—yeas 84, nays 5, as follows:

[Rollcall Vote No. 282 Ex.]

#### YEAS—84

Baldwin	Graham	Portman
Barrasso	Grassley	Reed
Bennet	Hassan	Roberts
Blackburn	Hawley	Romney
Blunt	Heinrich	Rosen
Booker	Hirono	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Schatz
Brown	Inhofe	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Cardin	Kaine	Shaheen
Carper	Kelly	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Klobuchar	Stabenow
Coons	Lankford	Sullivan
Cornyn	Leahy	Tester
Cortez Masto	Lee	Thune
Cotton	Manchin	Tillis
Cramer	McConnell	Toomey
Crapo	Menendez	Udall
Daines	Merkley	Van Hollen
Durbin	Moran	Warner
Ernst	Murkowski	Whitehouse
Feinstein	Murphy	Wicker
Gardner	Murray	Wyden
Gillibrand	Peters	Young

#### NAYS—5

Blumenthal	Markey	Warren
Duckworth	Sanders	

#### NOT VOTING—11

Alexander	Fischer	Perdue
Burr	Harris	Risch
Cruz	Loeffler	Rounds
Enzi	Paul	

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

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

Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### 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 Fernando L. Aenlle-Rocha, of California, to be United States District Judge for the Central District of California.

Mitch McConnell, John Barrasso, David Perdue, Thom Tillis, Tom Cotton, Mike Rounds, Roger F. Wicker, Kevin Cramer, Richard Burr, Mike Crapo, Steve Daines, Marsha Blackburn, John Thune, James E. Risch, Mike Braun, Tim Scott.

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 Fernando L. Aenlle-Rocha, of California, to be United States District Judge for the Central District of California, 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 Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 82, nays 7, as follows:

[Rollcall Vote No. 283 Ex.]

#### YEAS—82

Baldwin	Coons	Hassan
Barrasso	Cornyn	Heinrich
Bennet	Cortez Masto	Hoeven
Blunt	Cotton	Hyde-Smith
Booker	Cramer	Inhofe
Boozman	Crapo	Johnson
Braun	Daines	Jones
Brown	Duckworth	Kaine
Cantwell	Ernst	Kelly
Capito	Feinstein	Kennedy
Cardin	Gardner	King
Carper	Gillibrand	Klobuchar
Casey	Graham	Lankford
Cassidy	Grassley	Leahy
Collins		Manchin

McConnell	Rosen	Tester
Menendez	Rubio	Thune
Merkley	Sasse	Tillis
Moran	Schatz	Toomey
Murkowski	Schumer	Udall
Murphy	Scott (FL)	Van Hollen
Murray	Scott (SC)	Warner
Peters	Shaheen	Whitehouse
Portman	Shelby	Wicker
Reed	Sinema	Wyden
Risch	Smith	Young
Roberts	Stabenow	
Romney	Sullivan	

#### NAYS—7

Blumenthal	Lee	Warren
Hawley	Markey	
Hirono	Sanders	

#### NOT VOTING—11

Alexander	Enzi	Paul
Blackburn	Fischer	Perdue
Burr	Harris	Rounds
Cruz	Loeffler	

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 7.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Fernando L. Aenlle-Rocha, of California, to be United States District Judge for the Central District of California.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### CORONAVIRUS

Mr. TOOMEY. Mr. President, earlier today, the minority leader came down to the Senate floor and unfortunately once again mischaracterized both the objectives and motives of Senate Republicans in the pursuit of the changes we wanted to make with respect to the CARES Act emergency lending program, and I want to address that. But let me just say candidly that I understand his frustration. Republicans together set out four goals for the country with respect to these programs, and we achieved all four goals. I guess that is a little bit frustrating.

Let me go through just a little bit of recent history on this. Let's remember that this debate has been going on for several months. The Democrats' original position was to keep these programs in place. In fact, many of them wanted to expand them. They certainly wanted to extend them well past the end of the year. How do we know that? Well, among other ways, Senator SCHUMER himself sent a letter to Secretary Mnuchin and Chairman Powell asking exactly that—that they extend these programs.

You might wonder, why would they want to extend an emergency lending facility when we are clearly not in an emergency in terms of the financial markets? The reason is that a lot of Democrats had other purposes in mind for these programs, and in my view, those other purposes would have constituted a terrible misuse of those programs.

One of the goals clearly was to kind of morph the Fed's Municipal Liquidity Facility into a bailout fund for States

and municipalities. How do we know that? Well, because the Democrat-controlled House passed a bill that would require that. There is no mystery here. They passed a bill that specifically would require the Fed to use the Municipal Liquidity Facility to bail out States and municipalities under outrageous terms: ultra-low interest rates, ultra-long-term loans, 25 basis point interest rate, 10 years. States wouldn't even need to attest, as they do under current law, that they were unable to secure credit elsewhere.

Basically, they wanted to turn the Fed from the lender of last resort to the lender of first resort. So they were clear about that. There are many Democratic activists and folks here who are sympathetic with them who have other purposes as well, such as using the Corporate Credit Facility as a way to coerce the behavior they want from corporations. It wasn't about extending credit to companies that need credit; it is about achieving a social or cultural or political objective by attaching terms to the loans that would result from that.

Those are the kinds of uses that many on their side had. How do we know that? Well, among other things, they beat us up almost every day for not voting on the Heroes Act. I think they intended to vote for it, so they would have been voting for this very misuse.

So our goal was simple. Our goal as a conference or the consensus of Republican Senators was to end these programs consistent with the intent of the law and, in fact, I believe, the letter of the law, prevent the misuse, and make sure the Fed's legitimate functions are not impinged upon. How are we going to do this? We are going to do this with four specific steps, four specific goals that would allow us to achieve that outcome for the American people.

No. 1, sweep the unused money out of those accounts and repurpose it; use it for other, better purposes. We have other needs. That is an important objective. It also makes sure that the money is not available for misuse, if we are shifting it out of these facilities and putting it to good use.

Now, again, initially the Democratic position was in opposition to this, but to their credit, the bipartisan group of eight folks who got together and really were the catalyst for the bill that we are working on now—the Republicans persuaded the Democrats to accept this idea that the money should be swept out, and to the credit of the Democrats there, they agreed. So that became the basis or one of the bases of this piece of legislation that we have been working on, and it achieves Republicans' first goal.

The second goal is to end the programs as the statute intended. As I say, I believe the statute achieves that, but there is a very aggressive interpretation to the contrary. We know that Senator SCHUMER wanted to extend these programs well beyond the end of

the year. We know it from his letter that he wrote. But, to his credit, he ultimately relented, and Republicans achieved our second goal.

The third goal that we had was to make sure that these programs aren't simply resuscitated next year. We all know there is going to be a new Secretary of the Treasury, and a joint decision by the Treasury Secretary and the Fed is what governs this program. Now, I don't think they would have the legal authority to resume this, but many of our Democratic colleagues openly advocated that despite the fact that Secretary Mnuchin and Powell had agreed not to extend these programs, that a new Treasury Secretary should, in fact, resume these programs, start them up again. We said no, and again, to the credit of our Democratic colleagues, they relented, and Republicans achieved our third goal.

The fourth was simply to forbid the creation of a clone that would circumvent the third; right? If you had to end a particular lending facility, but you could just create an identical version of it or a nearly identical version of it and call it something else, why, that would defeat the purpose of ending the one you ended. So we needed, in statute, to make it clear that there would be a prohibition against the creation of a clone or a near clone.

This one, Senator SCHUMER fought us hard on. I will say he fought us hard on this. In the course of exchanges, we kept getting documents that didn't have any reference to this at all, but in the end, he agreed that we would have this prohibition.

We then went back and forth on the exact language, exactly what would constitute a clone, as I am using the term, and what wouldn't. We got to an agreement, and we achieved our fourth goal.

I want to commend my Democratic colleagues for working with us to get here. It wasn't easy, and I know there is a lot in this that they don't love about this, but with respect to these really important goals for the American people, we are making progress.

One of the other things that I just have to address because the leader brought this up in his comments earlier was a terrible misrepresentation of what our objective was or why did we think it was so important to end these programs in the first place.

Our intent was not, as Senator SCHUMER implied on the floor today, to sabotage the incoming administration's ability to stabilize the economy. And that is a direct quote. That was not our intent. So what was our intent? Well, first, I mentioned earlier we think it is important that you follow the law, and we believe the law requires that these be shut down. We understand there was going to be an aggressive attempt to circumvent that by interpreting the law differently, so we felt, clarify the statute, make it unambiguous, and we would achieve that.

The second thing is, of course, it is completely consistent with congres-

sional intent. Let me say that I was one of the two Republican Senators in the room when we were negotiating this part of the CARES Act with our Democratic counterparts, Secretary Mnuchin, our respective staffs, and attorneys. There was nobody in the room who thought for a minute that these were meant to be indefinite programs.

Remember where we were. We were absolutely convinced—and I think rightly—that we were on the verge of a full-blown financial crisis, a meltdown in the financial markets. If that had happened, it is very likely we would have had a full-blown depression that could have lasted a very, very long time. Credit markets were freezing. Companies couldn't borrow. Do you know what that means when that happens to a business? They can't make payroll. If they can't access credit, if they can't borrow, draw down on a bank facility or issue their commercial paper or issue their corporate bond, if they can't raise the credit they need, they can't pay their bills. When the credit markets freeze up and businesses can't pay their bills, including payroll, you have a full-blown, unmitigated disaster. That is what we wanted to prevent.

The purpose of these facilities was narrow. It was to restore the normal functioning of the private lending and capital markets of America. The purpose was never to replace those markets. The purpose was never to pick winners and losers and decide which companies and industries should get favorable terms and which should not. It was none of those things. And it was very much not intended to be some kind of all-purpose cure-all for whatever economic ills there are. None of that. The purpose was always to ensure that creditworthy borrowers could access credit through normal channels.

Well, guess what. It worked. It worked better than we could have imagined, better than I was even hoping, because within days—within days—credit markets were flowing again because lenders had the confidence that, through these facilities, the markets would not collapse, there would not be a freezing up, they would be able to function, and therefore they had the confidence to make that loan to that company that needed to make its payroll and all the other innumerable transactions that have to take place.

In fact, it worked so well that as of now, I think, total credit has flown at an alltime record pace in the United States of America. Corporate bond issuance is off the charts. High credit, lower credit, debt and equity—the capital markets have been flowing. Credit lines from banks have been flowing. The programs achieved their limited purpose extremely well.

Now, look, are there other economic needs in America? Absolutely. I mean, there are industries that have been devastated—the restaurant industry, hotels, transportation. We know that,

and we have legislation that is attempting to address many of those issues with forgivable loans and an increase in unemployment benefits and other provisions. It is here on the Senate floor, through legislation like that, that we should decide how, whether, and to what extent we are going to address those problems. That is our job—to do it through an appropriation process here in the Senate. That is not the job of the Fed.

That brings me to another really important reason why we didn't want these programs to continue indefinitely, and that is to protect the Fed from being politicized, to preserve the independence of the Fed, which is very, very important.

If the Fed ever became simply an extension of one of the political parties, we would be in a very, very bad place. But think about it. If these programs were going to continue indefinitely and our Democratic colleagues got their wish that is represented in the Heroes Act—to have massive subsidies for municipalities—think about the amount of political pressure on the Fed to bail out whoever is the preferred constituent of the day: private or public, municipal or business.

Just think about how it would be used, and think about the strings that they would—they have advocated this. Many of our Democratic colleagues have said: This could be a way to encourage unionization or encourage the composition of the Board to look like we would like it to look.

It is an endless list, and it is all wildly inappropriate for the central bank of America to be engaged in this kind of thing. You should never put the Fed in the position of the incredible political pressure that they would have been under.

So with this bill—and I hope we are able to vote on this, if not today then tomorrow. There are some things in this bill—unrelated things—that I like. I do think we need another round of PPP loans. I do think we need the expanded eligibility for unemployment benefits, for instance. Here are things I don't like. I think direct payments to people who have not suffered a loss of income makes no sense whatsoever. But this topic I have been discussing—the end of these 13(3) lending facilities is a very important part of the bill that I like very much.

There are four important objectives we set out, and we achieved them: sweeping the money out; shutting down existing facilities, the four existing CARES-funded facilities; forbidding their reopening without the consent of Congress; and forbidding clones from being an end-run around that—all without impinging on the Fed's ability to intervene in the markets in emergency circumstances. Those were our objectives. In this legislation, we achieve all four of those objectives. I would say that is a good day's work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, I want to commend Senator TOOMEY and thank him for his expertise, for his foresight, and for his courage on the issue of ending these CARES Act-funded Federal Reserve programs.

You have probably seen that over the last few days, he has been subjected to an onslaught of vicious, dishonest attacks by Democrats and their stenographers in the Press Gallery, saying that he was somehow gumming up the works, that we were not going to pass this bill because the Toomey language was stopping it. Nothing could be further from the truth.

First off, while Senator TOOMEY may be our thought leader on this issue, this was the Senate Republican conference's position. That is why our majority leader stood firm behind it.

Second, as Senator TOOMEY said, this is not a new issue; this is not something we just started debating. We had versions of this in our bill this summer. As he laid out, the minority leader and the Speaker of the House had a version of it in their \$3.4 trillion this summer as well. The minority leader sent a letter about it. This has been at the heart of this legislation's debate for months. And the fact that it was in their legislation, it was in their letter—they kept saying that we wanted to somehow sabotage the economic recovery—just goes to show you what their intents were with these programs. It was to use them, as Senator TOOMEY said, as political slush funds; use them to bail out—I don't know—New York State or the city of New York; use them to impose politically correct policies on companies that could come to the Fed and get low- or no-interest-rate loans if they danced to the woke left's tune.

Senator TOOMEY and Senate Republicans drew the line on this. We drew the line on politicizing the Fed. We had no intent whatsoever to harm the Fed's background ability to take emergency action, and we will be prepared in the future, as Congresses in the past have been, in an economic crisis to act as well, just like we have twice in the last 12 years—2008 and 2020.

But nothing you have read in the news about Senator TOOMEY and his language that he carried on behalf of the Senate Republican conference could be further from the truth. I want to thank him for standing strong, and I want to thank the majority leader for standing strong on this as well.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### CORONAVIRUS

Mr. MCCONNELL. Mr. President, for the information of all Senators—and, more importantly, for the American people—we can finally report what our Nation has needed to hear for a very long time: More help is on the way.

Moments ago, in consultation with our committees, the four leaders of the Senate and House finalized an agreement. There will be another major res-

cue package for the American people. As our citizens continue battling this coronavirus this holiday season, they will not be fighting alone.

We have agreed to a package of nearly \$900 billion. It is packed with targeted policies to help struggling Americans who have already waited entirely too long. For workers at the hardest hit small businesses, there will be a targeted second draw of the Paycheck Protection Program. We have not worked so hard to save as many jobs as possible, all these months, only to fumble the ball with vaccinations already underway.

Speaking of vaccines, we can't nullify the success of Operation Warp Speed by falling asleep at the switch on distribution. This agreement will provide huge sums for the logistics that will get these lifesaving shots to our citizens as fast as possible.

Of course, many millions of Americans have lost their jobs—and are continuing to lose them—through no fault of their own. This package will renew and extend a number of the additional important Federal unemployment benefits that have helped families stay afloat.

Across all kinds of families, in all kinds of situations, this has been a difficult time across the board. So, at the particular request and emphasis of President Trump and his administration, our agreement will provide another round of direct impact payments to help households make ends meet and continue our economic recovery.

We all know this crisis has tested our healthcare providers. This legislation will continue to fund the frontlines.

But the crisis in American education has been staggering as well. So this package will supply millions and millions of dollars to help get kids back in school and to do so safely.

These are just some of the key components. There are many more. And importantly, we are going to supply this emergency aid in a way that is smart and responsible. We will be repurposing more than \$560 billion in money that was already set aside by the CARES Act—but not spent—toward these urgent needs that I have outlined.

We will be appropriately paring back some of the most expansive powers that Congress temporarily gave unelected officials to stabilize the financial system back in the springtime. And I want to particularly thank Senator TOOMEY for his extraordinary contribution to that effort.

At long last, we have the bipartisan breakthrough the country has needed. Now we need to promptly finalize text, avoid any last-minute obstacles, and cooperate to move this legislation through both Chambers.

This is good news. But I need to close with one observation that is regrettable. From where I stand, from where Senate Republicans stand, there is no reason this urgent package could not have been signed into law multiple months ago—multiple months ago.



For months, Senate Republicans have consistently supported a targeted rescue package, under \$1 trillion, focused on the same kinds of policies that we have actually settled on today. As far back as July, and all autumn, Republicans have consistently supported a targeted package right in the ballpark of this total amount, with exactly the same kinds of policies in the mix.

The package that will shortly become law falls exactly within the ballpark of what Senate Republicans have been proposing and trying to pass since last summer. This is eerily similar to what we were trying to pass last summer.

Compare the shape of this major agreement with the shape of what I proposed all the way back in late July. Yes, some fine details are different. There is no doubt this new agreement contains input from our Democratic colleagues. It is, of course, bipartisan. But those matters could have been settled a long time ago as well.

Why did it take all this time? We know why. We have heard Democrats say openly that they were not willing to deal all summer and fall but are willing now—willing now—because they have a President-elect of their own political party. That is not my accusation; that is their admission. They have been pretty candid about it.

So, look, I am glad we have gotten this done. My Democratic colleagues and I have had good discussions this past week. Both parties have a lot to be proud of. But I really regret that some on the Democratic side decided that partisan Presidential politics were more important than getting urgent and noncontroversial relief out the door much sooner to families who have needed this help badly.

The progress of this past week could have happened in July or August or September or October. Senate Republicans were advocating for a package just like this one all along in realtime. I just wish our partners on the other side had put political calculations aside and worked with us to make this happen a long time ago.

However, with that said, I appreciate the earnest conversations of this past week. I want to thank the Democratic leader, Speaker PELOSI, Leader MCCARTHY, as well as, in particular, Secretary Mnuchin, who has been tireless in these discussions throughout. Both sides, in both Chambers, have really stepped up and worked hard to get this done.

We will be moving forward with the start of the pandemic relief and full-year funding legislation for the Federal Government, as well, and I hope we can do this as promptly as possible.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

#### CORONAVIRUS

Mr. SCHUMER. Mr. President, after weeks of intense bipartisan negotiation, the leadership of both Chambers, as well as the White House, have reached an agreement on an emergency Federal relief package. The agreement on this package could be summed up by the expression “better late than never,” although I know many of my Republican colleagues wished it was never.

After a long and arduous year, after a year full of bad news, finally, we have some good news to deliver to the American people. Make no mistake about it, this agreement is far from perfect, but it will deliver emergency relief to a nation in the throes of a genuine emergency.

It should have the votes to pass the Senate, the House, and reach the President's desk to become law. We should make that happen as soon as possible—as soon as possible—even tonight, if we can.

By all rights, a bill of this urgency should have passed 8 months—should have passed months ago. The country needed it.

But we all know what happened. The Republican majority caused more than 8 months of delays and gridlock. Twenty Members of the Senate majority wanted no money. And what the Republican leader simply forgets, for months, he said: Let's examine the crisis; let's put it on pause, while Democrats were demanding more action.

And then when he produced legislation, it didn't have what was needed and had poison pills, a provision that would give all corporations—no matter how egregious their behavior—immunity and nothing to help the unemployed, no direct checks.

So the idea that this delay was caused by Democrats is “Alice in Wonderland” history. It was caused by a Republican majority that didn't want to vote for the moneys desperately needed by the American people. The significance of this package, even though it is not as large or robust as it should be, should not be underestimated. We will deliver the second largest Federal stimulus in our Nation's history. Only the CARES Act will have been bigger—only the CARES Act, which I was proud to negotiate with Secretary Mnuchin.

In size and scope, this bill will exceed the Recovery Act passed in the aftermath of the financial crisis. And once this Federal relief bill is signed into law, Congress will have allocated well over \$3 trillion in relief this year alone. That is a historic figure to match a historic crisis. It will give the new President a boost—a head start—as he prepares to right our ailing economy. The economy is in a deep, deep hole because of President Trump and the Republican Senate's failure to act in a timely manner.

But this, at least, begins us getting the relief the American people need so

that when President Biden takes over, he can do more and help us dig out of this deep hole.

And the good news, too, the poison pills that so stopped any progress put in by the majority leader are not in this bill. It won't include any provision to limit the legal rights of workers who were put in harm's way or any provision to gratuitously limit the authority of the Fed.

Now, it is remarkable how far we have come. As I mentioned earlier, this summer, the Republican leader admitted 20 Members of his caucus didn't want to vote for another dime of COVID relief. Before negotiating with Democrats, the majority offered a package of \$500 billion that contained poison pills designed to doom the thing from the start. That way, Republican Senators wouldn't be forced to approve any new spending. Here at the end of the year, reason has prevailed—sweet reason—and we will now deliver a package of almost a trillion dollars.

That matters not for any one party. It matters for the American people because we increased the size of this bill, expanded its reach. More Americans will receive assistance before the holidays. For Americans who have lost their jobs through no fault of their own, this bill will throw out a safety net.

Initially, Republicans were ready to let enhanced unemployment benefits expire. They were ready to move on without help for renters. They opposed another round of direct payments. Their starting offer for UI and rent relief was zero, zero, and zero again.

The good news that transcends any of the obstacles that we faced is that in the final agreement, we will extend all three Federal unemployment programs created under CARES. We will provide \$300 in weekly Federal unemployment benefits for the next 10 weeks. For families struggling to make ends meet, this bill will cushion the blow.

A new round of survival checks will soon be on the way—\$600 per adult, another \$600 for every dependent in the household. Many of us would have liked that to be higher, but at least this is the quickest way to get money into pockets of the American people, sending their tax dollars right back where they came from. Of course, as I said, it is not as much as many Democrats and some Republicans would have liked, and we hope that next year the same bipartisan support that emerged behind \$1,200 stimulus checks will provide even more assistance to working families.

For the first time ever during this pandemic, Congress will provide \$25 billion in direct rental assistance to help reduce the burden on Americans who have fallen behind on their rent. We also extend a moratorium on evictions to give our fellow citizens more time to get back on their feet.

For small business owners, we are providing businesses the opportunity to take another draw of the popular

Paycheck Protection Program. Crucially, this bill will provide \$12 billion for minority-owned and very small businesses that struggled to access financing during the earlier rounds of PPP. Local newspapers and local broadcasters will have access to this assistance as well as nonprofits—I worked very hard to see that this happened—and our nonprofit religious institutions. Our churches and our synagogues and our mosques—no collection plate, no income, but so vital to social services and so needed during a time of crisis—will, once again, get the help they need—something that I authored in the CARES bill.

I am especially pleased that this bill will provide money for bars and restaurants and \$15 billion in SBA grants for theater operators and small venue owners through the Save Our Stages Act. These venues are so important to my State and many States across the country. They are the lifeblood of our communities. They were first to close and will be the last to open. This bill gives them a fighting chance.

Of course, today's agreement will give a major boost to our battle against the disease itself. There will be more than \$30 billion to support the procurement and distribution of the coronavirus vaccine, ensuring that it is free and rapidly distributed to everyone.

Today's agreement includes all this and more—support for childcare, food assistance, agricultural relief, the Postal Service, and funding to help families gain access to broadband. So the American people have a great deal to celebrate in this legislation, but, of course, the agreement we reached is far from perfect. It leaves out direct State and local assistance. Despite desperate pleas from Governors, mayors, and economists across the spectrum, the Republicans stubbornly refused to provide direct aid to State and local governments. Over a million public employees have already lost their jobs. It doesn't matter if you are working for a small business and get laid off or if you are working for a government and are laid off; you still need to feed your family. So why is there such a difference on this side of the aisle between these same people—flesh and blood? Because some work for the government, they don't get help, but because some work for a small business, they do. Both should get help.

State revenues, of course, are significantly down across the country in States red and blue. The continued opposition to State and local funding from the Republicans remains deeply irresponsible. It will force States to make painful decisions to cut jobs and potentially raise taxes on working families, and it will hurt the economy of the entire country as millions more government workers are laid off at a time when we are struggling to recover—hurting us all.

Still, the Democrats refused to let State and local governments be com-

pletely left behind. Today's agreement does include aid for specific State-level expenses—\$82 billion for education funding, \$27 billion in payments for testing and State healthcare programs, \$45 billion for transit systems. I am very proud of the fact that New York's MTA will receive the money it needs to keep going. It is so vital to our city's economy and something I worked very hard for.

Make no mistake—these funding sources are not a replacement for direct aid to State and local governments, and we Democrats will continue to fight for those in the new year. But in this case, a rose by any other name smells not quite as sweet, but at least it brings some relief. State and local governments will receive assistance in a number of different ways.

When this Chamber gavel back in in 2021, we must pick up where we just left off. We have given the administration a vital headstart, but make no mistake about it—our economy is in a deep, deep, deep hole, in part, because of the Trump administration's lack of policy in fighting the coronavirus. Now we will have to help them. This is a good start, but a lot more needs to be done. We must continue to protect people's jobs whether they work for a company or a local government. We must do so much more, and we have to start building and stimulating our economy so it gets out of the hole with things like infrastructure and wiring every home with broadband and improving our healthcare and education systems and so much more—so much more.

Let me be very, very clear about one thing. Once this deal is signed into law, it cannot be the final word on congressional relief. There is more to do in the new year with a new administration that has a much more favorable attitude toward giving the American people the help they need. The bipartisan agreement is simply a downpayment. It will establish a floor, not a ceiling, for coronavirus relief in 2021.

Over the course of this challenging year, tens of millions of Americans have been pushed close to the breaking point. They have lost their jobs. They have lost their homes. Many can't feed their families. Many have lost neighbors, colleagues, friends, and family to this vicious, vicious disease. They have such great pain—a pain that we can only distantly empathize with because it hasn't happened directly to us here.

As the pandemic enters its worst phase, we will continue to be isolated from one another, but behind closed doors, desperation mounts for millions and millions of our fellow Americans. This bill is for them—for them—to carry them to a brighter day.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Ohio.

Mr. PORTMAN. Mr. President, first, I am delighted that we are finally at the point at which we are passing legislation to deal with the COVID-19 crisis that has gripped my State and our

country. We have a healthcare pandemic, and we have an economic crisis. I am pleased to say that, on a bipartisan basis, we are now coming together as we did 9 months ago with the CARES Act. It shouldn't have been 9 months, but we now have a targeted bill that focuses on providing a bridge between now and the time at which the vaccines will be widely available. We need the help. The economy is faltering, as was just said, but also the healthcare crisis in my home State and in so many other places has gotten worse. So it is past time.

I am told I have given 21 speeches on the floor about the bipartisan nature of this. There are so many areas of common ground, and I was pleased to be part of the 10-person bipartisan group who put together our own package over the last month. I think that helped to encourage leaders on both sides to see that there was a lot of common ground, that there were ways for us to come together.

One of my colleagues is on the floor with me now, Senator STABENOW of Michigan. She is one of those Democrats whom I spoke to over a month ago about this bipartisan process, and we talked about the common ground and the ability for us to find ways to move ahead to help those small businesses that truly are struggling; individuals who, through no fault of their own, lost their jobs because of the economic crisis that was precipitated by the pandemic; and to help our schools and to help our healthcare providers and to help ensure that we are doing what we can here to help at the local level to respond to this crisis.

#### GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

Mr. PORTMAN. Mr. President, I am on the floor tonight to join my colleague Senator STABENOW of Michigan to ask our colleagues to support legislation that has to do with the Great Lakes. It is called the Great Lakes Restoration Initiative. We are asking to reauthorize that legislation.

This is one of those public-private partnerships that work. It is not only public, like Federal public, and private; it is Federal, State, local, and private individuals coming together to figure out how to keep our Great Lakes the amazing treasure that they are.

I represent Lake Erie. It is on the north coast of Ohio. It is the most shallow and also the most fertile of the Great Lakes. It has incredible fishing. There is a gigantic, \$7 billion fishing industry in the Great Lakes. A lot of it is recreational fishing—\$7 billion. It is being threatened right now, really, by a few different things. One is these Asian carp, so-called "bighead carp," that are coming up into the lake. We are doing all we can to keep them out, but this funding, the Great Lakes Restoration Initiative, focuses on that issue to keep the carp from ruining Lake Erie as they have ruined other

bodies of water for recreational and commercial fishing.

Second, we have to deal with our toxic algae blooms. You have probably heard about this. We have these blooms that are increasingly forming in Lake Erie, particularly in the western basin of the Toledo area. What they do is they keep people from being able to use the lake. You don't want to swim in it. By the way, you don't even want your dog to swim in it because the dogs can actually be injured by this. You don't want to fish in it, of course, and you really can't.

I have gone fishing in the Great Lakes every year for the past many years. I love the Great Lakes. Part of my childhood was on the Great Lakes. When I was a little kid, with my dad, I went fishing on the Great Lakes. You really can't fish when the algae blooms come in because they are so thick, you literally can't get a lure or bait through the algae blooms, and your boat has a tough time getting through them.

This is a serious issue. At one point, it got so serious in the western basin that it actually affected the water supply for the city of Toledo. So several years ago, we had to stop the city water in Toledo. I remember going there, with my pickup truck full of bottles of water, to help hand out water because people—particularly moms with babies—couldn't use the water. They were told: Don't allow your babies to have formula made from the water in the faucet because it is too dangerous, too toxic, because these algae blooms had gotten into the water system.

That is how scary this is if we don't ensure that we are taking efforts at every level—State, local, in the private sector, and at the Federal. Lake Erie and the other Great Lakes now provide drinking water for 40 million people. You want to be sure that treasure continues, not just for recreation and fishing and swimming and so on but also for the water supply for so many Americans.

The Great Lakes Restoration Initiative is a downpayment, really, to ensure that we can deal with these invasive species like the Asian carp and others. It is to ensure that we can deal with the toxic algae blooms and the erosion that is occurring as the water level has gone up and also some pollution issues that remain in Lake Erie and in all the Great Lakes.

The Great Lakes Restoration Initiative works. I have been to about 10 of these sights all around Ohio, and I have gone often with people from the private sector and the local community and sometimes the State government, and we talk about how, again, this is a model partnership.

As an example, I was at a farm in northwest Ohio, where, instead of telling them, "Hey, you have to stop farming because you are putting nitrogen and phosphorus into the creek that goes by your farm, and that is going

into the Maumee River, and that is going into Lake Erie and causing these algae blooms to grow," I asked, "Hey, how can we work with you as a farmer to try to reduce your runoff?"

We have had great success in that, but there is some expense in it. Often, you have to provide for filters and pumps and so on to keep this from going into the water supply and dealing with these upstream issues with regard to algae blooms and phosphorus nitrogen.

So I am pleased to say that, as of tonight, it appears that we have passed this on both sides of the Chamber through a so-called hotline. We had to work with some of our colleagues to resolve some remaining questions that they had for which we had answers because this is a program that works, and I have seen it work.

I am really pleased to have partnered with Senator STABENOW. We are co-chairs of the Great Lakes Task Force. She is the Democratic cochair, and I am the Republican cochair, and tonight I have partnered with her on this legislation. I thank her for her friendship, her work on this issue, and her passion for the Great Lakes.

I would like, if I could, to now turn to Senator STABENOW.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, it is always wonderful to work with my friend and colleague from Ohio, and certainly we share a tremendous partnership and passion about our Great Lakes.

For us in Michigan, we are a peninsula. We are surrounded by the Great Lakes, and we really believe it is about our way of life. My friend has talked about the fishing industry and the boating industry. There are 40 million people who get their drinking water from the Great Lakes Basin. We have more lighthouses all around Michigan, actually, than any other shoreline has in the country. We say we have the ocean without the salt, and it is very much in our DNA for us in Michigan.

As the Senator from Ohio indicated, the Great Lakes Restoration Initiative focuses on a number of things that deal with water quality, stopping the spread of Asian carp and other invasive species, and restoring the shoreline from any future contaminations.

I have to say, as a personal point of pride, in 2010, I authored the Great Lakes Restoration Initiative as a member of the Senate Committee on the Budget, and since that time, we have funded 5,449 different projects throughout the entire region of the Great Lakes, including 880 projects in Michigan. And we have seen tangible results.

As Senator PORTMAN has indicated, this is a partnership, public-private. It is with local communities. It is with State governments. It is the Federal Government.

We, in Michigan, have passed four areas of concern that have been labeled because of the seriousness of what was

happening to the water and the water quality. They have now been removed from those areas of concern, where the communities worked together using Great Lakes Restoration funding and working with the communities, and they have been delisted, which is a good thing. That means things have improved. You can fish again. You can swim again. You can enjoy the water again. And so we are seeing tremendous, tangible results from what we have been able to do together.

And it is also important to note that for every \$1 we put into investment through this important program, it produces \$3 in economic return.

So it is fiscally responsible. It is responsible stewardship for all of us in protecting the fresh waters of our country. What we are doing in this legislation, basically, would allow us, over the next 5 years, to raise the authorization level back up to where it started in 2010. It has been up and down, and up and down, and up and down, and this would allow us to be able, within the next 5 years, to get that authorization back up to where it was. So we do have the support of the body.

Mr. President, as if in legislative session, I ask unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of H.R. 4031 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 4031) to amend the Federal Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Ms. STABENOW. Mr. President, 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. Without objection, it is so ordered.

The bill (H.R. 4031) was ordered to be engrossed for a third reading, was read the third time, and passed.

Ms. STABENOW. Mr. President, thank you very much. Let me say again what a pleasure it is to work with my friend from Ohio.

Mr. PORTMAN. Mr. President, one other point from Senator STABENOW and myself, and that is that we want to congratulate and thank our colleagues in the House for working with us on this Great Lakes Restoration Initiative and, in particular, the two cochairs in the House from the Great Lakes Task Force and the two coauthors of the Great Lakes Restoration Initiative legislation.

That would be Representative MARCY KAPTUR of Ohio and Representative DAVID JOYCE from Ohio. We would like to thank them for their good work and

congratulate them on tonight's passage as well.

## CORONAVIRUS

Mr. STABENOW. Mr. President, I want to take one other moment just to also speak and thank everybody that is involved at this point in getting us to where we are on this very important survival package.

I have never felt this was a COVID stimulus. It is about helping people survive over the next several months, whether that is making sure they have a roof over their head and food on the table, can pay the bills, keep the heat on. In places like North Dakota and places like Ohio, it is going to get pretty cold this winter. Our small businesses, our farmers, our schools that need help to be able to succeed, all the support we need to provide for vaccine distribution and healthcare, and all of the other areas—this has been a tough negotiation.

I do want to say, on a couple of points where I have been deeply involved, I want to thank the Presiding Officer for his support and help on our nutrition and agriculture pieces. We have come together in a very important step. It is going to allow more people to get help to feed their families over the next several months—no small thing.

We have a hunger crisis in our country. We have people who have donated to the food bank, worked for the food bank, and are now sitting for hours in cars, waiting to drive up and get a box of food, in the United States of America.

And so what we are doing as part of this package is going to be significant to help people be able to purchase food in the grocery store, as well as to get help in other ways—to help our seniors with Meals on Wheels, to help our children who aren't able to eat in school right now, and our college students who don't have the opportunity to be on campus and get support.

So we have very significant food access and nutrition, very positive efforts in this legislation. And for our farmers, as well, across the country, there is significant support, as well as help in our food chain and supply chain areas, where we have all been concerned as we have watched those involved in the supply chain lose their markets in restaurants and so on but not have the support and the capacity to take that milk or take those other commodities and be able to move them over and package them differently for consumers to go to the food bank. We make some headway in supporting that, as well, in this legislation.

So I want to thank my colleagues. This is really the last negotiation that Senator ROBERTS and I have led, as he retires this year. And it has been, as I have said before, a great pleasure to work with him and to be able to achieve this effort—bipartisan effort.

The one thank-you I just want to give is in a whole other area that has been a passion of mine that I have been

proud to lead with a colleague from Missouri, Senator ROY BLUNT. We have very significant support, as well, for behavioral health services, mental health, substance abuse services that are desperately needed and have been amplified, and the need has been expanded even more because of what has happened with the coronavirus.

And there is important support in this legislation, as well, and I am grateful to be involved in pushing that forward as well.

So there is more to talk about. I know we are a little ways away from that final vote, but I am hopeful that the coalition that was formed—that all of us working together that brought this together and negotiated, and my colleagues who initiated this bipartisan effort—will find that this is a coalition we want to keep going for next year, because there is so much more that we need to do together, and the American people expect us to get things done. And this, I hope, is the first step of many to celebrate ways that we are solving problems and helping people and moving the country forward.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. First of all, I want to agree with my colleague from Michigan and thank her for her work concerning behavioral health and working with us in a bipartisan group on both behavioral health and addiction because, unfortunately, during this pandemic, the epidemic of drug addiction and drug overdose and overdose deaths has increased dramatically, and it is a heartbreaking reality because we were making progress, thanks to work here in this Chamber and in the States. Around the country, we were actually reducing not just the number of people addicted but the number of people who were suffering from overdose and overdose deaths.

Unfortunately, this year we are now going to see the largest overdose death rate in the history of our country, we believe. That is a sad reality, and we need to address it—that is part of the COVID-19 package—along with the behavioral health issues that are also, unfortunately, being exacerbated by the isolation that comes with the COVID-19 issue and the helpless, probably, and the joblessness that we have been seeing.

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

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

## AMENDING THE GRAND RONDE RESERVATION ACT

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 627, S. 2716.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2716) to amend the Grand Ronde Reservation Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with an amendment as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the part of the bill intended to be inserted is shown in italics.)

S. 2716

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

## SECTION 1. GRAND RONDE RESERVATION ACT AMENDMENT.

Section 1(d) of Public Law 100-425 (commonly known as the "Grand Ronde Reservation Act") (102 Stat. 1594) is amended—

(1) in paragraph (1) by striking "lands within the State of Oregon" and inserting "the 84 acres known as the Thompson Strip";

(2) by redesignating paragraph (2) as paragraph (4); and

(3) by inserting after paragraph (1) the following:

["(2) GAMING PROHIBITION.—Any real property transferred to the Tribes as part of a land claim settlement approved by the United States shall not be eligible, or used, for any class II gaming or class III gaming (as those terms are defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703))."]

["(2) GAMING PROHIBITION.—Any real property obtained by the Tribes as part of a land claim settlement approved by the United States shall not be eligible, or used, for any class II gaming or class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) (as those terms are defined in section 4 of that Act (25 U.S.C. 2703))."]

## SEC. 2. TREATY RIGHTS OF FEDERALLY RECOGNIZED TRIBES.

Nothing in this Act, or the amendments made by this Act, shall be construed to enlarge, confirm, adjudicate, affect, or modify any treaty right of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

Mr. BLUNT. I further ask that the committee-reported amendment be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment was agreed to.

The bill (S. 2716), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2716

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

**SECTION 1. GRAND RONDE RESERVATION ACT AMENDMENT.**

Section 1(d) of Public Law 100-425 (commonly known as the "Grand Ronde Reservation Act") (102 Stat. 1594) is amended—

(1) in paragraph (1) by striking "lands within the State of Oregon" and inserting "the 84 acres known as the Thompson Strip";

(2) by redesignating paragraph (2) as paragraph (4); and

(3) by inserting after paragraph (1) the following:

"(2) **GAMING PROHIBITION.**—Any real property obtained by the Tribes as part of a land claim settlement approved by the United States shall not be eligible, or used, for any class II gaming or class III gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) (as those terms are defined in section 4 of that Act (25 U.S.C. 2703))."

**SEC. 2. TREATY RIGHTS OF FEDERALLY RECOGNIZED TRIBES.**

Nothing in this Act, or the amendments made by this Act, shall be construed to enlarge, confirm, adjudicate, affect, or modify any treaty right of an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)).

**ALASKA NATIVE TRIBAL HEALTH CONSORTIUM LAND TRANSFER ACT OF 2020**

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 576, S. 3100.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3100) to convey land in Anchorage, Alaska, to the Alaska Native Tribal Health Consortium, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Alaska Native Tribal Health Consortium Land Transfer Act of 2020".*

**SEC. 2. CONVEYANCE OF PROPERTY TO THE ALASKA NATIVE TRIBAL HEALTH CONSORTIUM.**

(a) **CONVEYANCE OF PROPERTY.**—

(1) **IN GENERAL.**—As soon as practicable, but not later than 2 years, after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the "Secretary") shall convey to the Alaska Native Tribal Health Consortium located in Anchorage, Alaska (referred to in this section as the "Consortium"), all right, title, and interest of the United States in and to the property described in subsection (b) for use in connection with health programs.

(2) **CONDITIONS.**—The conveyance of the property under paragraph (1)—

(A) shall be made by warranty deed; and

(B) shall not—

(i) require any consideration from the Consortium for the property;

(ii) impose any obligation, term, or condition on the Consortium; or

(iii) allow for any reversionary interest of the United States in the property.

(3) **EFFECT ON ANY QUITCLAIM DEED.**—The conveyance by the Secretary of title by warranty deed under paragraph (1) shall, on the ef-

fective date of the conveyance, supersede and render of no future effect any quitclaim deed to the property described in subsection (b) executed by the Secretary and the Consortium.

(b) **PROPERTY DESCRIBED.**—The property referred to in subsection (a), including all land, improvements, and appurtenances, is—

(1) Lot 1A in Block 31A, East Addition, Anchorage Townsite, United States Survey No. 408, Plat No. 96-117, recorded on November 22, 1996, in the Anchorage Recording District; and

(2) Block 32C, East Addition, Anchorage Townsite, United States Survey No. 408, Plat No. 96-118, recorded on November 22, 1996, in the Anchorage Recording District.

(c) **ENVIRONMENTAL LIABILITY.**—

(1) **LIABILITY.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of law—

(i) the Consortium shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in subsection (b) that occurred on or before the date on which the property is conveyed to the Consortium under subsection (a)(1); and

(ii) the Secretary shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in subsection (b) that occurred after the date on which the Consortium controlled, occupied, and used the property.

(B) **ENVIRONMENTAL CONTAMINATION.**—An environmental contamination described in subparagraph (A) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law.

(2) **EASEMENT.**—The Secretary shall be accorded any easement or access to the property conveyed under subsection (a)(1) as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(3) **NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.**—In carrying out this section, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

Mr. BLUNT. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

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

The bill (S. 3100), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

**AUTHORIZING THE SECRETARY OF HEALTH AND HUMAN SERVICES, ACTING THROUGH THE DIRECTOR OF THE INDIAN HEALTH SERVICE, TO ACQUIRE PRIVATE LAND TO FACILITATE ACCESS TO THE DESERT SAGE YOUTH WELLNESS CENTER IN HEMET, CALIFORNIA**

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous

consent that the Senate proceed to the immediate consideration of Calendar No. 606, S. 4556.

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

The senior assistant legislative clerk read as follows:

A bill (S. 4556) to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs.

Mr. BLUNT. I further ask 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 with no intervening action or debate.

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

The bill (S. 4556) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4556

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

**SECTION 1. ACCESS ROAD FOR DESERT SAGE YOUTH WELLNESS CENTER.**

(a) **ACQUISITION OF LAND.**—

(1) **AUTHORIZATION.**—The Secretary of Health and Human Services, acting through the Director of the Indian Health Service, is authorized to acquire, from willing sellers, the land in Hemet, California, upon which is located a dirt road known as "Best Road", beginning at the driveway of the Desert Sage Youth Wellness Center at Faure Road and extending to the junction of Best Road and Sage Road.

(2) **COMPENSATION.**—The Secretary shall pay fair market value for the land authorized to be acquired under paragraph (1). Fair market value shall be determined—

(A) using Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) by an appraiser acceptable to the Secretary and the owners of the land to be acquired.

(3) **ADDITIONAL RIGHTS.**—In addition to the land referred to in paragraph (1), the Secretary is authorized to acquire, from willing sellers, land or interests in land as reasonably necessary to construct and maintain the road as required by subsection (b).

(b) **CONSTRUCTION AND MAINTENANCE OF ROAD.**—

(1) **CONSTRUCTION.**—After the Secretary acquires the land pursuant to subsection (a), the Secretary shall construct on that land a paved road that is generally located over Best Road to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California.

(2) **MAINTENANCE.**—The Secretary—

(A) shall maintain and manage the road constructed pursuant to paragraph (1); or

(B) enter into an agreement with Riverside County, California, to own, maintain and manage the road constructed pursuant to paragraph (1).

**SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM LAND TRANSFER ACT OF 2019**

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous

consent that the Senate proceed to the immediate consideration of Calendar No. 575, S. 3099.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3099) to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Indian Affairs.

Mr. BLUNT. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3099) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3099

*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 "Southeast Alaska Regional Health Consortium Land Transfer Act of 2019".

#### SEC. 2. CONVEYANCE OF PROPERTY.

(a) IN GENERAL.—As soon as practicable, but not later than 2 years, after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the "Secretary") shall convey to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska (referred to in this Act as the "Consortium"), all right, title, and interest of the United States in and to the property described in section 3 for use in connection with health and social services programs.

(b) CONDITIONS.—The conveyance of the property under subsection (a)—

(1) shall be made by warranty deed; and

(2) shall not—

(A) require any consideration from the Consortium for the property;

(B) impose any obligation, term, or condition on the Consortium; or

(C) allow for any reversionary interest of the United States in the property.

(c) EFFECT ON ANY QUITCLAIM DEED.—The conveyance by the Secretary of title by warranty deed under subsection (a) shall, on the effective date of the conveyance, supersede and render of no future effect any quitclaim deed to the property described in section 3 executed by the Secretary and the Consortium.

#### SEC. 3. PROPERTY DESCRIBED.

The property, including all land and appurtenances, described in this section is the property included in U.S. Survey 1496, lots 4 and 7, partially surveyed T. 55 S., R. 63 E., Copper River Meridian, containing approximately 10.87 acres in Sitka, Alaska.

#### SEC. 4. ENVIRONMENTAL LIABILITY.

(a) LIABILITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Consortium shall not be liable for any soil, surface water, groundwater, or other contamination resulting from the disposal, release, or presence of any environmental contamination on any portion of the property described in section 3 on or before the date on which the property is conveyed to the Consortium, except that the Secretary shall not be liable for any con-

tamination that occurred after the date that the Consortium controlled, occupied, and used the property.

(2) ENVIRONMENTAL CONTAMINATION.—An environmental contamination described in paragraph (1) includes any oil or petroleum products, hazardous substances, hazardous materials, hazardous waste, pollutants, toxic substances, solid waste, or any other environmental contamination or hazard as defined in any Federal or State of Alaska law.

(b) EASEMENT.—The Secretary shall be accorded any easement or access to the property conveyed under this Act as may be reasonably necessary to satisfy any retained obligation or liability of the Secretary.

(c) NOTICE OF HAZARDOUS SUBSTANCE ACTIVITY AND WARRANTY.—In carrying out this Act, the Secretary shall comply with subparagraphs (A) and (B) of section 120(h)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)(3)).

#### AMENDING THE ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN ACT

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 558, S. 3948.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3948) 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.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs.

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

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

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

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

The PRESIDING OFFICER. If there is no further debate on the bill, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3948) was passed as follows:

S. 3948

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

#### SECTION 1. ALYCE SPOTTED BEAR AND WALTER SOBOLEFF COMMISSION ON NATIVE CHILDREN REPORT.

Section 3(f) of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act (Public Law 114-244; 130 Stat. 987) is amended, in the matter preceding paragraph (1), by striking "3 years" and inserting "5 years".

Mr. BLUNT. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### FISHERY FAILURES: URGENTLY NEEDED DISASTER DECLARATIONS ACT

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 586, S. 2346.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2346) to improve the Fishery Resource Disaster Relief program of the National Marine Fisheries Service, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Fishery Failures: Urgently Needed Disaster Declarations Act".

#### SEC. 2. FISHERY RESOURCE DISASTER RELIEF.

Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)) is amended to read as follows:

"(a) FISHERY RESOURCE DISASTER RELIEF.—

"(1) DEFINITIONS.—In this subsection:

"(A) ALLOWABLE CAUSE.—The term 'allowable cause' means a natural cause, discrete anthropogenic cause, or undetermined cause.

"(B) ANTHROPOGENIC CAUSE.—The term 'anthropogenic cause' means an anthropogenic event, such as an oil spill or spillway opening—

"(i) that could not have been addressed or prevented by fishery management measures; and

"(ii) that is otherwise beyond the control of fishery managers to mitigate through conservation and management measures, including regulatory restrictions imposed as a result of judicial action or to protect human health or marine animals, plants, or habitats.

"(C) FISHERY RESOURCE DISASTER.—The term 'fishery resource disaster' means a disaster that is determined by the Secretary in accordance with this subsection and—

"(i) is an unexpected decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which may include loss of fishing vessels and gear for a substantial period of time and results in significant revenue or subsistence loss due to an allowable cause; and

"(ii) does not include—

"(I) reasonably predictable, foreseeable, and recurrent fishery cyclical variations in species distribution or stock abundance; or

"(II) reductions in fishing opportunities resulting from conservation and management measures taken pursuant to this Act.

"(D) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130), and the term 'Tribal' means of or pertaining to such an Indian tribe.

"(E) NATURAL CAUSE.—The term 'natural cause'—

"(i) means a weather, climatic, hazard, or biology-related event, such as—

"(I) a hurricane;

"(II) a flood;

"(III) a harmful algal bloom;

"(IV) a tsunami;

"(V) a hypoxic zone;

"(VI) a drought;

"(VII) El Niño effects on water temperature;

"(VIII) a marine heat wave; or

"(IX) disease; and



“(ii) does not mean a normal or cyclical variation in a species distribution or stock abundance.

“(F) 12-MONTH REVENUE LOSS.—The term ‘12-month revenue loss’ means the percentage reduction in commercial, charter, headboat, and processor revenue for the 12 months during the fishery resource disaster period that is due to the fishery resource disaster, when compared to average annual revenue in the most recent 5-year period or equivalent for stocks with cyclical life histories.

“(G) UNDETERMINED CAUSE.—The term ‘undetermined cause’ means a cause in which the current state of knowledge does not allow the Secretary to identify the exact cause, and there is no current conclusive evidence supporting a possible cause of the fishery resource disaster.

“(2) GENERAL AUTHORITY.—

“(A) IN GENERAL.—The Secretary shall have the authority to determine the existence, extent, and beginning and end dates of a fishery resource disaster under this subsection in accordance with this subsection.

“(B) AVAILABILITY OF FUNDS.—After the Secretary determines that a fishery resource disaster has occurred, the Secretary is authorized to make sums available, from funds appropriated under paragraph (9) that are available, to be used by the affected State, Tribal government, or interstate marine fisheries commission, or by the Secretary in cooperation with the affected State, Tribal government, or interstate marine fisheries commission.

“(C) SAVINGS CLAUSE.—The requirements under this subsection shall take effect only with respect to requests for a fishery resource disaster determination submitted after the date of enactment of the Fishery Failures: Urgently Needed Disaster Declarations Act.

“(3) INITIATION OF A FISHERY RESOURCE DISASTER REVIEW.—

“(A) ELIGIBLE REQUESTERS.—Not later than 1 year after the date of the conclusion of the fishing season, a request for a fishery resource disaster determination may be submitted to the Secretary, if the Secretary has not independently determined that a fishery resource disaster has occurred, by—

“(i) the Governor of an affected State;

“(ii) an official Tribal resolution; or

“(iii) any other comparable elected or politically appointed representative as determined by the Secretary.

“(B) REQUIRED INFORMATION.—A complete request for a fishery resource disaster determination under subparagraph (A) shall include—

“(i) identification of all presumed affected fish stocks;

“(ii) identification of the fishery as Federal, non-Federal, or both;

“(iii) the geographical boundaries of the fishery;

“(iv) preliminary information on causes of the fishery resource disaster, if known; and

“(v) information needed to support a finding of a fishery resource disaster, including—

“(I) information demonstrating the occurrence of an unexpected decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which could include the loss of fishing vessels and gear, for a substantial period of time;

“(II) 12-month revenue loss or subsistence loss for the affected Federal fishery, or if a fishery resource disaster has occurred at any time in the previous 5-year period, an appropriate time frame as determined by the Secretary;

“(III) if applicable, information on lost resource tax revenues assessed by local communities, such as a raw fish tax; and

“(IV) if applicable, information on 12-month revenue loss for processors related to the information provided under subclause (I), subject to section 402(b).

“(C) ASSISTANCE.—The Secretary may provide assistance, data, and analysis to an eligible requester described in paragraph (1), if so re-

quested and the data is not available to the requester, in carrying out the complete request under subparagraph (A).

“(4) REVIEW PROCESS.—

“(A) INTERIM RESPONSE.—Not later than 20 days after receipt of a request under paragraph (3), the Secretary shall provide an interim response to the individual that—

“(i) acknowledges receipt of the request;

“(ii) provides a regional contact within the National Oceanographic and Atmospheric Administration;

“(iii) outlines the process and timeline by which a request shall be considered; and

“(iv) requests additional information concerning the fishery resource disaster, if the original request is considered incomplete.

“(B) EVALUATION OF REQUESTS.—

“(i) IN GENERAL.—The Secretary shall complete a review, within the time frame described in clause (ii), using the best scientific information available, in consultation with the affected fishing communities, States, or Tribes, of—

“(I) the information provided by the requester and any additional information relevant to the fishery, which may include—

“(aa) fishery characteristics;

“(bb) stock assessments;

“(cc) the most recent fishery independent surveys and other fishery resource assessments and surveys conducted by Federal, State, or Tribal officials;

“(dd) estimates of mortality; and

“(ee) overall effects; and

“(II) the available economic information, which may include an analysis of—

“(aa) landings data;

“(bb) revenue;

“(cc) the number of participants involved;

“(dd) the number and type of jobs and persons impacted, which may include—

“(AA) fishers;

“(BB) charter fishing operators;

“(CC) subsistence users;

“(DD) United States fish processors; and

“(EE) an owner of a related fishery infrastructure or business affected by the disaster, such as a marina operator, recreational fishing equipment retailer, or charter, headboat, or tender vessel owner, operator, or crew;

“(ee) an impacted Indian Tribe;

“(ff) an impacted business or other entity;

“(gg) the availability of hazard insurance to address financial losses due to a disaster;

“(hh) other forms of disaster assistance made available to the fishery, including prior awards of disaster assistance for the same event;

“(ii) the length of time the resource, or access to the resource, has been restricted;

“(jj) status of recovery from previous fishery resource disasters;

“(kk) lost resource tax revenues assessed by local communities, such as a raw fish tax; and

“(II) other appropriate indicators to an affected fishery, as determined by the National Marine Fisheries Service.

“(ii) TIME FRAME.—The Secretary shall complete the review described in clause (i), if the fishing season, applicable to the fishery—

“(I) has concluded or there is no defined fishing season applicable to the fishery, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination;

“(II) has not concluded, not later than 120 days after the conclusion of the fishing season; or

“(III) has not been opened, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination.

“(C) FISHERY RESOURCE DISASTER DETERMINATION.—The Secretary shall make the determination of a fishery resource disaster based on the criteria for determinations listed in paragraph (5).

“(D) NOTIFICATION.—Not later than 14 days after the conclusion of the review under this

paragraph, the Secretary shall notify the requester and the Governor of the affected State or Tribal representative of the determination of the Secretary.

“(5) CRITERIA FOR DETERMINATIONS.—

“(A) IN GENERAL.—The Secretary shall make a determination about whether a fishery resource disaster has occurred, based on the revenue loss thresholds under subparagraph (B), and, if a fishery resource disaster has occurred, whether the fishery resource disaster was due to—

“(i) a natural cause;

“(ii) an anthropogenic cause;

“(iii) a combination of a natural cause and an anthropogenic cause; or

“(iv) an undetermined cause.

“(B) REVENUE LOSS THRESHOLDS.—

“(i) IN GENERAL.—The Secretary shall apply the following 12-month revenue loss thresholds in determining whether a fishery resource disaster has occurred:

“(I) Losses greater than 80 percent shall result in a positive determination that a fishery resource disaster has occurred.

“(II) Losses between 35 percent and 80 percent shall be evaluated to determine whether a fishery resource disaster has occurred, based on the information provided or analyzed under paragraph (4)(B).

“(III) Losses less than 35 percent shall not be eligible for a determination that a fishery resource disaster has occurred, except where the Secretary determines there are extenuating circumstances that justify using a lower threshold in making the determination.

“(ii) CHARTER FISHING.—In making a determination of whether a fishery resource disaster has occurred, the Secretary shall consider the economic impacts to the charter fishing industry to ensure financial coverage for charter fishing businesses.

“(iii) SUBSISTENCE USES.—In making a determination of whether a fishery resource disaster has occurred, the Secretary may consider loss of subsistence opportunity, where appropriate.

“(C) INELIGIBLE FISHERIES.—A fishery subject to overfishing in any of the 3 years preceding the date of a determination under this subsection is not eligible for a determination of whether a fishery resource disaster has occurred unless the Secretary determines that overfishing was not a contributing factor to the fishery resource disaster.

“(D) EXCEPTIONAL CIRCUMSTANCES.—In an exceptional circumstance where substantial economic impacts to the affected fishery and fishing community have been subject to a disaster declaration under another statutory authority, such as in the case of a natural disaster or from the direct consequences of a Federal action taken to prevent, or in response to, a natural disaster for purposes of protecting life and safety, the Secretary may determine a fishery resource disaster has occurred without a request or without conducting the required analyses in subparagraphs (A) and (B).

“(6) DISBURSAL OF APPROPRIATED FUNDS.—

“(A) AUTHORIZATION.—The Secretary shall allocate funds available under paragraph (9) for fishery resource disasters.

“(B) ALLOCATION OF APPROPRIATED FISHERY RESOURCE DISASTER ASSISTANCE.—

“(i) NOTIFICATION OF FUNDING AVAILABILITY.—When there are appropriated funds for 1 or more fishery resource disasters, the Secretary shall notify the public and representatives of affected fishing communities with a positive disaster determination that is unfunded of the allocation under paragraph (2)(B) not more than 14 days after the date of the appropriation or the determination of a fishery resource disaster, whichever occurs later.

“(ii) EXTENSION OF DEADLINE.—The Secretary may extend the deadline under clause (i) by 90 days to evaluate and make determinations on eligible requests.

“(C) CONSIDERATIONS.—In determining the allocation of appropriations for a fishery resource

disaster, the Secretary shall consider commercial, charter, headboat, or seafood processing revenue losses and may consider the following factors:

- “(i) Direct economic impacts.
- “(ii) Uninsured losses.
- “(iii) Losses of subsistence and Tribal ceremonial fishing opportunity.
- “(iv) Losses of recreational fishing opportunity.
- “(v) Aquaculture operations revenue loss.
- “(vi) Direct revenue losses to a fishing community.

“(vii) Treaty obligations.

“(viii) Other economic impacts.

“(D) SPEND PLANS.—To receive an allocation from funds available under paragraph (9), a requester with an affirmative fishery resource disaster determination shall submit a spend plan to the Secretary, not more than 120 days after receiving notification that funds are available, that shall include the following information, if applicable:

- “(i) Objectives and outcomes, with an emphasis on addressing the factors contributing to the fishery resource disaster and minimizing future uninsured losses, if applicable.
- “(ii) Statement of work.
- “(iii) Budget details.

“(E) REGIONAL CONTACT.—The Secretary shall provide a regional contact within the National Oceanic and Atmospheric Administration to facilitate review of spend plans and disbursement of funds.

“(F) DISBURSAL OF FUNDS.—

“(i) AVAILABILITY.—Funds shall be disbursed not later than 90 days after the date the Secretary receives a complete spend plan under subparagraph (D).

“(ii) METHOD.—The Secretary may provide an allocation of funds under this subsection in the form of a grant, direct payment, cooperative agreement, loan, or contract.

“(iii) ELIGIBLE USES.—

“(i) IN GENERAL.—Funds allocated for fishery resources disasters under this subsection shall prioritize the following uses, which are not in order of priority:

“(aa) Habitat conservation and restoration and other activities, including scientific research, that reduce adverse impacts to the fishery or improve understanding of the affected species or its ecosystem.

“(bb) The collection of fishery information and other activities that improve management of the affected fishery.

“(cc) In a commercial fishery, capacity reduction and other activities that improve management of fishing effort, including funds to offset budgetary costs to refinance a Federal fishing capacity reduction loan or to repay the principal of a Federal fishing capacity reduction loan.

“(dd) Developing, repairing, or improving fishery-related public infrastructure.

“(ee) Job training and economic transition programs.

“(ff) Public information campaigns on the recovery of the fishery, including marketing.

“(gg) For any purpose that the Secretary determines is appropriate to restore the fishery affected by such a disaster or to prevent a similar disaster in the future.

“(hh) Direct assistance to a person, fishing community (including assistance for lost fisheries resource levies), or a business to alleviate economic loss incurred as a direct result of a fishery resource disaster, particularly when affected by a circumstance described in paragraph (5)(D).

“(ii) Appropriate economic and other incentives to encourage commercial fishermen to return to the fishery once it has recovered from the disaster.

“(jj) Hatcheries and stock enhancement to help rebuild the affected stock or offset fishing pressure on the affected stock.

“(kk) Other activities that recover or improve management of the affected fishery, as determined by the Secretary.

“(II) DISPLACED FISHERY EMPLOYEES.—Where appropriate, individuals carrying out the activities described in items (aa) through (ff) of subclause (I) shall be individuals who are, or were, employed in a commercial, charter, or Tribal fishery for which the Secretary has determined that a fishery resource disaster has occurred.

“(7) LIMITATIONS.—

“(A) FEDERAL SHARE.—

“(i) IN GENERAL.—Except as applied to Tribes and as provided in clauses (ii) and (iii), the Federal share of the cost of any activity carried out under the authority of this subsection shall not exceed 75 percent of the cost of that activity.

“(ii) WAIVER.—The Secretary may waive the non-Federal share requirements of this subsection, if the Secretary determines that—

“(I) no reasonable means are available through which the recipient of the Federal share can meet the non-Federal share requirement; and

“(II) the probable benefit of 100 percent Federal financing outweighs the public interest in imposition of the non-Federal share requirement.

“(iii) EXCEPTION.—The Federal share of direct assistance as described in paragraph (6)(F)(iii)(I)(hh) shall be equal to 100 percent.

“(B) LIMITATIONS ON ADMINISTRATIVE EXPENSES.—

“(i) FEDERAL.—Not more than 3 percent of the funds available under this subsection may be used for administrative expenses by the National Oceanographic and Atmospheric Administration.

“(ii) STATE OR TRIBAL GOVERNMENTS.—Of the funds remaining after the use described in clause (i), not more than 5 percent may be used by States, Tribal governments, or interstate marine fisheries commissions for administrative expenses.

“(C) FISHING CAPACITY REDUCTION PROGRAM.—

“(i) IN GENERAL.—No funds available under this subsection may be used as part of a fishing capacity reduction program in a fishery unless the Secretary determines that adequate conservation and management measures are in place in such fishery.

“(ii) ASSISTANCE CONDITIONS.—As a condition of providing assistance under this subsection with respect to a vessel under a fishing capacity reduction program, the Secretary shall—

“(I) prohibit the vessel from being used for fishing; and

“(II) require that the vessel be—

“(aa) scrapped or otherwise disposed of in a manner approved by the Secretary;

“(bb) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training; or

“(cc) used for another non-fishing purpose provided the Secretary determines that adequate measures are in place to ensure that the vessel cannot reenter any fishery anywhere in the world.

“(D) NO FISHERY ENDORSEMENT.—

“(i) IN GENERAL.—A vessel that is prohibited from fishing under subparagraph (C)(ii)(I) shall not be eligible for a fishery endorsement under section 12113(a) of title 46, United States Code.

“(ii) NONEFFECTIVE.—A fishery endorsement for a vessel described in clause (i) shall not be effective.

“(iii) NO SALE.—A vessel described in clause (i) shall not be sold to a foreign owner or registered.

“(8) PUBLIC INFORMATION ON DATA COLLECTION.—The Secretary shall make available and update as appropriate, information on data collection and submittal best practices for the information described in paragraph (4)(B).

“(9) AUTHORIZATION OF APPROPRIATIONS.—

“(A) AUTHORIZATION.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary.

“(B) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall remain available until expended.

“(C) TAX EXEMPT STATUS.—The Fisheries Disaster Fund appropriated under this subsection shall be a tax exempt fund.”

### SEC. 3. MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

(a) REPEAL.—Section 315 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1864) is repealed.

(b) REPORT.—Section 113(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 460ss note) is amended—

(1) in the paragraph heading, by striking “ANNUAL REPORT” and inserting “REPORT”;

(2) in the matter preceding subparagraph (A), by striking “Not later than 2 years after the date of enactment of this Act, and annually thereafter” and inserting “Not later than 2 years after the date of enactment of the Fishery Failures: Urgently Needed Disaster Declarations Act, and biennially thereafter”; and

(3) in subparagraph (D), by striking “the calendar year 2003” and inserting “the most recent”.

### SEC. 4. INTERJURISDICTIONAL FISHERIES ACT OF 1986.

(a) REPEAL.—Section 308 of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107) is repealed.

(b) TECHNICAL EDIT.—Section 3(k)(1) of the Small Business Act (15 U.S.C. 632(k)(1)) is amended by striking “(as determined by the Secretary of Commerce under section 308(b) of the Interjurisdictional Fisheries Act of 1986)” and inserting “(as determined by the Secretary of Commerce under the Fishery Failures: Urgently Needed Disaster Declarations Act)”.

### SEC. 5. BUDGET REQUESTS; REPORTS.

(a) BUDGET REQUEST.—In the budget justification materials submitted to Congress in support of the budget of the Department of Commerce for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the Secretary of Commerce shall include a separate statement of the amount requested to be appropriated for that fiscal year for outstanding unfunded fishery resource disasters.

(b) DRIFTNET ACT AMENDMENTS OF 1990 REPORT AND BYCATCH REDUCTION AGREEMENTS.—

(1) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended—

(A) in section 202(h), by striking paragraph (3); and

(B) in section 206—

(i) by striking subsections (e) and (f); and

(ii) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

(2) BIENNIAL REPORT ON INTERNATIONAL COMPLIANCE.—Section 607 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826h) is amended—

(A) by inserting “(a) IN GENERAL.—” before “The Secretary” and indenting appropriately; and

(B) by adding at the end the following:

“(b) ADDITIONAL INFORMATION.—In addition to the information described in paragraphs (1) through (5) of subsection (a), the report shall include—

“(1) a description of the actions taken to carry out the provisions of section 206 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826), including—

“(A) an evaluation of the progress of those efforts, the impacts on living marine resources, including available observer data, and specific plans for further action;

“(B) a list and description of any new fisheries developed by nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation; and

“(C) a list of the nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic

zone of any nation in a manner that diminishes the effectiveness of or is inconsistent with any international agreement governing large-scale driftnet fishing to which the United States is a party or otherwise subscribes; and

“(2) a description of the actions taken to carry out the provisions of section 202(h) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1822(h)).”

“(c) CERTIFICATION.—If, at any time, the Secretary, in consultation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, identifies any nation that warrants inclusion in the list described under subsection (b)(1)(C), due to large scale drift net fishing, the Secretary shall certify that fact to the President. Such certification shall be deemed to be a certification for the purposes of section 8(a) of the Fishermen’s Protective Act of 1967 (22 U.S.C. 1978(a)).”

(c) REPORT ON EFFORTS TO PREPARE AND ADAPT UNITED STATES FISHERY MANAGEMENT FOR THE IMPACTS OF CLIMATE CHANGE.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress examining efforts by the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service to prepare and adapt to the impacts of climate change.

(2) CONTENTS OF STUDY.—The report required under paragraph (1) shall include—

(A) an examination of current or previous efforts (including the 2016 GAO Report on Federal Fisheries Management), and whether those efforts have resulted in changes to management, by the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service to prepare and adapt Federal and jointly managed fisheries for the impacts of climate change;

(B) an examination of any guidance issued to the Regional Fishery Management Councils by the National Marine Fisheries Service to prepare and adapt Federal fishery management for the impacts of climate change and whether and how that guidance has been utilized;

(C) identification of and recommendations for how best to address the most significant economic, social, ecological, or other knowledge gaps, as well as key funding gaps, that would increase the ability of the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, or the National Marine Fisheries Service to prepare and adapt fishery management for the impacts of climate change;

(D) recommendations for how the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and the National Marine Fisheries Service can better adapt fishery management and prepare associated fishing industries and dependent communities for the impacts of climate change; and

(E) recommendations for how to enhance the capacity of the National Marine Fisheries Service to monitor climate-related changes to fisheries and marine ecosystems, to understand the mechanisms of change, to evaluate risks and priorities, to provide forecasts and projections of future conditions, to communicate scientific advice, and to better manage fisheries under changing conditions due to climate change.

Mr. BLUNT. I ask unanimous consent that the committee-reported substitute be withdrawn; that the Wicker substitute at the desk be agreed to; and that the bill, as amended, be considered read a third time.

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

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

The amendment (No. 2723) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute.)

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

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

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

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2346), as amended, was passed.

Mr. BLUNT. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### DEEMING AN URBAN INDIAN ORGANIZATION AND EMPLOYEES THEREOF TO BE A PART OF THE PUBLIC HEALTH SERVICE

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6535, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 6535) to deem an urban Indian organization and employees thereof to be a part of the Public Health Service for the purposes of certain claims for personal injury, and for other purposes.

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

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

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

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

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

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 6535) was passed.

Mr. BLUNT. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### YOUNG FISHERMEN’S DEVELOPMENT ACT

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1240, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 1240) to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen.

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

Mr. BLUNT. 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. Without objection, it is so ordered.

The bill (H.R. 1240) was ordered to a third reading, was read the third time, and passed.

#### PROTECTING AMERICAN INTELLECTUAL PROPERTY ACT OF 2020

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 3952 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3952) to require the imposition of sanctions with respect to foreign persons that have engaged in significant theft of trade secrets of United States persons, and for other purposes.

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

Mr. BLUNT. I ask unanimous consent that the Van Hollen substitute amendment, which is at the desk, be considered and agreed to and that the bill, as amended, be considered read a third time.

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

The amendment (No. 2724) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting American Intellectual Property Act of 2020”.

#### SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO THEFT OF TRADE SECRETS OF UNITED STATES PERSONS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the President shall submit to the appropriate congressional committees a report—

(A) identifying, for the 180-day period preceding submission of the report—

(i) any foreign person that has knowingly engaged in, or benefitted from, significant theft of trade secrets of United States persons, if the theft of such trade secrets is reasonably likely to result in, or has materially contributed to, a significant threat to the national security, foreign policy, or economic health or financial stability of the United States;

(ii) any foreign person that has provided significant financial, material, or technological support for, or goods or services in support of or to benefit significantly from, such theft;

(iii) any entity owned or controlled by, or that has acted or purported to act for or on behalf of, directly or indirectly, any foreign person identified under clause (i) or (ii); and

(iv) any foreign person that is a chief executive officer or member of the board of directors of any foreign entity identified under clause (i) or (ii); and

(B) describing the nature, objective, and outcome of the theft of trade secrets each foreign person described in subparagraph (A)(i) engaged in or benefitted from; and

(C) assessing whether any chief executive officer or member of the board of directors described in clause (iv) of subparagraph (A) engaged in, or benefitted from, activity described in clause (i) or (ii) of that subparagraph.

(2) **FORM OF REPORT.**—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) **AUTHORITY TO IMPOSE SANCTIONS.**—

(1) **SANCTIONS APPLICABLE TO ENTITIES.**—In the case of a foreign entity identified under subparagraph (A) of subsection (a)(1) in the most recent report submitted under that subsection, the President shall impose one of the following:

(A) **BLOCKING OF PROPERTY.**—The President may, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the entity if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) **INCLUSION ON ENTITY LIST.**—The President may include the entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(2) **SANCTIONS APPLICABLE TO INDIVIDUALS.**—In the case of an individual identified under subparagraph (A) of subsection (a)(1) in the most recent report submitted under that subsection, the following shall apply:

(A) **BLOCKING OF PROPERTY.**—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the individual if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) **VISA BAN; EXCLUSION.**—The Secretary of State shall deny a visa to the individual and revoke, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), any visa or other documentation of the individual, and the Secretary of Homeland Security shall exclude the individual from the United States.

(c) **IMPLEMENTATION; PENALTIES.**—

(1) **IMPLEMENTATION.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or (2)(A) of subsection (b) or any regulation, license, or order issued to carry out that paragraph shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful

act described in subsection (a) of that section.

(d) **NATIONAL INTEREST WAIVER.**—The President may waive the imposition of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) not more than 15 days after issuing the waiver, submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

(e) **TERMINATION OF SANCTIONS.**—Sanctions imposed under subsection (b) with respect to a foreign person identified in a report submitted under subsection (a) shall terminate if the President certifies to the appropriate congressional committees, before the termination takes effect, that the person is no longer engaged in the activity identified in the report.

(f) **EXCEPTIONS.**—

(1) **INTELLIGENCE ACTIVITIES.**—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) **LAW ENFORCEMENT ACTIVITIES.**—Sanctions under this section shall not apply with respect to any authorized law enforcement activities of the United States.

(3) **EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.**—Subsection (b)(2)(B) shall not apply with respect to the admission of an individual to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(g) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—

(1) **IN GENERAL.**—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(2) **GOOD DEFINED.**—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(h) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(2) **EXPORT ADMINISTRATION REGULATIONS.**—The term “Export Administration Regulations” means subchapter C of chapter VII of title 15, Code of Federal Regulations.

(3) **FOREIGN ENTITY.**—The term “foreign entity” means an entity that is not a United States person.

(4) **FOREIGN PERSON.**—The term “foreign person” means a person that is not a United States person.

(5) **TRADE SECRET.**—The term “trade secret” has the meaning given that term in section 1839 of title 18, United States Code.

(6) **PERSON.**—The term “person” means an individual or entity.

(7) **UNITED STATES PERSON.**—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

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

Mr. BLUNT. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3952), as amended, was passed.

Mr. BLUNT. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### AUTHORIZING THE SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE TO DELEGATE AUTHORITY TO APPROVE PAYROLL AND PERSONNEL ACTIONS

Mr. BLUNT. Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 5076 introduced earlier today.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 5076) to authorize the Sergeant at Arms and Doorkeeper of the Senate to delegate authority to approve payroll and personnel actions.

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

Mr. BLUNT. 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. Without objection, it is so ordered.

The bill (S. 5076) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 5076

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

#### SECTION 1. AUTHORITY TO DELEGATE AUTHORITY TO APPROVE PAYROLL AND PERSONNEL ACTIONS.

Section 1201 of the Supplemental Appropriations Act, 1984 (2 U.S.C. 6598) is amended—

(1) by striking “all vouchers, for payment of moneys,” and inserting “any voucher for payment of moneys, payroll action, or personnel action”; and

(2) by striking “any voucher, for payment of moneys,” and inserting “any voucher for payment of moneys, payroll action, or personnel action”.

#### EXECUTIVE CALENDAR—Continued

VOTE ON THE AENLLE-ROCHA NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Aenlle-Rocha nomination?

Mr. WICKER. Mr. 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mrs. FISCHER), the Senator from Georgia (Mrs. LOEFFLER), the Senator from Georgia (Mr. PERDUE), and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from California (Ms. HARRIS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

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

The results was announced—yeas 80, nays 8, as follows:

[Rollcall Vote No. 284 Ex.]

#### YEAS—80

Baldwin	Graham	Reed
Barrasso	Grassley	Risch
Bennet	Hassan	Roberts
Blunt	Heinrich	Romney
Booker	Hirono	Rosen
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Schatz
Brown	Inhofe	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Cardin	Kaine	Shaheen
Carper	Kelly	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Klobuchar	Sullivan
Coons	Lankford	Tester
Cornyn	Leahy	Thune
Cortez Masto	Manchin	Tillis
Cotton	McConnell	Toomey
Cramer	Menendez	Udall
Crapo	Merkley	Van Hollen
Daines	Moran	Warner
Duckworth	Murkowski	Whitehouse
Durbin	Murphy	Wicker
Ernst	Murray	Wyden
Gardner	Peters	Young
Gillibrand	Portman	

#### NAYS—8

Blumenthal	Markey	Sasse
Hawley	Paul	Warren
Lee	Sanders	

#### NOT VOTING—12

Alexander	Enzi	Loeffler
Blackburn	Feinstein	Perdue
Burr	Fischer	Rounds
Crux	Harris	Stabenow

The nomination was confirmed.

Mr. LANKFORD. 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. Without objection, it is so ordered.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. LANKFORD. Mr. President, I ask unanimous consent that the Senate proceed to legislative session to 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.

### VOTE EXPLANATION

Mr. HEINRICH. Mr. President, I was unavoidably absent in 2019 due to a family medical emergency for rollcall votes Nos. 195, 196, 197, 198, 199, 200, 201, 202, and 203. Had I been present, I would have voted yea on votes Nos. 195 and 197 and nay on votes Nos. 196, 198, 199, 200, 201, 202, and 203.

#### H.R. 6535

Ms. MURKOWSKI. Mr. President, I rise today to address equitable treatment in Native healthcare. When the Senate Committee on Indian Affairs considered S. 3650, the companion bill to H.R. 6535, I noted the strong history of Alaska Natives and Native Hawaiians working together to ensure that there is parity in Federal policy for all Native peoples. Enactment of H.R. 6535 will address the lack of parity in Federal urban Indian health programs, and by sending this bill to the President, the Senate is making a necessary correction that will support delivery of healthcare to Native communities across the country. But, as we pass this measure, we must not forget that a lack of parity continues to persist for the Native Hawaiian healthcare Systems funded through the Native Hawaiian Health Care Improvement Act. I am therefore committed to standing with Senator SCHATZ to ensure that Native Hawaiian healthcare systems are not left behind and will work with him to address the inequitable access to Federal Tort Claims Act coverage among Native health systems in the next Congress. Together, we will continue to fight for the trust and treaty rights and access to benefits for all of our country's Native peoples.

### TRIBUTE TO DEPARTING SENATORS

Mr. CARDIN. Mr. President, the end of a Congress is a bittersweet time. We reflect with pride on our accomplishments but have a sense of wistfulness with respect to the things we have been unable to do. We look forward to the holidays, spending more time with our families, and having a bit of a respite. But we have to say good-bye to several colleagues. I would like to take a few moments to pay tribute to Senators who will not be returning when the 117th Congress convenes. They are my friends as well as my colleagues and I

will miss them and the unique attributes, skill, and devotion to public service they have brought to the Senate.

Senator CORY GARDNER is a fifth generation Coloradan firmly rooted in the State's Eastern Plains whose family has been in the farm implement business for over one century. He received his undergraduate degree from Colorado State University, where he graduated summa cum laude, and his Juris Doctor from the University of Colorado at Boulder.

While Senator GARDNER has only been in the Senate since 2015, the expression "got it in one" certainly applies to him. Perhaps that is because he previously worked in the Senate for then-Senator Wayne Allard, quickly rising to become Senator Allard's legislative director. He served for 6 years in the Colorado House of Representatives and another 4 years in the U.S. House of Representatives before being elected to the Senate in 2014.

Here in the Senate, Senator GARDNER has been a serious legislator but with a cheerful and affable and civil manner. He has worked to bridge partisan divides, particularly on energy policy, where he has been one of the Republicans' leading advocates of renewable energy. This year, the esteemed Lugar Center ranked Senator GARDNER as the third most bipartisan Senator.

I have had the opportunity to work with Senator GARDNER on the Senate Foreign Relations Committee as he led the effort to impose sanctions against North Korea in his role as chairman of the Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy. Through the committee, we also worked together to introduce legislation to enhance American maritime capacity and leadership and increase support to our allies in the Asia-Pacific region, the Asia-Pacific Maritime Security Initiative Act of 2016. I was also pleased to work with Senator GARDNER in 2019 to introduce the Wildlife Refuge System Protection Act, bipartisan legislation to provide legal authority for the U.S. Fish and Wildlife Service—USFWS—to seek damages for injury or harm on National Wildlife Refuges, National Fish Hatcheries, and other USFWS lands and waters.

My wife Myrna and I have traveled with Senator GARDNER and his wife Jaime to promote human rights abroad. His commitment to global human rights was crystal clear to Myrna and me. I will miss Senator GARDNER and his pleasant demeanor, but he is still a young man so I am confident he will find new ways to continue serving all Americans, but especially the Coloradans he has represented with distinction for the past 16 years. I wish him, Jaime, and their children Alyson, Thatcher, and Caitlyn all the best.

Senator Martha McSally has only been in the Senate for 2 years, but it is impossible not to be in awe of her true

grit and determination, perhaps stemming from being the youngest of five children. Her father died when she was just 12, leaving her mother to raise and support her family. Perhaps it was the example her mother set—Senator McSally was determined to let nothing stand in her way. She was the valedictorian of her high school and earned an appointment to the United States Air Force Academy, where she received a bachelor's of science in biology. I am privileged to represent the U.S. Naval Academy in Annapolis, MD. I have served on the board of visitors, and my staff and I interview the hundreds of young applicants across Maryland who aspire to enroll in one of our service academies each year. I am not sure most Americans are aware of how intensely competitive these positions are and what a tremendous honor earning an appointment is. Meeting these applicants, reviewing their extraordinary accomplishments at such a young age, and seeing their commitment to service—willing to put their lives on the line, if necessary—restores one's faith in the boundless future of our Nation.

Senator McSally certainly put her life on the line for us and shattered gender barriers along the way. She became the first woman in American history to fly a fighter jet in combat and the first woman to command a fighter squadron in combat. She deployed six times to the Middle East. She helped lead and execute the initial air campaign in Afghanistan after the 9/11 terrorist attacks and she supervised combat search and rescue operations in Afghanistan and Iraq. In total, she flew 325 combat hours and earned a Bronze Star and six air medals. She served in the U.S. Air Force for 26 years, retiring as a full colonel.

Senator McSally has never been one to rest on her laurels. She earned masters' degrees from Harvard University's John F. Kennedy School of Government and the U.S. Air War College, graduating first in her class of 261 senior military officers. She ran for the House of Representatives, first unsuccessfully by a narrow margin in 2012 but then successfully—again by a narrow margin—in 2014, becoming the first Republican woman to represent Arizona in Congress. She was reelected in 2016. She lost a tough race to Senator SINEMA in 2018, but Arizona Governor Doug Ducey appointed her to finish the unexpired term of another war hero, our late friend Senator John McCain.

Unfortunately, I had little opportunity to work with Senator McSally during her 2 years here in the Senate, although I did travel with her to Normandy for the 75th anniversary of D-Day, and I saw firsthand her commitment to America's service men and women—especially military sexual assault survivors—to veterans, and to military families. Senator McSally is an inspiration to all of us, but especially to women and girls, for her devotion to duty and the incredible odds she has overcome and the barriers she

has broken in her life. Senator McSally has said, "There's always more that unites us than divides us." I agree wholeheartedly with that sentiment. She is a fighter who will continue to fight for our country, and I am grateful for that.

Senator DOUG JONES is a native Alabamian, a steelworker's son, who grew up during the great struggle for civil rights and desegregation in the South. He has been involved in that struggle all of his life, active in campus affairs at the University of Alabama, where he earned his bachelor's degree in 1976, and in trying to modernize Alabama's court system.

Senator JONES has the distinction of working, being confirmed by, and being elected to serve in the U.S. Senate. After he graduated from Cumberland Law School at Samford University in 1979, he worked as a staff counsel on the Senate Judiciary Committee for then-Senator Howell Heflin. Senator JONES served as an Assistant U.S. Attorney from 1980 to 1984. After he worked in private practice for several years, President Clinton nominated him to serve as the U.S. Attorney for the Northern District of Alabama, and the Senate confirmed his nomination in 1997.

While Senator JONES was the U.S. Attorney, he successfully prosecuted two of the four men who were responsible for the heinous bombing of the 16th Street Baptist Church in 1963, an attack that killed four young Black girls between the ages of 11 and 14 and shocked the conscience of our Nation. He prosecuted other domestic terrorists, including the Ku Klux Klan and Eric Rudolph. He won a hard-fought special election to the Senate in December 2017 and has served with honor, distinction, and a commitment to finding bipartisan solutions to our Nation's most-pressing problems.

Senator JONES has fought to protect healthcare and to create equal opportunities for all Americans. He led the passage of the bipartisan FUTURE Act into law last year, legislation that I strongly supported to provide permanent funding for historically Black colleges and universities and minority-serving institutions. He has also championed minority-serving financial institutions and minority-owned banks, supporting the efforts to add additional funds for these institutions through the Paycheck Protection Program. I was proud to work with Senator JONES on the successful passage of our legislation to extend the Caribbean Basin Economic Recovery Act this year, which extends until 2030 duty-free access for certain textile goods from 23 Caribbean countries that are made with U.S. yarns, fabrics, and threads until 2030.

Senator JONES is equally committed to civility and civil rights. As the Reverend Dr. Martin Luther King, Jr., so famously said, "The arc or the moral universe is long, but it bends toward justice." Thanks to Senator JONES'

abiding faith and ceaseless efforts, that arc is bending faster. I wish him, his wife Louise, their children Carson, Christopher, and Courtney, and their two grandchildren all the best moving forward. I know he will continue to serve our country, and I am hopeful it will be as a member of the incoming administration of President-Elect Joe Biden.

Senator TOM UDALL comes from an illustrious extended family with a long history of distinguished public service, including his father Stewart, who served as Secretary of the Interior under President John F. Kennedy and Lyndon Baines Johnson from 1961 to 1969. His uncle Morris "Mo" K. Udall was one of the most accomplished and beloved Congressmen in U.S. history, representing Arizona's Second District for 30 years. While Senator UDALL was born in Tucson, he has deep roots in New Mexico, starting with his grandmother Luna, who was born in New Mexico Territory.

Senator UDALL earned his undergraduate degree from Prescott College, a bachelor of laws degree from Cambridge, and J.D. from the University of New Mexico in 1977. And then joining the family tradition, he began his public service by clerking for the Honorable Oliver Seth, chief justice of the U.S. Court of Appeals for the Tenth Circuit. Later, he became a Federal prosecutor in the U.S. Attorney's criminal division and chief counsel to the New Mexico Department of Health and Environment.

Senator UDALL was elected New Mexico Attorney General in 1990 and reelected in 1994. He made his mark in several areas, but especially in government transparency and ethics, a quest he would continue in the U.S. House of Representatives, where he served five highly productive terms, even though he was in the minority for four of them, passing legislation to establish a national renewable energy standard.

Here in the Senate, Senator UDALL has continued his distinguished service for two terms in his low-key, quiet, understated, and effective manner. Just this year, he led the passage of the Great American Outdoors Act to fund our national parks and Federal land agencies. He has championed environmental justice and has devoted himself to rectifying the injustices our Nation has perpetrated against Indian Nations and Tribes. Senator UDALL has remained steadfast in his commitment to good and transparent government as the lead Senate sponsor of the For the People Act.

I have been privileged to work closely with Senator UDALL on the Commission on Security and Cooperation in Europe, also known as the U.S. Helsinki Commission, and on the Senate Foreign Relations Committee. We have focused on strengthening our relationships with our allies, which President Trump has put to the test, promoting American values around the world, and



fostering human rights and international development and conservation efforts.

I will greatly miss Senator UDALL here in the Senate but feel fortunate to have served with him these last 12 years in the Senate and for 8 years together in the House of Representatives before that. New Mexicans and all Americans have benefited greatly from his 30 years in elected office and lifetime of public service. He has honorably and effectively continued his family's noble tradition of stewardship in all regards. My wife Myrna and Senator UDALL's wife Jill, a tireless advocate on behalf of the Smithsonian's National Museum of the American Indian, have become good friends, and Myrna and I will miss both of them. I wish them and their daughter Amanda all the best.

Senator MIKE ENZI was born in Bremerton, WA, where his father was working in the naval shipyard during World War II. He grew up in Thermopolis, WY. He came to Washington, DC, for college, earning his bachelor's degree in accounting from George Washington University in 1966. He began his public service in the Wyoming Air National Guard from 1967 to 1973. Later, he worked in the U.S. Department of the Interior, earned a master's degree from the University of Denver, ran his father's show business, and became mayor of Gillette, WY, when he was just 30.

Senator ENZI served in the Wyoming House of Representatives for 4 years and in the Wyoming Senate for 6 years before being elected to the U.S. Senate in 1996 with 54 percent of the vote. That was the closest election he has had; he garnered over 70 percent of the vote each time he sought reelection.

Senator ENZI is one of the most conservative members of the Senate but that has not prevented him from reaching across the aisle. He is quiet but his accomplishments speak volumes. While he chaired the Senate Health, Education, Labor, and Pensions Committee, it reported 37 bills, 23 of which the Senate passed. As he likes to say, "People can agree on 80 percent of the issues 80 percent of the time, and if they leave the other 20 percent out they can get a lot done." He has authored more than 100 bills that Presidents of both parties have signed into law.

Senator ENZI and I have served on the Senate Finance Committee together since the 112th Congress, and on the Subcommittee on Health Care, where we have worked together to find bipartisan solutions to expand access to affordable, quality healthcare. We have also worked together to ensure the stability and health of pension funds, including recent efforts related to the multiemployer union pension crisis, and to bolster financial literacy. I have also been pleased to work with Senator ENZI on legislation to ensure prompt payments to small businesses working as Federal contractors across

the Department of Defense, and on our Collegiate Housing and Infrastructure Act, to help student groups with collegiate housing costs.

Senator ENZI's grandfatherly mien and calm disposition have helped steer the Senate through rocky times, and I will miss his steady hand on our rudder. My wife Myrna will miss his wife of 51 years, Diana, an active member of the Senate Spouses Club, who also works to provide specially trained dogs and handlers to countries infested with landmines. Senator ENZI is an avid hunter and fly fisherman, and I know he will enjoy the opportunity to spend more time with Diana; their children Amy, Emily, and Brad; and their four grandchildren.

Senator PAT ROBERTS is a native Kansan from Topeka and a quintessential plainspoken Midwesterner and ex-marine. He is a fourth generation Kansan, whose great-grandfather, J.W. Roberts, founded the "Oskaloosa Independent," the State's second oldest newspaper. Senator ROBERTS has journalism and public service coursing through his blood. He earned his bachelor's degree in journalism from Kansas State University and then served in the U.S. Marine Corps for 4 years before working as a reporter and then editor of several newspapers in Arizona. In 1967, Senator ROBERTS worked for then-U.S. Senator Frank Carlson. In 1969, he became administrative assistant to then-U.S. Representative Keith Sibelius, who represented the First District.

Senator ROBERTS went on to represent the First District himself for 16 years before being elected to the Senate in 1996, where he has continued to serve with distinction for four terms. Senator ROBERTS has a well-earned reputation as a national leader on agriculture, defense, and healthcare issues. He has the distinction of being the first person in history to have chaired both the House and Senate Committees on Agriculture and to author and pass bipartisan farm bills in both Chambers. He led the passage of the overwhelmingly bipartisan 2018 farm bill, which benefited farmers in my home State of Maryland and around the Nation. As cochairman of the Senate Rural Health Caucus, Senator ROBERTS has sought to address the challenges that rural communities face in terms of access to high-quality healthcare.

While Senator ROBERTS chaired the Senate Select Committee on Intelligence, he conducted one of the most thorough reviews of U.S. intelligence gathering and analysis in the wake of the faulty intelligence leading to the war in Iraq. The committee unanimously issued the bipartisan report, which frankly and forthrightly revealed systemic failures and provided numerous recommendations included in the 9/11 Intelligence Reform Act of 2004.

Senator ROBERTS has played a pivotal role in the creation of two wonderful monuments, one here in Wash-

ington, DC, and the other in his beloved Kansas. He served as Chairman of the Dwight David Eisenhower Memorial Commission—and that fine memorial on Independence Avenue to Kansas's favorite son was dedicated earlier this year—a fitting capstone to Senator ROBERTS' 40 years as an elected official. Back in Kansas, he helped to establish the Tallgrass Prairie Preserve, one of the most beautiful and majestic places in America. Tallgrass prairie once stretched from Canada to Mexico, covering more than 170 million acres. Today, less than 4 percent of it remains intact, mostly in the Kansas Flint Hills, largely thanks to the efforts of Senator ROBERTS.

I have had the opportunity to work with Senator ROBERTS on agricultural and healthcare issues, and legislation to encourage retirement savings by fostering the growth of S corporations owned by Employee Stock Ownership Plans—"S-ESOPS". I will miss working with him and his Semper Fi, "candido" approach to problem-solving, but I know he is looking forward to spending more time with his wife Franki; their three children, David, Ashleigh, and Anne-Wesley; and their seven grandchildren.

Senator LAMAR ALEXANDER has had a career in public service as long, varied, and distinguished as just about any other American, working or serving in all three branches of the Federal Government. He is a seventh generation east Tennessean whose father was an elementary school principal and mother was a pre-school teacher—thus began Senator ALEXANDER's lifelong interest in education. He graduated from Vanderbilt University with a B.A. in 1962 and was elected to Phi Beta Kappa. He earned his J.D. from New York University in 1965, was editor of the law review, and a Root-Tilden Scholar.

Senator ALEXANDER began his public service as a clerk for the Honorable John Minor Wisdom on the U.S. Court of Appeals for the Fifth Circuit. He worked on the staff of then-U.S. Senator Howard Baker and as staff assistant to then-President Richard Nixon. In 1978, he walked 1,022 miles across Tennessee, spent the night with 73 different families, and won election as Governor. As Governor, he helped to bring the auto industry to the State. He was reelected in 1982 and served as chair of the National Governors' Association from 1985 to 1986. He was president of the University of Tennessee from 1988 to 1991, then-President George H.W. Bush's Secretary of Education from 1991 to 1993, and a Professor of Practice in Public Service at Harvard the Kennedy School of Government from 2001 to 2003. Somehow, he has also found the time to cofound a law firm and two successful businesses, be a classical and country pianist who has performed on the Grand Old Opry and with symphony orchestras, and author seven books.

While Senator ALEXANDER chaired the HELP Committee, it reported 45

bills that became law, most of which he authored. He sponsored the America Competes Act of 2007; the Every Student Succeeds Act of 2015, greatly benefiting students in my home State of Maryland and nationwide; the 21st Century Cures Act of 2016; and the Opioid Crisis Response Act of 2018. He also authored legislation to modernize how songwriters are compensated for their works. The list goes on and on.

Senator ALEXANDER has been a champion of higher education reform, seeking to simplify the process of applying for financial aid and to increase access for all students. I have been proud to work with him to support and strengthen historically Black colleges and universities and minority serving institutions. On the environmental front, I had the opportunity to work with Senator ALEXANDER on legislation to end the dumping of mining waste into streams, the Appalachia Restoration Act of 2009.

Senator ALEXANDER is always courteous, an “eloquent listener,” and always eager to forge bipartisan solutions to our Nation’s problems. Just a few days ago, I know Senators and staff were delighted to listen to him play Christmas carols and hymns on the piano in the Hart atrium. We will greatly miss his calm and dignified presence in the Senate, but he has certainly earned the opportunity to spend more time with his beloved wife of 51 years, Honey; their children Leslee, Kathryn, Andrew, and William; and their nine grandchildren.

Senators ENZI, ROBERTS, and ALEXANDER have served in this institution for 66 years combined. Senator UDALL has served 12 years, and Senator GARDNER has served 6 years. Senators JONES and McSally did not have an opportunity to serve a full term, but all told, we are losing close to 90 years of dedicated service to the institution, our colleagues, their constituents, and all Americans. There is a tradition for departing Senators to give a farewell address, and most use the opportunity to bemoan the fact that the Senate has become less collegial and more partisan. I share that discontent and sadness. I think the best way we can pay appropriate tribute to the fine Members who are leaving at the end of this Congress is by rededicating ourselves to preserving and expanding on their legacy of bipartisanship. I want to express my deep admiration of and appreciation to Senators ALEXANDER, ENZI, GARDNER, JONES, MCSALLY, ROBERTS, and UDALL. I am grateful for the opportunity to serve with and learn from them, and I cherish our friendships.

#### MESSAGES FROM THE HOUSE

At 1:16 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 3312. An act to establish a crisis stabilization and community reentry grant program, and for other purposes.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

S. 212. An act amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000, the Buy Indian Act, and the Native American Programs Act of 1974 to provide industry and economic development opportunities to Indian communities.

S. 461. An act to strengthen the capacity and competitiveness of historically Black colleges and universities through robust public-sector, private-sector, and community partnerships and engagement, and for other purposes.

S. 900. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in Bozeman, Montana, as the Travis W. Atkins Department of Veterans Affairs Clinic.

S. 906. An act to improve the management of driftnet fishing.

S. 914. An act to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, to clarify the authority of the Administrator of the National Oceanic and Atmospheric Administration with respect to post-storm assessments, and to require the establishment of a National Water Center, and for other purposes.

S. 1130. An act to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

S. 1342. An act to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes.

S. 1869. An act to require the disclosure of ownership of high-security space leased to accommodate a Federal agency, and for other purposes.

S. 2216. An act to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for the family caregiver program, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.

S. 2472. An act to redesignate the NASA John H. Glenn Research Center at Plum Brook Station, Ohio, as the NASA John H. Glenn Research Center at the Neil A. Armstrong Test Facility.

S. 3257. An act to designate the facility of the United States Postal Service located at 311 West Wisconsin Avenue in Tomahawk, Wisconsin, as the “Einar ‘Sarge’ H. Ingman, Jr. Post Office Building”.

S. 3461. An act to designate the facility of the United States Postal Service located at 2600 Wesley Street in Greenville, Texas, as the “Audie Murphy Post Office Building”.

S. 3462. An act to designate the facility of the United States Postal Service located at 909 West Holiday Drive in Fate, Texas, as the “Ralph Hall Post Office”.

S. 4126. An act to designate the facility of the United States Postal Service located at 104 East Main Street in Port Washington, Wisconsin, as the “Joseph G. Demler Post Office”.

S. 4684. An act to designate the facility of the United States Postal Service located at 440 Arapahoe Street in Thermopolis, Wyoming, as the “Robert L. Brown Post Office”.

H.R. 1503. An act to amend the Federal Food, Drug, and Cosmetic Act regarding the list under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, and for other purposes.

H.R. 2468. An act to amend the Public Health Service Act to increase the preference given, in awarding certain allergies and asthma-related grants, to States that require certain public schools to have allergies and asthma management programs, and for other purposes.

H.R. 3976. An act to designate the facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the “Aretha Franklin Post Office Building”.

H.R. 4356. An act to amend the Servicemembers Civil Relief Act to allow certain individuals to terminate contracts for telephone, multichannel video programming, or internet access service, and for other purposes.

H.R. 4983. An act to designate the Department of Veterans Affairs communitybased outpatient clinic in Gilbert, Arizona, as the “Staff Sergeant Alexander W. Conrad Veterans Affairs Health Care Clinic”.

H.R. 4988. An act to designate the facility of the United States Postal Service located at 14 Walnut Street in Bordentown, New Jersey, as the “Clara Barton Post Office Building”.

H.R. 5123. An act to designate the facility of the United States Postal Service located at 476 East Main Street in Galesburg, Illinois, as the “Senior Airman Daniel Miller Post Office Building”.

H.R. 5273. An act to require the Secretary of Homeland Security to develop a plan to increase to 100 percent the rates of scanning of commercial and passenger vehicles and freight rail entering the United States at land ports of entry along the border using large-scale, non-intrusive inspection systems to enhance border security, and for other purposes.

H.R. 5451. An act to designate the facility of the United States Postal Service located at 599 East Genesee Street in Fayetteville, New York, as the “George H. Bacer Post Office Building”.

H.R. 5597. An act to designate the facility of the United States Postal Service located at 305 Northwest 5th Street in Oklahoma City, Oklahoma, as the “Clara Luper Post Office Building”.

H.R. 5663. An act to amend the Federal Food, Drug, and Cosmetic Act to give authority to the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, to destroy counterfeit devices.

H.R. 5972. An act to designate the facility of the United States Postal Service located at 500 Delaware Avenue, Suite 1, in Wilmington, Delaware, as the “Mary Ann Shadd Cary Post Office”.

H.R. 5983. An act to designate the facility of the United States Postal Service located at 4150 Chicago Avenue in Riverside, California, as the “Woodie Rucker-Hughes Post Office Building”.

H.R. 6016. An act to designate the facility of the United States Postal Service located at 14955 West Bell Road in Surprise, Arizona, as the “Marc Lee Memorial Post Office Building”.

H.R. 6100. An act to amend title 18, United States Code, to clarify the criminalization of female genital mutilation, and for other purposes.

H.R. 6161. An act to designate the facility of the United States Postal Service located at 1585 Yanceyville Street, Greensboro, North Carolina, as the “J. Howard Coble Post Office Building”.

H.R. 6192. An act to require the Secretary of the Treasury to honor the 100th anniversary of completion of coinage of the “Morgan Dollar” and the 100th anniversary of commencement of coinage of the “Peace Dollar”, and for other purposes.

H.R. 6418. An act to designate the facility of the United States Postal Service located at 509 Fairhope Avenue in Fairhope, Alabama, as the "William 'Jack' Jackson Edwards III Post Office Building".

H.R. 6435. An act to direct the Federal Trade Commission to develop and disseminate information to the public about scams related to COVID-19, and for other purposes.

H.R. 7088. An act to designate the facility of the United States Postal Service located at 111 James Street in Reidsville, Georgia, as the "Senator Jack Hill Post Office Building".

H.R. 7105. An act to provide flexibility for the Secretary of Veterans Affairs in caring for homeless veterans during a covered public health emergency, to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.

H.R. 7259. An act to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable.

H.R. 7347. An act to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the "Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center".

H.R. 7502. An act to designate the facility of the United States Postal Service located at 101 South 16th Street in Clarinda, Iowa, as the "Jessie Field Shambaugh Post Office Building".

H.R. 7810. An act to designate the facility of the United States Postal Service located at 3519 East Walnut Street in Pearland, Texas, as the "Tom Reid Post Office Building".

H.R. 8354. An act to establish the Servicemembers and Veterans Initiative within the Civil Rights Division of the Department of Justice, and for other purposes.

H.R. 8611. An act to designate the facility of the United States Postal Service located at 4755 Southeast Dixie Highway in Port Salerno, Florida, as the "Joseph Bullock Post Office Building".

H.R. 8810. An act to establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. GRASSLEY).

At 7:42 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 110. Joint resolution making further continuing appropriations for fiscal year 2021, and for other purposes.

#### 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 Ms. CANTWELL (for herself and Mr. WICKER):

S. 5075. A bill to prohibit deceptive acts or practices in connection with public health emergencies resulting from COVID-19; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUNT:

S. 5076. A bill to authorize the Sergeant at Arms and Doorkeeper of the Senate to delegate authority to approve payroll and personnel actions; considered and passed.

By Mr. CORNYN:

S. 5077. A bill to amend title XIX of the Social Security Act to adjust the limitations on Medicaid disproportionate share hospital payments; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 2886

At the request of Mr. HEINRICH, his name was added as a cosponsor of S. 2886, a bill to prohibit the use of animal testing for cosmetics and the sale of cosmetics tested on animals.

S. 4547

At the request of Mr. MCCONNELL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 4547, a bill to improve the integrity and safety of horseracing by requiring uniform safety and performance standards, including a horseracing anti-doping and medication control program and a racetrack safety program to be developed and enforced by an independent Horseracing Integrity and Safety Authority, and for other purposes.

S. 4838

At the request of Ms. ROSEN, her name was added as a cosponsor of S. 4838, a bill to direct the Secretary of Defense to carry out a grant program to increase cooperation on post-traumatic stress disorder research between the United States and Israel.

S. 4859

At the request of Ms. ROSEN, her name was added as a cosponsor of S. 4859, a bill to require the Centers for Medicare & Medicaid Services to make recommendations for improving maternal and child health outcomes using remote physiologic monitoring devices and expanding coverage of such devices under Medicaid.

S. 4958

At the request of Mr. PORTMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 4958, a bill to provide for a vaccine safety public awareness campaign.

S. 4966

At the request of Mrs. CAPITO, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 4966, a bill to amend the Internal Revenue Code of 1986 to provide for a 5-year extension of the carbon oxide sequestration credit, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. BLUNT:

S. 5076. A bill to authorize the Sergeant at Arms and Doorkeeper of the Senate to delegate authority to approve payroll and personnel actions; considered and passed.

S. 5076

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

#### SECTION 1. AUTHORITY TO DELEGATE AUTHORITY TO APPROVE PAYROLL AND PERSONNEL ACTIONS.

Section 1201 of the Supplemental Appropriations Act, 1984 (2 U.S.C. 6598) is amended—

(1) by striking "all vouchers, for payment of moneys," and inserting "any voucher for payment of moneys, payroll action, or personnel action"; and

(2) by striking "any voucher, for payment of moneys," and inserting "any voucher for payment of moneys, payroll action, or personnel action".

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2721. Mr. BROWN proposed an amendment to the bill S. 2827, to authorize the Secretary of the Interior to conduct a study of African American burial grounds, and for other purposes.

SA 2722. Mr. BROWN proposed an amendment to the bill S. 2827, *supra*.

SA 2723. Mr. BLUNT (for Mr. WICKER) proposed an amendment to the bill S. 2346, to improve the Fishery Resource Disaster Relief program of the National Marine Fisheries Service, and for other purposes.

SA 2724. Mr. BLUNT (for Mr. VAN HOLLEN (for himself and Mr. SASSE)) proposed an amendment to the bill S. 3952, to require the imposition of sanctions with respect to foreign persons that have engaged in significant theft of trade secrets of United States persons, and for other purposes.

SA 2725. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2724 proposed by Mr. BLUNT (for Mr. VAN HOLLEN (for himself and Mr. SASSE)) to the bill S. 3952, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 2721. Mr. BROWN proposed an amendment to the bill S. 2827, to authorize the Secretary of the Interior to conduct a study of African American burial grounds, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "African American Burial Grounds Study Act".

##### SEC. 2. DEFINITIONS.

In this Act:

(1) BURIAL GROUND.—The term "burial ground" means any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which human remains are deposited as a part of the death rite or ceremony of a culture.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

##### SEC. 3. AFRICAN AMERICAN BURIAL GROUNDS STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study of ways to identify, interpret, preserve, and record unmarked, previously abandoned, underserved, or other burial grounds relating to the historic African American experience.

(b) REQUIREMENTS.—In conducting the study under subsection (a), the Secretary shall consider—

(1) ways to engage with descendant, local, and other communities historically associated with identified burial grounds by geography, genealogy, or culture;

(2) appropriate processes to identify locations of unmarked and unrecorded African

American burial grounds with appropriate consideration for the privacy and safety of the burial grounds;

(3) alternatives for providing in a public database, as appropriate, the locations of, and information on, recorded and unrecorded African American burial grounds;

(4) alternatives for commemorating and interpreting African American burial grounds; and

(5) best practices for preserving burial ground landscapes and caring for artifacts.

(c) **REPORT.**—Not later than 3 years after the date on which funds are first made available to carry out the study under subsection (a), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing—

- (1) the findings of the study; and
- (2) any recommendations of the Secretary.

**SA 2722.** Mr. BROWN proposed an amendment to the bill S. 2827, to authorize the Secretary of the Interior to conduct a study of African American burial grounds, and for other purposes; as follows:

Amend the title so as to read: “A bill to authorize the Secretary of the Interior to conduct a study of African American burial grounds, and for other purposes.”.

**SA 2723.** Mr. BLUNT (for Mr. WICKER) proposed an amendment to the bill S. 2346, to improve the Fishery Resource Disaster Relief program of the National Marine Fisheries Service, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Fishery Failures: Urgently Needed Disaster Declarations Act”.

#### **SEC. 2. FISHERY RESOURCE DISASTER RELIEF.**

Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)) is amended to read as follows:

“(a) **FISHERY RESOURCE DISASTER RELIEF.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **ALLOWABLE CAUSE.**—The term ‘allowable cause’ means a natural cause, discrete anthropogenic cause, or undetermined cause.

“(B) **ANTHROPOGENIC CAUSE.**—The term ‘anthropogenic cause’ means an anthropogenic event, such as an oil spill or spillway opening—

“(i) that could not have been addressed or prevented by fishery management measures; and

“(ii) that is otherwise beyond the control of fishery managers to mitigate through conservation and management measures, including regulatory restrictions imposed as a result of judicial action or to protect human health or marine animals, plants, or habitats.

“(C) **FISHERY RESOURCE DISASTER.**—The term ‘fishery resource disaster’ means a disaster that is determined by the Secretary in accordance with this subsection and—

“(i) is an unexpected large decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which may include loss of fishing vessels and gear for a substantial period of time and results in significant revenue or subsistence loss due to an allowable cause; and

“(ii) does not include—

“(I) reasonably predictable, foreseeable, and recurrent fishery cyclical variations in species distribution or stock abundance; or

“(II) reductions in fishing opportunities resulting from conservation and management measures taken pursuant to this Act.

“(D) **INDIAN TRIBE.**—The term ‘Indian Tribe’ has the meaning given such term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130), and the term ‘Tribal’ means of or pertaining to such an Indian tribe.

“(E) **NATURAL CAUSE.**—The term ‘natural cause’—

“(i) means a weather, climatic, hazard, or biology-related event, such as—

“(I) a hurricane;

“(II) a flood;

“(III) a harmful algal bloom;

“(IV) a tsunami;

“(V) a hypoxic zone;

“(VI) a drought;

“(VII) El Niño effects on water temperature;

“(VIII) a marine heat wave; or

“(IX) disease; and

“(ii) does not mean a normal or cyclical variation in a species distribution or stock abundance.

“(F) **12-MONTH REVENUE LOSS.**—The term ‘12-month revenue loss’ means the percentage reduction, as applicable, in commercial, charter, headboat, or processor revenue for the 12 months during which the fishery resource disaster occurred, when compared to average annual revenue in the most recent 5 years when no fishery resource disaster occurred or equivalent for stocks with cyclical life histories.

“(G) **UNDETERMINED CAUSE.**—The term ‘undetermined cause’ means a cause in which the current state of knowledge does not allow the Secretary to identify the exact cause, and there is no current conclusive evidence supporting a possible cause of the fishery resource disaster.

“(2) **GENERAL AUTHORITY.**—

“(A) **IN GENERAL.**—The Secretary shall have the authority to determine the existence, extent, and beginning and end dates of a fishery resource disaster under this subsection in accordance with this subsection.

“(B) **AVAILABILITY OF FUNDS.**—After the Secretary determines that a fishery resource disaster has occurred, the Secretary is authorized to make sums available, from funds appropriated for such purposes, to be used by the affected State, Tribal government, or interstate marine fisheries commission, or by the Secretary in cooperation with the affected State, Tribal government, or interstate marine fisheries commission.

“(C) **SAVINGS CLAUSE.**—The requirements under this subsection shall take effect only with respect to requests for a fishery resource disaster determination submitted after the date of enactment of the Fishery Failures: Urgently Needed Disaster Declarations Act.

“(3) **INITIATION OF A FISHERY RESOURCE DISASTER REVIEW.**—

“(A) **ELIGIBLE REQUESTERS.**—Not later than 1 year after the date of the conclusion of the fishing season, a request for a fishery resource disaster determination may be submitted to the Secretary, if the Secretary has not independently determined that a fishery resource disaster has occurred, by—

“(i) the Governor of an affected State;

“(ii) an official Tribal resolution; or

“(iii) any other comparable elected or politically appointed representative as determined by the Secretary.

“(B) **REQUIRED INFORMATION.**—A complete request for a fishery resource disaster determination under subparagraph (A) shall include—

“(i) identification of all presumed affected fish stocks;

“(ii) identification of the fishery as Federal, non-Federal, or both;

“(iii) the geographical boundaries of the fishery;

“(iv) preliminary information on causes of the fishery resource disaster, if known; and

“(v) information needed to support a finding of a fishery resource disaster, including—

“(I) information demonstrating the occurrence of an unexpected large decrease in fish stock biomass or other change that results in significant loss of access to the fishery resource, which could include the loss of fishing vessels and gear, for a substantial period of time;

“(II) 12-month revenue loss or subsistence loss for the affected fishery, or if a fishery resource disaster has occurred at any time in the previous 5-year period, the most recent 5 years when no fishery resource disaster occurred;

“(III) if applicable, information on lost resource tax revenues assessed by local communities, such as a raw fish tax and local sourcing requirements; and

“(IV) if applicable and available, information on 12-month revenue loss for charter, headboat, or processors related to the information provided under subclause (I), subject to section 402(b).

“(C) **ASSISTANCE.**—The Secretary may provide data and analysis assistance to an eligible requester described in paragraph (1), if—

“(i) the assistance is so requested;

“(ii) the Secretary is in possession of the required information described in subparagraph (B); and

“(iii) the data is not available to the requester, in carrying out the complete request under subparagraph (B).

“(D) **INITIATION OF REVIEW.**—The Secretary shall have the discretion to initiate a fishery resource disaster review without a request.

“(4) **REVIEW PROCESS.**—

“(A) **INTERIM RESPONSE.**—Not later than 20 days after receipt of a request under paragraph (3), the Secretary shall provide an interim response to the individual that—

“(i) acknowledges receipt of the request;

“(ii) provides a regional contact within the National Oceanographic and Atmospheric Administration;

“(iii) outlines the process and timeline by which a request shall be considered; and

“(iv) requests additional information concerning the fishery resource disaster, if the original request is considered incomplete.

“(B) **EVALUATION OF REQUESTS.**—

“(i) **IN GENERAL.**—The Secretary shall complete a review, within the time frame described in clause (ii), using the best scientific information available, in consultation with the affected fishing communities, States, or Tribes, of—

“(I) the information provided by the requester and any additional information relevant to the fishery, which may include—

“(aa) fishery characteristics;

“(bb) stock assessments;

“(cc) the most recent fishery independent surveys and other fishery resource assessments and surveys conducted by Federal, State, or Tribal officials;

“(dd) estimates of mortality; and

“(ee) overall effects; and

“(II) the available economic information, which may include an analysis of—

“(aa) landings data;

“(bb) revenue;

“(cc) the number of participants involved;

“(dd) the number and type of jobs and persons impacted, which may include—

“(AA) fishers;

“(BB) charter fishing operators;

“(CC) subsistence users;

“(DD) United States fish processors; and

“(ee) an owner of a related fishery infrastructure or business affected by the disaster, such as a marina operator, recreational fishing equipment retailer, or charter, headboat, or tender vessel owner, operator, or crew;

“(ee) an impacted Indian Tribe;

“(ff) other forms of disaster assistance made available to the fishery, including prior awards of disaster assistance for the same event;

“(gg) the length of time the resource, or access to the resource, has been restricted;

“(hh) status of recovery from previous fishery resource disasters;

“(ii) lost resource tax revenues assessed by local communities, such as a raw fish tax; and

“(jj) other appropriate indicators to an affected fishery, as determined by the National Marine Fisheries Service.

“(ii) TIME FRAME.—The Secretary shall complete the review described in clause (i), if the fishing season, applicable to the fishery—

“(I) has concluded or there is no defined fishing season applicable to the fishery, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination;

“(II) has not concluded, not later than 120 days after the conclusion of the fishing season; or

“(III) is expected to be closed for the entire fishing season, not later than 120 days after the Secretary receives a complete request for a fishery resource disaster determination.

“(C) FISHERY RESOURCE DISASTER DETERMINATION.—The Secretary shall make the determination of a fishery resource disaster based on the criteria for determinations listed in paragraph (5).

“(D) NOTIFICATION.—Not later than 14 days after the conclusion of the review under this paragraph, the Secretary shall notify the requester and the Governor of the affected State or Tribal representative of the determination of the Secretary.

“(5) CRITERIA FOR DETERMINATIONS.—

“(A) IN GENERAL.—The Secretary shall make a determination about whether a fishery resource disaster has occurred, based on the revenue loss thresholds under subparagraph (B), and, if a fishery resource disaster has occurred, whether the fishery resource disaster was due to—

“(i) a natural cause;

“(ii) an anthropogenic cause;

“(iii) a combination of a natural cause and an anthropogenic cause; or

“(iv) an undetermined cause.

“(B) REVENUE LOSS THRESHOLDS.—

“(i) IN GENERAL.—Based on the information provided or analyzed under paragraph (4)(B), the Secretary shall apply the following 12-month revenue loss thresholds in determining whether a fishery resource disaster has occurred:

“(I) Losses greater than 80 percent may result in a positive determination that a fishery resource disaster has occurred, based on the information provided or analyzed under paragraph (4)(B).

“(II) Losses between 35 percent and 80 percent shall be evaluated to determine whether economic impacts are severe enough to declare that a fishery resource disaster has occurred.

“(III) Losses less than 35 percent shall not be eligible for a determination that a fishery resource disaster has occurred.

“(ii) CHARTER FISHING.—In making a determination of whether a fishery resource disaster has occurred, the Secretary shall consider the economic impacts to the charter fishing industry to ensure financial coverage for charter fishing businesses.

“(iii) SUBSISTENCE LOSS.—In considering subsistence loss, the Secretary shall evaluate the severity of loss to the fishing community instead of applying the revenue loss thresholds described in clause (i).

“(C) INELIGIBLE FISHERIES.—A fishery subject to overfishing in any of the 3 years preceding the date of a determination under this subsection is not eligible for a determination of whether a fishery resource disaster has occurred unless the Secretary determines that overfishing was not a contributing factor to the fishery resource disaster.

“(D) EXCEPTIONAL CIRCUMSTANCES.—In an exceptional circumstance where substantial economic impacts to the affected fishery and fishing community have been subject to a disaster declaration under another statutory authority, such as in the case of a natural disaster or from the direct consequences of a Federal action taken to prevent, or in response to, a natural disaster for purposes of protecting life and safety, the Secretary may determine a fishery resource disaster has occurred without a request.

“(6) DISBURSAL OF APPROPRIATED FUNDS.—

“(A) AUTHORIZATION.—The Secretary shall allocate funds available under paragraph (9) for fishery resource disasters.

“(B) ALLOCATION OF APPROPRIATED FISHERY RESOURCE DISASTER ASSISTANCE.—

“(i) NOTIFICATION OF FUNDING AVAILABILITY.—When there are appropriated funds for 1 or more fishery resource disasters, the Secretary shall notify—

“(I) the public; and

“(II) representatives of affected fishing communities with a positive disaster determination that is unfunded;

of the availability of funds, not more than 14 days after the date of the appropriation or the determination of a fishery resource disaster, whichever occurs later.

“(ii) EXTENSION OF DEADLINE.—The Secretary may extend the deadline under clause (i) by 90 days to evaluate and make determinations on eligible requests.

“(C) CONSIDERATIONS.—In determining the allocation of appropriations for a fishery resource disaster, the Secretary shall consider commercial, charter, headboat, or seafood processing revenue losses and may consider the following factors:

“(i) Direct economic impacts.

“(ii) Uninsured losses.

“(iii) Losses of subsistence and Tribal ceremonial fishing opportunity.

“(iv) Losses of recreational fishing opportunity.

“(v) Aquaculture operations revenue loss.

“(vi) Direct revenue losses to a fishing community.

“(vii) Treaty obligations.

“(viii) Other economic impacts.

“(D) SPEND PLANS.—To receive an allocation from funds available under paragraph (9), a requester with an affirmative fishery resource disaster determination shall submit a spend plan to the Secretary, not more than 120 days after receiving notification that funds are available, that shall include the following information, if applicable:

“(i) Objectives and outcomes, with an emphasis on addressing the factors contributing to the fishery resource disaster and minimizing future uninsured losses, if applicable.

“(ii) Statement of work.

“(iii) Budget details.

“(E) REGIONAL CONTACT.—If so requested, the Secretary shall provide a regional contact within the National Oceanic and Atmospheric Administration to facilitate review of spend plans and disbursement of funds.

“(F) DISBURSAL OF FUNDS.—

“(i) AVAILABILITY.—Funds shall be made available to grantees not later than 90 days after the date the Secretary receives a complete spend plan.

“(ii) METHOD.—The Secretary may provide an allocation of funds under this subsection in the form of a grant, direct payment, cooperative agreement, loan, or contract.

“(iii) ELIGIBLE USES.—

“(I) IN GENERAL.—Funds allocated for fishery resources disasters under this subsection shall restore the fishery affected by such a disaster, prevent a similar disaster in the future, or assist the affected fishing community, and shall prioritize the following uses, which are not in order of priority:

“(aa) Habitat conservation and restoration and other activities, including scientific research, that reduce adverse impacts to the fishery or improve understanding of the affected species or its ecosystem.

“(bb) The collection of fishery information and other activities that improve management of the affected fishery.

“(cc) In a commercial fishery, capacity reduction and other activities that improve management of fishing effort, including funds to offset budgetary costs to refinance a Federal fishing capacity reduction loan or to repay the principal of a Federal fishing capacity reduction loan.

“(dd) Developing, repairing, or improving fishery-related public infrastructure.

“(ee) Direct assistance to a person, fishing community (including assistance for lost fisheries resource levies), or a business to alleviate economic loss incurred as a direct result of a fishery resource disaster, particularly when affected by a circumstance described in paragraph (5)(D).

“(ff) Hatcheries and stock enhancement to help rebuild the affected stock or offset fishing pressure on the affected stock.

“(II) DISPLACED FISHERY EMPLOYEES.—Where appropriate, individuals carrying out the activities described in items (aa) through (dd) of subclause (I) shall be individuals who are, or were, employed in a commercial, charter, or Tribal fishery for which the Secretary has determined that a fishery resource disaster has occurred.

“(7) LIMITATIONS.—

“(A) FEDERAL SHARE.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), the Federal share of the cost of any activity carried out under the authority of this subsection shall not exceed 75 percent of the cost of that activity.

“(ii) WAIVER.—The Secretary may waive the non-Federal share requirements of this subsection, if the Secretary determines that—

“(I) no reasonable means are available through which the recipient of the Federal share can meet the non-Federal share requirement; and

“(II) the probable benefit of 100 percent Federal financing outweighs the public interest in imposition of the non-Federal share requirement.

“(iii) EXCEPTION.—The Federal share shall be equal to 100 percent in the case of—

“(I) direct assistance as described in paragraph (6)(F)(iii)(I)(hh); or

“(II) assistance to subsistence or Tribal fisheries.

“(B) LIMITATIONS ON ADMINISTRATIVE EXPENSES.—

“(i) FEDERAL.—Not more than 3 percent of the funds available under this subsection may be used for administrative expenses by the National Oceanographic and Atmospheric Administration.

“(ii) STATE OR TRIBAL GOVERNMENTS.—Of the funds remaining after the use described in clause (i), not more than 5 percent may be used by States, Tribal governments, or interstate marine fisheries commissions for administrative expenses.

“(C) FISHING CAPACITY REDUCTION PROGRAM.—

“(i) IN GENERAL.—No funds available under this subsection may be used as part of a fishing capacity reduction program in a fishery unless the Secretary determines that adequate conservation and management measures are in place in such fishery.

“(ii) ASSISTANCE CONDITIONS.—As a condition of providing assistance under this subsection with respect to a vessel under a fishing capacity reduction program, the Secretary shall—

“(I) prohibit the vessel from being used for fishing in Federal, State, or international waters; and

“(II) require that the vessel be—

“(aa) scrapped or otherwise disposed of in a manner approved by the Secretary;

“(bb) donated to a nonprofit organization and thereafter used only for purposes of research, education, or training; or

“(cc) used for another non-fishing purpose provided the Secretary determines that adequate measures are in place to ensure that the vessel cannot reenter any fishery anywhere in the world.

“(D) NO FISHERY ENDORSEMENT.—

“(i) IN GENERAL.—A vessel that is prohibited from fishing under subparagraph (C)(ii)(I) shall not be eligible for a fishery endorsement under section 12113(a) of title 46, United States Code.

“(ii) NONEFFECTIVE.—A fishery endorsement for a vessel described in clause (i) shall not be effective.

“(iii) NO SALE.—A vessel described in clause (i) shall not be sold to a foreign owner or reflogged.

“(8) PUBLIC INFORMATION ON DATA COLLECTION.—The Secretary shall make available and update as appropriate, information on data collection and submittal best practices for the information described in paragraph (4)(B).

“(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection \$377,000,000 for the period of fiscal years 2021 through 2026.”

### SEC. 3. MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT.

(a) REPEAL.—Section 315 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1864) is repealed.

(b) REPORT.—Section 113(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 460ss note) is amended—

(1) in the paragraph heading, by striking “ANNUAL REPORT” and inserting “REPORT”;

(2) in the matter preceding subparagraph (A), by striking “Not later than 2 years after the date of enactment of this Act, and annually thereafter” and inserting “Not later than 2 years after the date of enactment of the Fishery Failures: Urgently Needed Disaster Declarations Act, and biennially thereafter”; and

(3) in subparagraph (D), by striking “the calendar year 2003” and inserting “the most recent”.

### SEC. 4. INTERJURISDICTIONAL FISHERIES ACT OF 1986.

(a) REPEAL.—Section 308 of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107) is repealed.

(b) TECHNICAL EDIT.—Section 3(k)(1) of the Small Business Act (15 U.S.C. 632(k)(1)) is amended by striking “(as determined by the Secretary of Commerce under section 308(b) of the Interjurisdictional Fisheries Act of 1986)” and inserting “(as determined by the Secretary of Commerce under the Fishery Failures: Urgently Needed Disaster Declarations Act)”.

### SEC. 5. BUDGET REQUESTS; REPORTS.

(a) BUDGET REQUEST.—In the budget justification materials submitted to Congress in support of the budget of the Department

of Commerce for each fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), the Secretary of Commerce shall include a separate statement of the amount requested to be appropriated for that fiscal year for outstanding unfunded fishery resource disasters.

(b) DRIFTNET ACT AMENDMENTS OF 1990 REPORT AND BYCATCH REDUCTION AGREEMENTS.—

(1) IN GENERAL.—The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) is amended—

(A) in section 202(h), by striking paragraph (3); and

(B) in section 206—

(i) by striking subsections (e) and (f); and

(ii) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

(2) BIENNIAL REPORT ON INTERNATIONAL COMPLIANCE.—Section 607 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826h) is amended—

(A) by inserting “(a) IN GENERAL.—” before “The Secretary” and indenting appropriately; and

(B) by adding at the end the following:

“(b) ADDITIONAL INFORMATION.—In addition to the information described in paragraphs (1) through (5) of subsection (a), the report shall include—

“(1) a description of the actions taken to carry out the provisions of section 206 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826), including—

“(A) an evaluation of the progress of those efforts, the impacts on living marine resources, including available observer data, and specific plans for further action;

“(B) a list and description of any new fisheries developed by nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation; and

“(C) a list of the nations that conduct, or authorize their nationals to conduct, large-scale driftnet fishing beyond the exclusive economic zone of any nation in a manner that diminishes the effectiveness of or is inconsistent with any international agreement governing large-scale driftnet fishing to which the United States is a party or otherwise subscribes; and

“(2) a description of the actions taken to carry out the provisions of section 202(h) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1822(h)).

“(c) CERTIFICATION.—If, at any time, the Secretary, in consultation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, identifies any nation that warrants inclusion in the list described under subsection (b)(1)(C), due to large scale drift net fishing, the Secretary shall certify that fact to the President. Such certification shall be deemed to be a certification for the purposes of section 8(a) of the Fishermen’s Protective Act of 1967 (22 U.S.C. 1978(a)).”

**SA 2724.** Mr. BLUNT (for Mr. VAN HOLLEN (for himself and Mr. SASSE)) proposed an amendment to the bill S. 3952, to require the imposition of sanctions with respect to foreign persons that have engaged in significant theft of trade secrets of United States persons, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting American Intellectual Property Act of 2020”.

#### SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO THEFT OF TRADE SECRETS OF UNITED STATES PERSONS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the President shall submit to the appropriate congressional committees a report—

(A) identifying, for the 180-day period preceding submission of the report—

(i) any foreign person that has knowingly engaged in, or benefitted from, significant theft of trade secrets of United States persons, if the theft of such trade secrets is reasonably likely to result in, or has materially contributed to, a significant threat to the national security, foreign policy, or economic health or financial stability of the United States;

(ii) any foreign person that has provided significant financial, material, or technological support for, or goods or services in support of or to benefit significantly from, such theft;

(iii) any entity owned or controlled by, or that has acted or purported to act for or on behalf of, directly or indirectly, any foreign person identified under clause (i) or (ii); and

(iv) any foreign person that is a chief executive officer or member of the board of directors of any foreign entity identified under clause (i) or (ii); and

(B) describing the nature, objective, and outcome of the theft of trade secrets each foreign person described in subparagraph (A)(i) engaged in or benefitted from; and

(C) assessing whether any chief executive officer or member of the board of directors described in clause (iv) of subparagraph (A) engaged in, or benefitted from, activity described in clause (i) or (ii) of that subparagraph.

(2) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) AUTHORITY TO IMPOSE SANCTIONS.—

(1) SANCTIONS APPLICABLE TO ENTITIES.—In the case of a foreign entity identified under subparagraph (A) of subsection (a)(1) in the most recent report submitted under that subsection, the President shall impose one of the following:

(A) BLOCKING OF PROPERTY.—The President may, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the entity if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INCLUSION ON ENTITY LIST.—The President may include the entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(2) SANCTIONS APPLICABLE TO INDIVIDUALS.—In the case of an individual identified under subparagraph (A) of subsection (a)(1) in the most recent report submitted under that subsection, the following shall apply:

(A) BLOCKING OF PROPERTY.—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the individual if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) VISA BAN; EXCLUSION.—The Secretary of State shall deny a visa to the individual and revoke, in accordance with section 221(i) of



the Immigration and Nationality Act (8 U.S.C. 1201(i)), any visa or other documentation of the individual, and the Secretary of Homeland Security shall exclude the individual from the United States.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or (2)(A) of subsection (b) or any regulation, license, or order issued to carry out that paragraph shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) NATIONAL INTEREST WAIVER.—The President may waive the imposition of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) not more than 15 days after issuing the waiver, submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

(e) TERMINATION OF SANCTIONS.—Sanctions imposed under subsection (b) with respect to a foreign person identified in a report submitted under subsection (a) shall terminate if the President certifies to the appropriate congressional committees, before the termination takes effect, that the person is no longer engaged in the activity identified in the report.

(f) EXCEPTIONS.—

(1) INTELLIGENCE ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to any authorized law enforcement activities of the United States.

(3) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Subsection (b)(2)(B) shall not apply with respect to the admission of an individual to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(g) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(2) EXPORT ADMINISTRATION REGULATIONS.—The term “Export Administration Regulations” means subchapter C of chapter VII of title 15, Code of Federal Regulations.

(3) FOREIGN ENTITY.—The term “foreign entity” means an entity that is not a United States person.

(4) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(5) TRADE SECRET.—The term “trade secret” has the meaning given that term in section 1839 of title 18, United States Code.

(6) PERSON.—The term “person” means an individual or entity.

(7) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

**SA 2725.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 2724 proposed by Mr. BLUNT (for Mr. VAN HOLLEN (for himself and Mr. SASSE)) to the bill S. 3952, to require the imposition of sanctions with respect to foreign persons that have engaged in significant theft of trade secrets of United States persons, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 22, of the amendment, insert “, subject to subsection (h),” after “shall”.

On page 4, line 19, of the amendment, insert “, subject to subsection (h),” after “shall”.

On page 6, line 4, of the amendment, insert “, subject to subsection (h),” after “may”.

On page 6, line 12, of the amendment, strike “Sanctions” and insert “Subject to subsection (h), sanctions”.

On page 8 of the amendment, between lines 3 and 4, insert the following:

(h) CONGRESSIONAL REVIEW.—

(1) SUBMISSION TO CONGRESS OF PROPOSED ACTION.—

(A) IN GENERAL.—Notwithstanding any other provision of this section or any other provision of law, before taking any action described in subparagraph (B), the President shall submit to Congress a report that describes the proposed action and the reasons for that action.

(B) ACTIONS DESCRIBED.—An action described in this paragraph is an action—

(i) to impose sanctions under subsection (b) with respect to a person; or

(ii) to waive under subsection (d) or terminate under subsection (e) the application of any such sanctions.

(2) PERIOD FOR REVIEW BY CONGRESS.—

(A) IN GENERAL.—During the period of 45 calendar days beginning on the date on which the President submits a report under paragraph (1)(A), the appropriate congressional committees should, as appropriate, hold hearings and briefings and otherwise obtain information in order to fully review the report.

(B) LIMITATION ON ACTIONS DURING INITIAL CONGRESSIONAL REVIEW PERIOD.—Notwithstanding any other provision of law, during the period for congressional review provided for under subparagraph (A) of a report submitted under paragraph (1)(A) proposing an action described in paragraph (1)(B), the President may not take that action.

(C) LIMITATION ON ACTIONS DURING CONGRESSIONAL RECONSIDERATION OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under paragraph (1)(A) proposing an action described in paragraph (1)(B) passes both Houses of Congress in accordance with paragraph (3), and the President vetoes the joint resolution, the President may not take that action for a period of 10 calendar days after the date of the President's veto.

(D) EFFECT OF ENACTMENT OF A JOINT RESOLUTION OF DISAPPROVAL.—Notwithstanding any other provision of law, if a joint resolution of disapproval relating to a report submitted under paragraph (1)(A) proposing an action described in paragraph (1)(B) is enacted in accordance with paragraph (3), the President may not take that action.

(3) JOINT RESOLUTIONS OF DISAPPROVAL.—

(A) JOINT RESOLUTION OF DISAPPROVAL DEFINED.—In this subsection, the term “joint resolution of disapproval” means only a joint resolution of either House of Congress—

(i) the title of which is as follows: “A joint resolution disapproving the President's proposal to take an action relating to the application of certain sanctions with respect to the theft of trade secrets of United States persons.”; and

(ii) the sole matter after the resolving clause of which is the following: “Congress disapproves of the action relating to the application of sanctions imposed with respect to the theft of trade secrets of United States persons proposed by the President in the report submitted to Congress under section 2(h)(1)(A) of the Protecting American Intellectual Property Act of 2020 on \_\_\_\_\_ relating to \_\_\_\_\_”, with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(B) INTRODUCTION.—During the period of 45 calendar days provided for under paragraph (2)(A), a joint resolution of disapproval may be introduced in the House of Representatives or the Senate by any Member.

(C) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(i) REPORTING AND DISCHARGE.—If a committee of the House of Representatives to which a joint resolution of disapproval has been referred has not reported the joint resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar.

(ii) PROCEEDING TO CONSIDERATION.—On Thursdays it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution of disapproval that has appeared on the calendar for at least 3 calendar days to call up that joint resolution for immediate consideration in the House without intervention of any point of order.

(iii) PERIOD FOR DEBATE.—When called up, a joint resolution of disapproval shall be considered as read and shall be debatable for 2 hours equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion.

(iv) VOTE ON FINAL PASSAGE.—It shall not be in order to reconsider the vote on passage of a joint resolution of disapproval. If a vote on final passage of the joint resolution has not been taken on or before the close of the tenth calendar day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged

from further consideration of the resolution, such vote shall be taken on that day.

(D) CONSIDERATION IN THE SENATE.—

(i) REPORTING AND DISCHARGE.—If the committee of the Senate to which a joint resolution of disapproval was referred has not reported the joint resolution within 10 calendar days after the date of referral of the joint resolution, that committee shall be automatically discharged from further consideration of the joint resolution and the joint resolution shall be placed on the appropriate calendar.

(ii) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the committee of the Senate to which a joint resolution of disapproval was referred reports the joint resolution of disapproval to the Senate or has been discharged from consideration of such a joint resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(iii) FLOOR CONSIDERATION.—A joint resolution of disapproval shall be subject to 10 hours of debate, to be divided evenly between proponents and opponents of the resolution.

(iv) AMENDMENTS.—No amendments shall be in order with respect to a joint resolution of disapproval.

(v) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution of disapproval shall be decided without debate.

(vi) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a joint resolution of disapproval, including all debatable motions and appeals in connection with the joint resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(E) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(i) TREATMENT OF SENATE JOINT RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a joint resolution of disapproval received from the Senate (unless the House has already passed a joint resolution relating to the same proposed action):

(I) The joint resolution shall be referred to the appropriate committees.

(II) If a committee to which a joint resolution has been referred has not reported the joint resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the joint resolution.

(III) Beginning on the third legislative day after each committee to which a joint resolution has been referred reports the joint resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(IV) The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(ii) TREATMENT OF HOUSE JOINT RESOLUTION IN SENATE.—

(I) RECEIPT BEFORE PASSAGE.—If, before the passage by the Senate of a joint resolution of disapproval, the Senate receives an identical joint resolution from the House of Representatives, the following procedures shall apply:

(aa) That joint resolution shall not be referred to a committee and shall be placed on the appropriate calendar.

(bb) With respect to that joint resolution—(AA) the procedure in the Senate shall be as described in clauses (ii) through (v) of subparagraph (D); but

(BB) the vote on passage shall be on the joint resolution from the House of Representatives.

(II) RECEIPT AFTER PASSAGE.—If, following passage of a joint resolution of disapproval in the Senate, the Senate receives an identical joint resolution from the House of Representatives, that joint resolution shall be placed on the appropriate Senate calendar.

(III) NO COMPANION MEASURE.—If a joint resolution of disapproval is received from the House, and no companion joint resolution has been introduced in the Senate, the Senate procedures described in subparagraph (D) shall apply to the House joint resolution.

(iii) APPLICATION TO REVENUE MEASURES.—The provisions of this subparagraph shall not apply in the House of Representatives to a joint resolution of disapproval that is a revenue measure.

(F) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to Executive Session and the Committee on Com-

merce, Science, and Transportation be discharged and the Senate proceed to the consideration of PN 2329, PN 2330, and PN 2331, en bloc; that the nominations be confirmed, en bloc, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate and the President be immediately notified of the Senate's action, all en bloc.

There being no objection, the committee was discharged and the Senate proceeded to consider the nominations.

The nominations considered and confirmed en bloc are, as follows:

PN2329

The following named officers for appointment in the United States Coast Guard Reserve to the grade indicated under Title 10, U.S.C., section 12203(A):

#### To be captain

Robert A. Bisang  
Lynn R. Capuano  
Gregory A. Duncan  
Josephine K. Heron  
William J. Knitz  
Neal P. Kite  
Jeffrey W. Kuck  
Kevin P. Lavery  
Sara S. Platt-Moser  
Paul J. Rooney  
Nan O. Silverman-Wise  
Scott H. Wolland

PN2330

The following named officers for appointment in the United States Coast Guard Reserve to the grade indicated under Title 10, U.S.C., section 12203(A):

#### To be captain

Richard A. Howell  
Scott C. Toves

PN2331

The following named officers for promotion in the United States Coast Guard to the grade indicated under Title 14, U.S.C., section 2121(E), including those Reserve Officers who are to be appointed as permanent Commissions Officers Pursuant to 14 U.S.C., section 2101.

#### To be lieutenant Commander

Benjamin S. Aaronson  
Kayla J. Abruzzese  
Hillary R. Adams  
Michael J. Ahlin  
Katherine L. Ahrens  
Karl N. Alejandro  
William A. Allen III  
Jessica P. Anderson  
Lars D. Anderson  
Kimberly N. Angel  
Scott M. Arbeiter  
Steve J. Arguelles  
Johnston G. Ariail  
Matthew A. Arnold  
Wade E. Arnold  
Jacob L. Aulner  
Eric P. Balcunas  
Mechelle N. Ball  
Zachary N. Ballard  
Nathan D. Barnes  
John B. Barrett  
Marie C. Baxter  
John W. Beal  
Samuel H. Beauchamp III  
Steven A. Becker  
Kimberly A. Beisner  
Jeffrey M. Bender  
Patrick G. Bennett  
James F. Berry  
Kyle Bertoluzzi

Albert D. Blaisdell  
 Scott W. Bock  
 Tammy Bolin  
 Theodore J. Borny  
 David T. Bourbeau  
 Zachary T. Bowers  
 Gregory V. Bredariol  
 John J. Briggs  
 Justin P. Brooks  
 Rebecca J. Brooks  
 Alexander J. Brown  
 Samuel T. Brown  
 Jason E. Brownlee  
 Gregory W. Bukata  
 Daniel Y. Burke  
 Michael J. Burke  
 Daniel J. Cahill  
 Joshua R. Cain  
 Michael G. Carman  
 Thomas D. Carman  
 Jason A. Carter  
 Timothy J. Cassel  
 Nyrel S. Cederstrom  
 Laurence S. Chen  
 Francis C. Cheske  
 Joseph C. Chevalier  
 James T. Christy  
 Irving A. Cintron  
 Charles J. Clark  
 Christopher C. Clark  
 Miah A. Clay  
 Richard K. Coleman  
 Megan D. Concepcion  
 Kathleen A. Conway  
 Andrew W. Corwell  
 Michelle A. Cosenza  
 Jesse A. Cremeans  
 Tanya M. Cuprak  
 Brian E. Daugherty  
 James T. Daugherty  
 Benjamin C. Davne  
 Lennie R. Day, Jr.  
 Laura A. Delgado  
 Andrew T. Denning  
 Nicholas G. Derenzo  
 Zachary R. Dietz  
 Sean D. Digeorge  
 Namon R. Dimitroff  
 Daniel F. Dougherty  
 Brian R. Doyle  
 Jonathan B. Duffett  
 Ashley E. Dufresne  
 Brian A. Dykens  
 Brandon M. Earhart  
 Nathaniel L. Eichler  
 Amuel H. England  
 Lawton K. Ennis  
 Alaina M. Fagan  
 Cory P. Fagan  
 Michael B. Farris  
 Dustin S. Faux  
 Jennifer A. Ferreira  
 Micah K. Figueira  
 Jacqueline T. Fitch  
 William J. Fitzgerald III  
 Jessica Flennoy  
 Jennifer B. Flowers  
 Colleen K. Foley  
 Anthony J. Foss  
 Ryan M. Fox  
 Patrick B. Frain, Jr.  
 Coletun A. Frank  
 Peter J. Fransson  
 Daniel A. Fritz  
 Anna E. Funk  
 David A. Gagnon  
 Sean R. Gajewski  
 Jessica M. Galarza  
 Aaron M. Garnier  
 Robert M. Garris  
 Marvin J. Gates  
 Amanda L. Gavelek  
 Amy E. Gayman  
 Allice V. Gholson  
 Adam M. Gibbs  
 Curtis A. Gookin  
 Paul C. Gracey  
 Spencer W. Grinnell

Jenna H. Gross  
 Zachary T. Gross  
 Kenneth W. Hall  
 Scott D. Handlin  
 Bradley S. Hanover  
 Jason M. Harczak  
 Jillian B. Harner  
 Nicholas J. Hathaway  
 Raymond J. Heberlig  
 Keith C. Heine  
 Jason D. Helsabeck  
 Stephen P. Henderson  
 Craig A. Hermiller  
 Karissa L. Hernandez  
 Nicholas D. Herndon  
 Gregory R. Hersh  
 Stephen A. Hills  
 Jillian M. Hoffman  
 Raven R. Holm  
 Walter C. Hutchins  
 Jared R. Hylander  
 Nicholas S. Iannarone  
 Akaninyene A. Inyang  
 Daniel J. Ippolito  
 John R. Jaskot  
 Wesley C. Jones  
 Paul R. Junghans  
 Parish M. Kaleiwahea  
 Shawn P. Karasevicz  
 Lauren K. Keefe  
 Jordan C. Kellam  
 Brenden V. Kelley  
 David Kent  
 Kevin C. Kinsella  
 George C. Kolumbic  
 Eric R. Kolwicz  
 Jared W. Korn  
 Gary R. Kuehn III  
 Angel M. Kwok  
 Anthony P. Laboy  
 Daniel J. Lagdon  
 Jonathan M. Lang  
 Amber L. Larson  
 Michael R. Laurence  
 Mark C. Leahey  
 Jeremiah J. Leggett  
 Harry Lehman III  
 Mihai Leta  
 Ethan S. Lewallen  
 Peter C. Lewia  
 Stefan A. Lewis  
 Quentin L. Long, Jr.  
 Carla Luxhoj  
 Abbie E. Lyons  
 Thomas A. Maca  
 Stephen Macomber  
 Manuel Maddox  
 Elise V. Maher  
 Miguel A. Maldonado  
 Lucas W. Mancini  
 Sean M. March  
 Melissa M. Martinelli  
 John J. Mast  
 Brendan C. Mattina  
 James McCormack  
 Arthur J. McCrohan  
 Zachary W. McCune  
 Hayley J. McElroy  
 Matthew J. McKenney  
 Michelle R. McNally  
 Ian P. McPhillips  
 Matthew K. Meacham  
 Kurtis D. Mees  
 William W. Mendenhall  
 Matthew C. Merical  
 Trent A. Meyers  
 Allison G. Middleton  
 Caroline E. Miller  
 Paul J. Milliken  
 Raymond C. Milne IV  
 Derek R. Mittlefehldt  
 Amanda P. Montour  
 Adam P. Morehouse  
 Blake J. Morris  
 Timothy Mueller  
 Marguerite T. Mullen  
 Ryan P. Mullikin  
 Allison B. Murray

Terdell A. Nash  
 Nathan D. Neuhardt  
 Kate M. Newkirk  
 Vincent H. Nguyen  
 Scott B. Nichols  
 Timothy G. Nicolet  
 Francis A. O'Brien  
 Cory O'Hara  
 Gina R. O'Hara  
 Lars T. Okmark  
 Synge C. Oleary  
 Brian S. Oplinger  
 Carlos M. Ortega-Perez  
 Patrick M. Page  
 Meredith A. Palo  
 Kyle J. Pearson  
 Katherine R. Peet  
 Sharyl L. Pels  
 Marvin A. Pena  
 Darnell R. Phillips  
 Niles C. Pierson  
 Matthew E. Pinhey  
 Parker B. Pouser  
 Dana E. Prefer  
 James C. Provost  
 Meilyn K. Quitiquit  
 Juan J. Ramirez  
 John E. Ramos  
 Michael T. Rathbun  
 John K. Rauschenberger III  
 Chad L. Ray  
 Charles T. Reed  
 Kyle D. Reese  
 John D. Reid  
 Joshua D. Rice  
 Michelle J. Rice  
 Kevin T. Riley  
 Hector F. Rivera  
 Troy L. Robison  
 Anthony M. Rodrigues  
 Matthew V. Romero  
 Spencer E. Ross  
 Braden L. Rostad  
 Donald W. Rudnickas, Jr.  
 Grant K. Rutter  
 Jason Y. Ryu  
 Ruth A. Sadowitz  
 Lindsay A. Sakal  
 Stephanie L. Sala  
 Christopher P. Salerno  
 Loren M. Sancineto  
 Stephen M. Sanders  
 Clark W. Sanford  
 John R. Santorum  
 Nicholas J. Sapiano  
 Mathew T. Schirle  
 Christopher J. Schleck  
 Joseph M. Schlosser  
 Jeffrey J. Schoknecht  
 Lynn M. Schrayshuen  
 Mitchell P. Schumacher  
 Eric A. Schwartz  
 Joshua M. Schwartz  
 Devon M. Schwartzberg  
 Jeffrey M. Schwind  
 Anthony R. Scott  
 Jonathan J. Scott  
 Jacob R. Scritchfield  
 Kimberly K. Shadwic  
 Kevin P. Shanahan  
 Nicholas J. Sharpe  
 Andrew C. Sheehy  
 Jennifer L. Sheehy  
 Erin D. Sheridan  
 Graham S. Sherman  
 Sarah K. Shveda  
 John R. Sloan  
 Kristi I. Sloane  
 Christie L. Smith  
 Christopher H. Smith  
 Lauren R. Smith  
 Marshall D. Smith  
 Matthew A. Smith  
 Taylor J. Smith  
 Andrew R. Snyder  
 Jeremy J. Somplasky  
 Matthew A. Spado  
 Nicholas R. Spence

Travis J. Starsinic  
 Kevin W. Stevens  
 Lauren M. Stewart  
 William A. Stewart  
 Tanner P. Stiehl  
 Carl N. Stokes  
 Luke P. Strittmatter  
 Richard W. Sullivan, Jr.  
 Mark G. Svencer  
 Adam R. Tanner  
 Mark A. Tatara  
 Michael G. Thompson  
 Drake M. Thornton  
 Erin M. Thorpe  
 Robert M. Tolliver  
 Joshua A. Tucker  
 James M. Tynan  
 Kristopher M. Valdez  
 Joshua R. Valdivia  
 David A. Vansickle  
 Nicholas C. Vlasak  
 Derek W. Wallin  
 Jeffrey B. Walsh  
 John T. Waters  
 Richard D. Watkins, Jr.  
 Bryan R. Weber  
 Cameron A. Welicka  
 Keifer B. Wells  
 Kevin P. Whalen  
 Mary K. Wheeler  
 Dimitrios N. Wiener  
 Daniel C. Wilkinson  
 Dion L. Williams  
 Paul N. Williams  
 Ronald J. Williams  
 Timothy S. Williams  
 Megan L. Willmann  
 Charles R. Wilson  
 Heather E. Wilson  
 Nicholas O. Winiarski  
 Kimberly A. Wood  
 Joel R. Wright  
 Benjamin T. Yahle  
 Kevin N. Yen  
 Matthew T. Zangle  
 Vincent F. Zieser  
 Nathan L. Zinn  
 Joshua J. Zirbes  
 Duane T. Zitta

#### EXECUTIVE CALENDAR

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 936 through 946, and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, Navy, and Space Force; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are, as follows:

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Sean K. Tyler

#### IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

#### *To be brigadier general*

Col. Charles R. Parker

#### IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### *To be brigadier general*

Col. Marlon E. Crook

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### *To be brigadier general*

Col. Donald R. Bevis, Jr.

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### *To be brigadier general*

Col. John M. Week

#### IN THE ARMY

The following named officer for appointment to the grade indicated in the United States Army pursuant to title 10, U.S.C., section 624:

#### *To be major general*

Brig. Gen. George N. Appenzeller

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral*

Rear Adm. (1h) Richard D. Heinz

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Wesley R. McCall

The following named officer or appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

#### *To be rear admiral (lower half)*

Capt. Kevin P. Lenox

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be general*

Lt. Gen. Charles A. Flynn

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. Bryan P. Fenton

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

#### IN THE AIR FORCE

PN2369 AIR FORCE nomination of Tanya R. Harrison, which was received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2370 AIR FORCE nominations (20) beginning RYAN K. AYERS, and ending JOSEPH GRADY WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2371 AIR FORCE nominations (53) beginning TERESE L. ALLISON, and ending JONATHAN R. WURZELBACHER, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2372 AIR FORCE nominations (12) beginning MARTIN R. BOOTH, and ending

JEROME JAMES WELLS, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2373 AIR FORCE nominations (6) beginning KIM L. BOWEN, and ending STEVEN R. RICHARDSON, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2374 AIR FORCE nominations (14) beginning MICHAEL A. BLOWERS, and ending JEFFREY L. WISNESKI, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

#### IN THE ARMY

PN2375 ARMY nomination of John C. Downing, Jr., which was received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2376 ARMY nominations (45) beginning KRISTAL. BARTOLOMUCCI, and ending ABRAHAM L. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2377 ARMY nominations (3) beginning ANNE K. BROPHY, and ending JULIAN R. NIERVA, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2378 ARMY nominations (20) beginning JAMES P. ARGUELLES, and ending ROBERT E. WEBB, JR., which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2379 ARMY nominations (62) beginning JESSE T. ADKINSON, and ending D015805, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2380 ARMY nomination of Kip R. Thompson, which was received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2381 ARMY nominations (15) beginning MICHAEL D. ARMSTRONG, and ending LAWRENCE G. WEDEKIND, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2382 ARMY nominations (17) beginning BRIAN R. ABRAHAM, and ending ERIC C. WIELAND, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

#### IN THE MARINE CORPS

PN2386 MARINE CORPS nominations (708) beginning LR. ABNEY, and ending ANDRES F. ZUNIGA, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

#### IN THE NAVY

PN2268 NAVY nominations (2) beginning Joline A. Mancini, and ending Samuel D. Young, which nominations were received by the Senate and appeared in the Congressional Record of September 30, 2020.

PN2383 NAVY nomination of Laura K. Cargill, which was received by the Senate and appeared in the Congressional Record of November 30, 2020.

PN2384 NAVY nomination of Tyler E. Maness, which was received by the Senate and appeared in the Congressional Record of November 30, 2020.

#### IN THE SPACE FORCE

PN2387 SPACE FORCE nominations (6) beginning TYLER N. HAGUE, and ending JOHN M. KENNEDY, which nominations were received by the Senate and appeared in the Congressional Record of November 30, 2020.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

# MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2021

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 110.

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

The legislative clerk read as follows:

A joint resolution (H.J. Res. 110) making further continuing appropriations for fiscal year 2021, and for other purposes.

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

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the joint resolution be considered read a third time.

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

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

Mr. SCOTT of South Carolina. I know of no further debate on the joint resolution.

The PRESIDING OFFICER. If there is no further debate, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 110) was passed.

Mr. SCOTT of South Carolina. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

# ROCKY MOUNTAIN NATIONAL PARK BOUNDARY MODIFICATION ACT

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of the H.R. 5458 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5458) to modify the boundary of the Rocky Mountain National Park, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCOTT of South Carolina. I ask unanimous consent that the bill be considered read a third time.

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

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

Mr. SCOTT of South Carolina. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate on the bill, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5458) was passed.

Mr. SCOTT of South Carolina. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

# PEACE CORPS COMMEMORATIVE WORK EXTENSION ACT

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7460, which was received from the House.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 7460) to extend the authority for the establishment by the Peace Corps Commemorative Foundation of a commemorative work to commemorate the mission of the Peace Corps and the ideals on which the Peace Corps was founded, and for other purposes.

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

Mr. SCOTT of South Carolina. I ask unanimous consent that the bill be considered read a third time.

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

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

Mr. SCOTT of South Carolina. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate on the bill, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 7460) was passed.

Mr. SCOTT of South Carolina. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

# WEIR FARM NATIONAL HISTORICAL PARK REDESIGNATION ACT

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5852, which was received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 5852) to redesignate the Weir Farm National Historic Site in the State of Connecticut as the "Weir Farm National Historical Park".

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

Mr. SCOTT of South Carolina. I ask unanimous consent that the bill be considered read a third time.

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

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

Mr. SCOTT of South Carolina. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having

been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5852) was passed.

Mr. SCOTT of South Carolina. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

# SIGNING AUTHORITY

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that the junior Senator from South Carolina be authorized to sign duly enrolled bills or joint resolutions on Sunday, December 20, and Monday, December 21.

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

# ORDERS FOR MONDAY, DECEMBER 21, 2020

Mr. SCOTT of South Carolina. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon, Monday, December 21; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the date; finally, that following leader remarks, the Senate proceed to 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.

# ADJOURNMENT UNTIL TOMORROW

Mr. SCOTT of South Carolina. 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 9:44 p.m., adjourned until Monday, December 21, 2020, at 12 noon.

# DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

COAST GUARD NOMINATIONS BEGINNING WITH ROBERT A. BISANG AND ENDING WITH SCOTT H. WOLLAND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

COAST GUARD NOMINATIONS BEGINNING WITH RICHARD A. HOWELL AND ENDING WITH SCOTT C. TOVES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

COAST GUARD NOMINATIONS BEGINNING WITH BENJAMIN S. AARONSON AND ENDING WITH DUANE T. ZITTA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

# CONFIRMATIONS

Executive nominations confirmed by the Senate December 20, 2020:

**THE JUDICIARY**

FERNANDO L. AENLLE-ROCHA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

**TENNESSEE VALLEY AUTHORITY**

BRIAN NOLAND, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2024.

**IN THE AIR FORCE**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. SEAN K. TYLER

**IN THE ARMY**

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. CHARLES R. PARKER

**IN THE AIR FORCE**

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. MARLON E. CROOK

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. DONALD R. BEVIS, JR.

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. JOHN M. WEEK

**IN THE ARMY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY PURSUANT TO TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. GEORGE N. APPENZELLER

**IN THE NAVY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral*

REAR ADM. (LH) RICHARD D. HEINZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. WESLEY R. MCCALL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. KEVIN P. LENOX

**IN THE ARMY**

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be general*

LT. GEN. CHARLES A. FLYNN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. BRYAN P. FENTON

**IN THE AIR FORCE**

AIR FORCE NOMINATION OF TANYA R. HARRISON, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH RYAN K. AYERS AND ENDING WITH JOSEPH GRADY WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH TERESE L. ALLISON AND ENDING WITH JONATHAN R. WURZELBACHER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH MARTIN R. BOOTH AND ENDING WITH JEROMY JAMES WELLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH KIM L. BOWEN AND ENDING WITH STEVEN R. RICHARDSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL A. BLOWERS AND ENDING WITH JEFFREY L. WISNESKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

**IN THE ARMY**

ARMY NOMINATION OF JOHN C. DOWNING, JR., TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH KRISTA L. BARTOLOMUCCI AND ENDING WITH ABRAHAM L. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

ARMY NOMINATIONS BEGINNING WITH ANNE K. BROPHY AND ENDING WITH JULIAN R. NIERVA, WHICH

NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

ARMY NOMINATIONS BEGINNING WITH JAMES P. ARGUELLES AND ENDING WITH ROBERT E. WEBB, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

ARMY NOMINATIONS BEGINNING WITH JESSE T. ADKINSON AND ENDING WITH D015805, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

ARMY NOMINATION OF KIP R. THOMPSON, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MICHAEL D. ARMSTRONG AND ENDING WITH LAWRENCE G. WEDEKIND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

ARMY NOMINATIONS BEGINNING WITH BRIAN R. ABRAHAM AND ENDING WITH ERIC C. WIELAND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

**IN THE MARINE CORPS**

MARINE CORPS NOMINATIONS BEGINNING WITH DANIEL R. ABNEY AND ENDING WITH ANDRES F. ZUNIGA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

**IN THE NAVY**

NAVY NOMINATIONS BEGINNING WITH JOLINE A. MANCINI AND ENDING WITH SAMUEL D. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 30, 2020.

NAVY NOMINATION OF LAURA K. CARGILL, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF TYLER E. MANESS, TO BE LIEUTENANT COMMANDER.

**SPACE FORCE**

SPACE FORCE NOMINATIONS BEGINNING WITH TYLER N. HAGUE AND ENDING WITH JOHN M. KENNEDY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 30, 2020.

**IN THE COAST GUARD**

COAST GUARD NOMINATIONS BEGINNING WITH ROBERT A. BISANG AND ENDING WITH SCOTT H. WOLLAND, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

COAST GUARD NOMINATIONS BEGINNING WITH RICHARD A. HOWELL AND ENDING WITH SCOTT C. TOVES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.

COAST GUARD NOMINATIONS BEGINNING WITH BENJAMIN S. AARONSON AND ENDING WITH DUANE T. ZITTA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2020.