



United States  
of America

# Congressional Record

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

Vol. 167

WASHINGTON, WEDNESDAY, FEBRUARY 24, 2021

No. 35

## Senate

The Senate met at 12:01 p.m. and was called to order by the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado.

### PRAYER

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

Let us pray.

Precious Lord, You delight in those who have integrity. Lord, Your Word describes integrity as always trying to maintain a clear conscience before You and everyone else. Inspire our law-makers to obey the voice of conscience, focusing on pleasing You by being true to duty. Lord, provide them with the determination to do what is right and leave the consequences to You. May they receive the smile of Heaven's approval because of their striving to be faithful. Help them to ignore the shouts from the shadows and focus on glorifying You.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 24, 2021.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN W.

HICKENLOOPER, a Senator from the State of Colorado, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Jennifer Mulhern Granholm, of Michigan, to be Secretary of Energy.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

### SCHOOLS

Mr. KENNEDY. Mr. President, I am going to talk for just a few minutes about the need to open our schools. I think you would agree with me because I followed your career—with admiration, by the way—that our country is only as good as its dreams and we are only as valuable as our children. And, in my judgment, we are doing immeasurable damage in this country to our children.

We all know that we had to close down our public schools and our parochial schools and our private schools,

pre-K to 12, because of the coronavirus, but I think most fairminded Americans understand that we need to open them.

The future of this country is education. It is not the level of the stock market. It is not the unemployment rate. It is not who the President is. It is education, and we know that. So why aren't we opening our public schools when we know it is safe to do so?

I am very proud of our efforts in Louisiana. Seventy percent of our public school students are back learning in person—70 percent. And I want to thank every teacher, every parent, every school board member, every maintenance worker in our schools, and anyone who directly or indirectly influenced this result. They are heroes in my opinion. Seventy percent—I am so proud of that.

I especially want to thank our teachers. I have been a volunteer public school teacher in Louisiana for—I don't know—20-plus years. I do it three times a year, and I am a real substitute—none of this go for an hour and talk about how a bill becomes a law. I am a real substitute: quarter to 7 to 3, teach five classes, do your bus duty, your lunchroom duty, and get worn out. So I have some appreciation for what it takes to teach, particularly in this difficult environment, and I especially want to thank our teachers.

But that 70 percent figure that I am talking about, the number of our public school children in Louisiana who are back to in-person learning, is only 40 percent nationwide, and that is an embarrassment. That is a disgrace. We are doing immeasurable damage—immeasurable damage—to a generation of children.

Now, I don't need to tell you we have been struggling with elementary and secondary education for the last 40 or 50 years, and it is very frustrating because Americans can do extraordinary things. We can unravel the human genome. Americans can take a diseased human heart and replace it with a new

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



Printed on recycled paper.

S833

one and make it beat. Americans can send a person to the moon and bring him back or her back. But we struggle to teach our kids how to read and write and understand the meaning of their diplomas when we have 18 years to do it.

Now, there are a lot of reasons for that, and I am sure not blaming anybody, and I don't want to digress. But my point is, we were struggling before the coronavirus. That should tell us that now more than ever, given our circumstances before the coronavirus, we need to take meaningful steps to get these schools back open.

We know that it is safe. The CDC Director under President Trump has said it was safe. The CDC Director under President Biden has said it is safe.

Vaccination across America is—we started out a little rocky, a lot like our testing program, but it is getting much better.

I read an article the other day in the Wall Street Journal, written by a Johns Hopkins researcher, physician, who said, in his opinion, about six or seven times more Americans have had the coronavirus than we know of; therefore, they do have immunity. And he said, coupled with the number of people who have had and survived coronavirus and our vaccine program, which is getting more aggressive every day, we could have a substantial reduction in the number of coronavirus cases by March and April. Indeed, we have seen the decline in the number of our cases now, today, starting from early January. They have declined dramatically. And people smarter than me have suggested it is our vaccines, it is the approach to herd immunity, and, of course, it is the habits that we have developed in terms of social distancing and masking and good hygiene.

But my point is that the experts, the science, all tell us that it is safe. And I have to tell you, I don't mean to be unfair because I know it is complicated, or it can be, and I don't mean disrespect, but I have been very, very disappointed with President Biden. He has flipped and flopped on this issue like a banked catfish. He has said we need to follow science, but he refuses to follow the science in terms of opening our schools.

We know it can be done because we have been doing it in Louisiana. We have done it. If you look nationwide at the number of private schools that are open, back with in-person education, the number of parochial schools, the number of Catholic schools—they are doing it. Why can't we do it in our public schools?

It is not money. For our first five coronavirus bills—I am not counting President Biden's proposed bill. Through our first five coronavirus bills, we have appropriated between \$70 billion and \$80 billion to our public schools to get them back open. Our public schools have spent \$5 billion out of 70 to 80—I think it is \$70 billion. So it is not a matter of money. I think it

is just—I am not sure what it is. I don't want to be a cynic and say that it is a matter of will. But here is what I am asking President Biden to do; here is what I would do if I were King for a day. I am not; I don't aspire to be. But here is what I am hoping that President Biden will do this afternoon: Call a press conference, and look the American people in the eyes, and look our school board members in the eyes and our teachers and our parents and our maintenance workers and say that we need to open up.

If we really believe we are only as good as our dreams, we are only as valuable as our children, then we need to act like it. And I think President Biden needs to call that press conference. He doesn't need to talk about the science, though that is important, or the politics or nibble around the edges. He needs to look the American people in the eye and say: By God, open the schools. Open the schools. Our kids deserve no less.

There is not much I agree with former Congressman and Mayor Rahm Emanuel on, even though I think he is a bright guy, but politically we approach the world differently. But he said when he was mayor that kids drop out—not in the 12th grade. They drop out in pre-K and kindergarten and the first, second, third, and the fourth grades. We are going to lose a whole generation of kids here.

I see I have some additional time while we are waiting on Senator SCHUMER. I think I am going to take my additional time—and I will cut it short if Senator SCHUMER is here—to talk about another issue.

RUSSIA

Mr. President, I want to talk about the European Union's approach to Russia. We know that in February, the Russian Government sentenced Alexei Navalny, a very prominent opposition leader to Mr. Putin, to almost 3 years in prison. And shortly afterward, Mr. Putin directed that thousands of Mr. Navalny's supporters who were protesting be arrested.

What was he—what were his supporters—arrested for? Criticizing Mr. Putin. Navalny's imprisonment comes in the wake of his near-fatal poisoning, about which we have all read. And what happened to Mr. Navalny should be a wake-up call to our friends in Europe. It is certainly a wake-up call to the American people.

This isn't the first time that Mr. Putin has tried to get rid of a dissident. Unfortunately, it probably won't be the last. For years, Russia has been making trouble, both at home and abroad. Mr. Putin has made trouble here in America, about which we all know. Domestically, opponents of Mr. Putin have been arrested. They have died in prison. In some cases, they have been murdered. We all know that.

Now, if this is how Mr. Putin is going to treat his own people, imagine how he would and has treated foreign countries, particularly our friends in Eu-

rope. Russia has launched an unjustified invasion of Georgia. It still controls large parts of Georgian territory. In 2014, Mr. Putin invaded Ukraine. He illegally annexed the Crimea. He started a war in Eastern Ukraine. It cost about 14,000 lives.

But Russia's aggression—Mr. Putin's aggression—and let me say, I am not impugning the people of Russia. They are wonderful people. I admire them deeply. But their leadership, their political leadership, is lacking. And Mr. Putin's aggression begs the question: If NATO troops did not stand in the way, what else would Russia do? Who knows what would happen to Poland and the Baltic States and other countries that were once part of the Soviet sphere.

The Economist puts it this way—I am going to quote:

Russia's gangsterism has become impossible to ignore.

Russia's gangsterism has become impossible to ignore.

But our friends in Europe seem to be doing a pretty good job of it.

The Navalny case shows that criticizing the Kremlin comes with a cost, but it is a cost that we and the European Union can and must bear because the price of appeasement is too high. And our European friends can do it, taken as a group. Senator SCHUMER knows this. The EU's power surpasses Russia's by far. The EU is a bloc of 450 million people. Its GDP is nine times larger than Russia's.

Russia's economy is only slightly bigger than Spain's, and it is smaller than the economy of Italy. A lot of people don't realize this, but Russia—look, I will concede them this: They have nuclear weapons and good spies. But the economy of Russia is smaller than the economy of New York State. So why is Europe so content to be bullied?

I am going to give you a quick case in point. Josep Borrell visited Russia following Navalny's imprisonment. Mr. Borrell is the EU's top foreign affairs official. He allowed—stood there and allowed—Russian Foreign Minister Lavrov—I know Mr. Lavrov. Perhaps you have met him, Mr. President. I understand his personality. He doesn't exhaust himself trying to win friends. But Mr. Borrell, representing the EU, its top foreign official in foreign affairs, stood there and allowed Foreign Minister Lavrov to push him around shamelessly. The Russian Foreign Minister insulted the EU. He called it an unreliable partner while Borrell stood there and said nothing—nothing.

Another example, Germany. Germany is still supporting construction of the Nord Stream 2 Pipeline, a project that is going to leave Europe even more reliant on Russian oil and gas. We are going backward here. This is going to make the EU even more vulnerable to Russian influence because we know that a more independent Europe becomes—the more Europe becomes dependent on Russian energy, the more reluctant it will be to defend itself against its neighbor's bullying.

I don't want to beat this point to death. America is ready to do its part. We have imposed sanctions on Mr. Putin. I support President Biden's attempt to engage our friends in Europe and our effort to try to convince China to become a stable part of world order, but we shouldn't forget to do the same thing with respect to Mr. Putin. Mr. Putin's aggression should teach us something: What you allow is what will continue.

I yield the floor to the distinguished Senator from New York.

#### RECOGNITION OF THE MAJORITY LEADER

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

Mr. SCHUMER. Mr. President, I thank my friend from Louisiana for his erudite remarks, much of which—at least the last part I heard—I agree with.

#### AMERICAN RESCUE PLAN

Mr. President, even now, even as we continue to confirm President Biden's nominees here on the floor, the Senate Democratic majority is busy working on the American Rescue Plan. The country has just suffered from a once-in-a-century event that shuttered thousands of businesses, sapped more than 10 million jobs, and, according to CBO, left a \$17 trillion hole in our economy.

As the distribution of the vaccine finally begins to accelerate under the Biden administration, there is certainly hope on the horizon. But we are a far way off from a full recovery, and it is our job—our job—to help millions of Americans—struggling Americans—through the next several months of difficulty and hasten the day when our country can finally return to normal.

The American Rescue Plan is designed to do just that—keep American families and businesses and schools and workers afloat until they can get back on their feet. And there is a broad consensus that our country needs more support to get through this crisis. Mayors and Governors from both parties support the plan. The Republican Governor of West Virginia told Congress: “[W]e need to go big.”

Economists from across the political spectrum say that our economy needs further support. The Chair of the Federal Reserve, appointed by President Trump, just told us that “the economic recovery remains uneven and far from complete, and the path ahead is highly uncertain.” Chairman Powell, hardly a raving liberal, concluded: “There is a long way to go.”

And it has broad support in America. Seven in 10 Americans approve of the American Rescue Plan. In some polls I have seen, a majority of Republicans approve of this plan—Republican voters, not Republicans here in the Senate.

Now, it is easy to see why there is such broad support. The COVID pandemic is the worst economic crisis since the Great Depression, the worst public health crisis our Nation has

faced in 100 years. But our Republican colleagues say all these groups demanding the \$1.9 trillion American Rescue Plan—business leaders, government officials from both parties, economists from across the spectrum, and 7 in 10 Americans—Republicans say all of them are wrong.

According to a report in CNN, Republican leaders are maneuvering to get every single Republican Member to oppose the emerging legislation—every single one.

Make no mistake, Republicans oppose the American Rescue Plan to the detriment of the country, and they do so at their own political peril. If our Republican colleagues want to oppose direct checks to struggling families; food assistance to hungry Americans; keeping teachers, firefighters, and essential public employees on the job; providing another round of support for small business; helping schools reopen as quickly and safely as possible; speeding vaccinations around the country—well, if congressional Republicans want to oppose all that, my response is, good luck.

The country needs this final push. It is overwhelmingly popular. A new analysis this morning showed another vaccine produced by a U.S. company is safe and effective, which only underscores the need for Federal dollars to accelerate its distribution. It will help millions of American families survive the ongoing crisis, recuperate from the economic hardship of the past year, and set our country on a firm path to recovery.

That is why Senate Democrats have made it the first legislative item on our agenda. By stark contrast, the first action item taken by the Republican Senate majority when they got the majority in 2017 was an attempt to repeal our Nation's healthcare law and rip health coverage away from millions of Americans. Republicans followed it up with a giant tax cut disproportionately aimed at rich corporations and the uber-rich.

The Democratic Senate majority is going to start on a much different note. This week, the House—and soon thereafter the Senate—will start working on President Biden's American Rescue Plan to deliver desperately and urgently needed assistance to the American people.

One final note on this topic—the minimum wage. As it has been reported widely, the Senate Parliamentarian is hearing arguments today on the \$15 minimum wage policy included in the House version of the bill. According to the Congressional Budget Office, raising the Federal minimum wage to \$15 an hour has a significant budgetary impact, which should make it permissible under the Senate's reconciliation rules.

I want to thank all of the hard-working Senate staffers on my staff, Senator SANDERS' staff, and many others in participating in these arguments today.

#### CHINA

Mr. President, on another matter. Everyone knows our country and our economy face daunting challenges beyond COVID-19. While our two parties don't agree on a whole lot, both Republicans and Democrats know that one of the main challenges of the 21st century will be competing with and confronting China.

The roots of this challenge go back decades. When I was first elected to the Senate visiting all corners of New York, I saw entire industries going under as a result of unfair Chinese competition and the manipulation of the currency by China. For decades, China has effectively cheated and stolen its way to economic growth, engaging in brazen theft of American intellectual property via cyber operations, forced technology transfers, the dumping of cheap goods in our economy, and for a while, the pernicious manipulation of its currency. American workers, academics, and businesses of all sizes have paid the price to the tune of millions of jobs and trillions of dollars of wealth.

More recently, China has directed its energy and mercantilist policies toward beating the United States and like-minded countries to the pole position on all leading technologies in the 21st century.

When I say “China,” I mean the Chinese Government and the China Communist Party. The American people have nothing against the Chinese people.

I have made no secret of America's failure to hold the Chinese Government accountable, and that has been a failure of both parties—both parties in the past. After another bout of tough talk, we are not much closer to reining in China's predatory behavior than we were 4 years ago. That is why yesterday, I asked the chairs and members of our relevant Senate committees to begin work on legislation to enable the United States to outcompete China and create American jobs.

At the core of this effort will be the Endless Frontier Act. This is a bipartisan legislation that Senator YOUNG and I sponsored and drafted together over a year ago. It would surge resources into the National Science Foundation and the Department of Commerce to advance American innovation in a number of critical technologies.

We must also consider significant investments, even through emergency appropriations, to rebuild the capacity of the U.S. semiconductor industry. This, too, is a bipartisan effort that Senators COTTON and CORNYN joined Senator WARNER and I, and we placed the original authorizing legislation in the Defense bill.

Right now, semiconductor manufacturing is a dangerous weak spot in our economy and in our national security. Our auto industry is facing significant chip shortages. This is a technology the United States created, and we

ought to be leading the world in. The same goes for building out 5G, the next-generation telecommunications network. There is bipartisan interest on both these issues.

Overall, the new legislation must achieve three goals: one, boost American competitiveness by investing in our economy and our workers; two, leverage our alliances abroad; and, three, stop once and for all China's predatory practices. A number of my colleagues on both sides of the aisle have strong bipartisan ideas on these issues, including Senators MENENDEZ and RISCH, BROWN and TOOMEY, CANTWELL and WICKER. I hope we can all work together to craft a bill that meets that moment.

It is my intention to put this legislation on this topic on the Senate floor for a vote this spring. I urge the committees to continue their work in a bipartisan way so we can have strong legislation before us.

It so happens that today, at the other end of Pennsylvania Avenue, significant work will be done on the same issues. President Biden has invited a bipartisan group of lawmakers to the White House to discuss concerns with the U.S. supply chain, particularly the semiconductor shortage, and will sign an Executive order aimed at plugging the holes. I applaud both the meeting and the Executive order. The new administration is taking a strong first step in shoring up America's critical supply chains and putting a spotlight on American competitiveness.

#### PROTESTS

Mr. President, finally, I want to commend the Rules Committee and the Homeland Security Committee yesterday for holding an important hearing examining the attack on January 6, a horrible, horrible attack. It was the first of what will be many examinations of the events on January 6 and how we can prevent such an attack from ever happening again.

The hearing revealed several security and communication failures that must be addressed going forward and followed up on in future investigations. Regrettably, the hearing also revealed that there are still Members of the Senate Republican minority who are willing to continue the campaign of misinformation, deception, and conspiracy that helped fuel the attack on January 6 in the first place.

Let me be very clear. Blaming the January 6 attack on provocateurs and fake Trump protesters is mindless garbage. It has no basis in fact. Perpetuating and giving a platform to those lies is a preposterous contribution to a Senate hearing devoted to Capitol security. Everyone—everyone needs to move forward by sticking to the facts and engaging in a very serious discussion about the security of the Capitol Complex.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

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

#### CORONAVIRUS

Mr. MCCONNELL. Mr. President, yesterday, I discussed the K-12 crisis facing American families. The science shows that in-person schooling can easily be made safe. Private and religious schools and schools in Europe have been open for months.

But Washington Democrats have apparently bought into Big Labor's myth that schools cannot reopen without even more Federal funding, even though their own plan would only spend about 5 percent—5 percent of the money this fiscal year.

This is just one illustration of how Democrats started with preconceived ideological goals and actually worked backward, instead of starting with the actual needs of American families.

Let's take a look at the economy. When we had to stall our economy to protect our health system, the Senate wrote the bipartisan CARES Act, the biggest rescue package in American history. It spent \$2.2 trillion to save the healthcare system, find vaccines, and support families. We refilled many of those programs with another \$920 billion just last December.

Today, we stand at a very different kind of crossroads. More than 13 percent of Americans have received at least one dose of the vaccine. Manufacturers expect vaccine supply to keep ramping up dramatically in the weeks ahead.

The trillions we spent on rescue policies in 2020 had the economy prepped to come roaring back as health conditions keep improving.

Unemployment today is already lower than where, at one point in this crisis, the Federal Reserve predicted it would be by the end of the year. In some blue-collar sectors, both total employment and job openings are already higher than they were before the pandemic. Retail sales just smashed experts' predictions. Many manufacturers can't keep pace with demand.

Remarkably, even as economic output obviously shrunk in 2020, overall household personal income and personal savings actually went up. That is because of the relief Congress delivered.

There is no question that some American families are still struggling. Nobody thinks our health or economic fight is finished yet, but on a broad national scale, households are sitting on an historic pile of pent-up cash, waiting for the economy to reopen.

The former head of President Obama's Council of Economic Advisers says:

We have no historic parallel with anything like this level of excess saving.

He says we have never seen this much "dry powder."

Even mainstream liberal economists agree that our country does not need another massive fire hose of borrowed money. This is not April of 2020. This is a different chapter. Washington should focus on practical policies to finish this fight: accelerate vaccinations; get kids back in school; help the families and small businesses that actually need help; and get laid-off Americans matched with job openings ASAP.

Unfortunately, the Democrats' partisan proposal would not just be wasteful but, in certain ways, actually counterproductive. It would have Washington go out of its way to discourage hiring, discourage a return to work, and actually keep things shut down longer.

Take the minimum wage policy. The CBO says this abrupt, one-size-fits-all change would kill about 1½ times as many jobs as the number of workers it would lift out of poverty.

Or take their proposal for another long-term extension of a big Federal supplement to unemployment benefits. Even in the middle of last year, it was questionable policy to pay people more to stay home than essential workers were earning while actually on the job. Now another long-term, flat supplement would make even less sense.

Here is how one leading economist puts it:

In an expanding economy that is putting the virus behind it, paying people more in unemployment than they could receive from working is an act of substantial economic self-harm. It would keep workers on the sidelines, stop the unemployment rate from falling as rapidly as it otherwise would, and slow the overall recovery.

Then there is the \$350 billion bailout for State and local governments, many of whom have already seen revenues and receipts rebound. It is several multiples of any sober estimate of the actual need. Apparently, even Senators on the Democratic side are trying to pare back this absurd request—just one more way this proposal seems to be stuck back in April of last year.

I haven't even talked about the hundreds of millions of dollars for pet projects without a shred of relevance to the pandemic or the recovery—money for "climate justice," transportation earmarks for the Democratic leader's home State—all kinds of liberal wish list items that would do nothing to help American families put COVID behind them. Just about 1 percent of the money is for vaccines, so either the new administration has completely taken their eye off the ball or they were not actually starting from scratch at all, like they claimed. Only 5 percent of the education funding would even go out this fiscal year. Only 5 percent of the education funding would go out this fiscal year.

Our own Senate Democratic colleagues are reportedly admitting parts

of this are poorly targeted. Liberal economists and the Washington Post's editorial board are saying Americans deserve more bang for their buck—a predictably chilly reception for a partisan bill that started with an outdated, ideological wish list instead of the current needs of American families.

#### PROTESTS

Now, Mr. President, on a completely different matter, I have been outspoken and clear about the crimes that were committed here on January 6. In my discussions with Judge Garland, the President's nominee to be Attorney General, I specifically raised the need to continue investigating and prosecuting anyone who broke the law that day. I am glad he has repeatedly emphasized this would remain a priority. Everyone agrees that day's events must occasion a serious and thorough review of the specific institutions and security procedures within Congress that proved so insufficient. That process is already underway as we saw with the joint hearing conducted yesterday by two Senate committees.

The Speaker of the House proposes even more investigation through a new commission. She cites the precedent of the 9/11 Commission, but her draft bill fails to track with that precedent in key ways.

The 9/11 Commission was intentionally built to be bipartisan. The 50–50 bipartisan split of the commissioners was a key feature. It both helped the effectiveness of the investigation itself and helped give the whole country confidence in its work and its recommendations. This time, however, Speaker PELOSI started by proposing a commission that would be partisan by design—seven appointments for Democrats, just four for Republicans. The 9/11 Commission also built consensus by requiring bipartisan support for subpoenas. The Speaker's bill would vest subpoena power in one appointee chosen by the Democrats.

Both the Democratic and Republican leaders of the 9/11 Commission are speaking out against this bizarrely partisan concept. Let me say that again. The leaders of the 9/11 Commission—one Republican, one Democrat—are speaking out against the way this proposal is crafted by the Speaker.

Lee Hamilton, the Democratic Vice Chairman of the 9/11 Commission, says: That does not sound to me like a good start; it sounds like a partisan beginning.

That was the Democratic Vice Chairman of the 9/11 Commission.

Tom Kean, the Republican Chairman, pointed out what should be obvious:

Unless you have equal representation . . . the report won't have as much confidence from the American people.

Any undertaking along these lines needs to be fair and needs to be even-handed. That really shouldn't be controversial, and it goes beyond just a makeup of the panel.

For example, the Speaker's proposal imagines something more than an in-

vestigation into the specific security failures that occurred here at the Capitol. It sets the stage for a somewhat broader inquiry into "domestic violent extremism" beyond just that day, but the partisan panel would get to decide which other incidents are and are not "relevant."

Rioting and political violence are abhorrent and unacceptable no matter what cause the mob is advancing. These are not forms of political speech. For almost a year now, we have seen political violence and riots become an increasingly normalized phenomenon across our national life. None of us should accept that.

January 6 was uniquely grave because the intent was to interrupt the constitutional duty of Congress, but if this new commission is to go beyond a targeted, after-action analysis of the security failures here at the Capitol complex and if Congress is going to attempt some broader analysis of toxic political violence across the country, then, in that case, we cannot have an artificial cherry-picking of which terrible behavior does and which terrible behavior does not deserve scrutiny. We could do something narrow that looks at the Capitol or we could potentially do something broader to analyze the full scope of the political violence here in our country. We cannot land at some artificial, politicized halfway point.

Don't take it from me. Take it from the Democratic and Republican leaders of the 9/11 Commission. An inquiry with a hard-wired partisan slant would never be legitimate in the eyes of the American people. An undertaking that is uneven or unjust would not help our country.

The ACTING PRESIDENT pro tempore. The assistant majority leader.

#### CORONAVIRUS

Mr. DURBIN. Mr. President, last week, I was home, as most Members of the Senate were, but I was asked to participate in a Zoom call with two people I highly respect, Dr. Anthony Fauci and Dr. Collins, with the National Institutes of Health. While sitting at my dining room table in Springfield, IL, there were about a dozen Senators who had access to Zoom to be a part of that conversation. I felt like I was privileged to really hear some information which most Americans wanted to hear, and I knew it had to be important for them to ask for a briefing in the middle of the week.

What they were talking about during the course of that hour were variants, what is happening to this coronavirus as it replicates over and over and over again millions of times. What they told us—and I am a liberal arts lawyer, so I don't profess any sort of medical expertise here—was that there were dominant variants that were starting to emerge, and they told us the shorthand description that they used in the laboratories.

I just remember that the first one was the UK, United Kingdom, variant.

They said, by the end of March, which is not that far away—4 weeks plus—it will be the dominant strain of coronavirus in the United States. I was taken aback by that to think that a variant could become that dominant that quickly, but it was fair warning that it was about to occur. Then they talked about the South African variant, which is just starting to appear.

The good news is they have done enough testing to believe that both of the major vaccines we are now using across America, which are Moderna and Pfizer—I have Pfizer, and my wife has Moderna—are effective against the UK, United Kingdom, variant. The jury is still out when it comes to the South African variant. There is a third variant, and I won't venture into trying to remember exactly what that was about, but I remember it had some origin in South America.

I heard that news, and I thought to myself, this is an ongoing battle. We haven't run up any kind of score against this coronavirus. We can't sit back and relax. We are in a very busy third quarter in trying to vaccinate America and in watching for each and every new threat.

So, in that circumstance, if you were the President of the United States, what would you do?

Well, Joe Biden, President Joe Biden, decided that we needed to be aggressive, that we needed to face reality, not only with regard to the half a million Americans who have died but that we need to put together the tools to fight this coronavirus as we know it and as it is likely to evolve. He needs an army to do that. It is that big a war. He came to us with a proposal to start that effort, in a substantial way, under his leadership. He calls it the American Rescue Plan. I hear my colleagues come to the floor and really raise the question as to whether this is needed, and I just heard the speech of the minority leader, Senator MCCONNELL.

What President Biden wants to do to deal with this pandemic, as we know it and as it is likely to evolve, is to provide \$20 billion more for our vaccination program. Does anyone doubt the need for that? I don't. I think it is the key to getting America back to business.

He provides \$50 billion for testing, lab capacity improvements, and genomic sequencing of this virus mutation. Again, I am not an expert in science, but it seems perfectly reasonable to me, after listening to Drs. Fauci and Collins, to make that investment right now.

President Biden wants to invest in 100,000 community health workers to help with the vaccinations and contact tracing—100,000. It seems like a lot, but in a nation of 350 million, I am not sure it is that overwhelming a number. He wants to fund the community health centers so that they will be able to tackle this issue and particularly address the issue of health disparities;

use the Defense Production Act to provide \$10 billion for America's manufacturer of the key equipment we need to fight this pandemic and the next one, God forbid, whenever it may be; and to expand healthcare coverage for Americans in this time of pandemic by subsidizing COBRA coverage. What does it mean? If you had health insurance with your job and you lost your job and you lost your health insurance, we allow people to buy that health insurance that the employer offered, but they have to pay for the whole ride, both the employer's and employee's sides of it, and it turns out to be prohibitive. It doesn't work unless we give a subsidy for that coverage to be extended into your unemployment situation.

And then \$4 billion, which sounds small when we are talking trillions, but \$4 billion for community health—pardon me—behavioral health and addiction services and counseling services.

I learned the hard way over that break as well that we are ignoring the opiate crisis in America, but it is not ignoring us. It is dramatically increasing, primarily because we are not devoting the resources to it. And the mental health situation of many Americans is aggravated by isolation and social distancing, and addiction is even worse.

So I have just described for you the health side of President Biden's American Rescue Plan. I would like to hear any of my colleagues on the other side of the aisle argue with me—I am ready to take them on—that that is not needed. Of course it is needed. It is needed now, and it needs to be an investment we make because if we don't break the back of this pandemic, we are not going to get this economy reopen again, we are not going to get our kids back in school, we are not going to get to see our grandkids the way we want to, our children or grandkids, and we are not going to see America return to what we all desperately want it to return to.

The reason I raise that this morning is when I heard the Senator from Kentucky raising skeptical observations about this plan, I thought back. It was a year ago on the floor of the Senate—nothing short of a political miracle—that the first CARES Act, under President Donald Trump, the first CARES Act passed this Senate with an overwhelming vote of 96 to nothing. That doesn't happen much around here, even for resolutions on motherhood. But 96 to nothing—bipartisan support for the relief bill proposed by President Trump and the Congress in March of last year. It was a good feeling, and we knew we had to do it. We were in it together, and we knew we had a challenge.

Then came last December, just a few weeks back, and again under the Trump administration a proposal for a \$900 billion relief bill for COVID-19. It passed the Senate with 92 votes, 92 out of 100 Senators. It just showed the bipartisanship that we mustered, thank

goodness, when we needed it because the Nation needed it, and we did it together—96 in March, 92 Senators in December. We stood behind that plan even though it had the blessing of a President of a different party at a controversial moment in history. We stood behind it because the American people needed it.

Now comes President Joe Biden, 5 or 6 weeks into his Presidency, and says: Let me take my leadership opportunity and responsibility seriously, and let me come with a \$1.9 trillion American Rescue Plan. Where is the bipartisanship that we saw last year?

I do want to dispute the conclusion of Senator McConnell when it comes to the state of the economy. I did take a few economics courses. I don't profess to be an expert. Let's listen to someone who is: Federal Reserve Chairman Jerome Powell, testifying on Capitol Hill. What did he have to say? Well, he told us that we are in a situation that is far from over. We have an economy that is still challenging.

Here are some things that were left out of the rosy analysis by the Senator from Kentucky:

"There are still 10 million more unemployed people than before the pandemic began." Ten million unemployed American workers. "While many parts of the economy have recovered," Chairman Powell said, "the unemployment rate for the lowest-paid quarter of the labor force is probably above 20 percent." Above 20 percent. "There's a long way to go," Chairman Powell said.

Economic activity rebounded in the summer after much of the economy reopened from spring shutdowns. But that momentum "slowed substantially," in the words of Chairman Powell, with sectors that rely on person-to-person contact, like hospitality and entertainment, enduring the worst blows. "That burden has also largely fallen on low-wage workers, Black and Hispanic Americans, and other minority groups," Powell said.

I don't believe we are out of the woods yet. I believe we have got a long way to go. The American people believe that too.

President Biden believes it, and when he starts talking about getting us back on our feet, he is suggesting extending unemployment insurance programs that expire in just 2 weeks. On March 14, unemployment programs will start to expire, and he wants us to move quickly to make sure that doesn't happen.

I support that effort for two reasons. First, it is humane. We are talking about fellow Americans out of work through no choice of their own. Secondly, putting money into unemployment benefits for unemployed workers is the single best investment when it comes to revitalizing the economy. They do not turn to the Wall Street Journal when they receive those checks; they turn to the mailbox and try to figure out how they are going to pay the rent and pay for the food on

the table. They spend the money. That is what unemployment is all about.

So to have the other side question President Biden's proposal to give unemployment benefits beyond March 14 really says that they are turning their backs on millions of Americans who have no place else to go.

Oh, there is a fear on the other side that we just may be paying people too much. You know, if you give them a little too much money on unemployment, they just might sit home and binge on Netflix and chocolate-covered cherries. Well, I suppose that is always going to happen no matter how you write the laws, but I think a lot more of American workers. I believe they want to get back to work anywhere near the salaries that they left behind. I think they are desperately looking for those opportunities, and we ought to help them in the meantime keep their families together.

Emergency paid leave is still an absolute necessity in light of this coronavirus and the way it deals with us.

I want to also make a plea here for the minimum wage, and I know there is some controversy associated with it.

Mr. President, glad to have you. You are new to the Senate.

Back at that desk there, a fellow named Ted Kennedy used to stand. I used to love to come to the floor when Senator Ted Kennedy of Massachusetts would give his speeches. When he got into it, he was amazing. His booming voice could be heard all over the Senate Chamber, and I never heard him more energized than when he argued for increasing the minimum wage.

Oftentimes he was a lonely voice—there were no proposals before us and none likely to appear—but he never failed to come to this floor and remind us on a regular basis of how we had failed year after year after year to increase the minimum wage.

He would tell the story of people in America getting up and going to work every single day, sometimes two jobs a day, to try to keep their families together and still qualifying for food stamps and assistance from our government. He would ask us when we were going to give them the dignity of passing an increase in the minimum wage.

I can still hear him thundering across the Chamber. I wouldn't want to be in the place of arguing a different position than the one he held because he took it over. I don't have that skill; I wish I did. I am glad to have seen him use that skill so effectively to help people who were just doing their best to get by and struggling.

How many times do all of us give speeches about inequality in America and why we have to do better for the working people? We do it all the time, and everybody knows it is a fact. Wages in America, salaries have not kept up. People at the top have done quite well, thank you, but those at the bottom have struggled to get by.

Try to make it on \$7.25 an hour. I was trying to do a calculation earlier on

just what that is. Is that \$15,000 a year? Is that \$1,200 a month? Is that \$300 a week? Could you make it on \$300 a week? I am talking about everything, now. I am talking about rent and mortgage and car payment, food, utilities—the basics. I couldn't. I don't know how anyone can, and most can't. They fall deeply into debt and into despair.

So when President Biden talks about us reopening the conversation about our Federal minimum wage, it is long overdue—long overdue—and it is an easier issue for me than some because our Governor, J. B. Pritzker, when he took over the State of Illinois, set us on course to reach \$15 an hour as a State over the same period of time that Joe Biden has suggested, by 2025.

I just want to say that those people who are really struggling with the notion of increasing the minimum wage in all fairness really ought to think about the people out there who are struggling to get by week to week and month to month.

There is another proposal that is in this bill that is currently being debated, and it is the \$1,400 addition to the cash payment for many families. I put it in the same category in order to restore equity and opportunity to a lot of people who otherwise wouldn't have it. This is the second installment. The first was \$600 in the bill we passed last December. This \$1,400 payment will help many families.

I want to add one element that was debated a few weeks ago. Senator TODD YOUNG of Indiana, whom I respect and is a friend, had offered an amendment at what was known as a vote-arama as to who would receive this \$600 payment. I think the payment amount has been increased in the latest Biden proposal.

But the point I tried to make and I think he and I agree on, although I won't speak for him, is that if a child legally in America, a citizen of this country, with a Social Security number, lives in a household with parents who are undocumented—they may be working and paying taxes with something called an ITIN—but that child should not be discriminated against or at a disadvantage because of the parents' immigration status. If the children qualify, the children should be receiving those payments. I believe the House reconciliation bill does that, and I hope that any measure that we consider will do the same.

So let me close. I see the Senator on the floor asking for an opportunity to speak.

Yes, I support the American Rescue Plan. Is it possible that I would have written it differently? Yes. Are there provisions I would change? Yes. But I want to tell you, when we passed the CARES Act measure last December, that was true as well.

We are in a time of a national challenge and a national crisis. We have a President who is facing it squarely, taking it on, accepting responsibility, and asking for our help. Can we do anything less?

The PRESIDING OFFICER. The Republican whip.

#### STUDENT LOAN DEBT

Mr. THUNE. Mr. President, earlier this month, 16 Democratic Senators introduced a resolution calling for President Biden to forgive \$50,000 of Federal student loan debt per borrower—\$50,000.

There is no question that student loan debt is a problem for many Americans. College costs have risen to unrealistically high levels, and many students or their parents take out unrealistic amounts of debt in response. But the answer to this problem is not to have the President or Congress simply step in and forgive a large chunk of student loan debt.

To start with, Democrats' plan is incredibly, fundamentally unfair. Right now, there are individuals around this country who have just paid off the last of their student loans. They have been working hard, making payments, sometimes for a couple of decades, as was the case with me. What happens to these individuals if the President steps in and forgives \$50,000 of student debt? Well, I will tell you what happens—nothing. These individuals who have worked hard for years to pay off their debt will see no benefit from the Democrats' blanket loan forgiveness. Meanwhile, other Americans who have made no more than a month or two of payments will see their student loans entirely disappear. That is incredibly unfair. In addition to being unfair, forgiving student loan debt does absolutely nothing to address the problems that created this debt crisis in the first place. In fact, the Democrats' solution is likely to make things worse.

What possible incentive will students have to take the responsible approach to borrowing if they think the Federal Government will step in and solve their debt problem? What incentive will colleges have to restrain tuition growth if they think they can rely on the Federal Government to subsidize their students' tuition fees through loan forgiveness?

Forgiving \$50,000 in student loans would also set a terrible precedent on the sanctity of contracts. While it may at times be ill-advised, students freely enter into the agreements they make when they take out a loan. Should we really be teaching that agreements and contracts mean nothing, that people can incur debt and then not have to pay it off? And about that “not paying it off,” the phrase “student loan forgiveness” carries with it a suggestion that these debts will just disappear, that \$50,000 can be wiped off each American's slate and vanish into the ether.

But, of course, we know that is not the case either. This is money students have borrowed from the Federal Government, and if the Government doesn't get that money back, the Government will be facing an unexpected debt.

Now, some people, especially some Democrats, tend to talk as if the Gov-

ernment draws on an unlimited pot of money, but, of course, we know that is not true. Government funds aren't anywhere close to being unlimited, and Government coffers are not filled from a pot of gold at the end of the rainbow. They are filled by taxpayer dollars, and, sooner or later, it will be taxpayers who foot the bill for any loan forgiveness program, including the many taxpayers who opted not to attend college or chose a debt-free way of doing so. There are a lot of Americans out there who saved up to get a degree or went part-time to avoid incurring debt. Are they really supposed to foot the bill for other Americans' student loans?

While you might think that Democrats' plan is largely targeted to low-income or disadvantaged individuals, that is not actually the case. Under the Democrats' plan, an American making \$20,000 and an American making \$120,000 would receive the same loan relief. In fact, since more loan dollars are held by those in higher income brackets, higher income Americans could end up benefiting the most. And that brings up another thing that we need to remember.

Yes, a number of Americans carry a significant amount of student loan debt, but some of those Americans have incurred that debt for a career that will bring significant financial rewards.

Plus, a substantial portion of student loan debt is not for undergraduate degrees but for graduate and professional degrees. Under the Democrats' student loan forgiveness proposal, taxpayers could be subsidizing not just bachelor's degrees but master's degrees and Ph.D. degrees, as well as law and medical degrees.

Instead of putting taxpayers on the hook for billions, we should be focused on exploring ways to drive down education costs and educate students on the dangers of taking on excessive debt.

We should also be highlighting affordable education options like our Nation's community and technical colleges. These colleges, like the outstanding institutions we have in South Dakota, provide students with associate's degrees, certificates, apprenticeships, opportunities to learn a trade, and more.

There are also things we could do to help students pay off loans without putting taxpayers on the hook for such massive amounts of money. In December, Congress passed a 5-year legislation that I introduced with Senator WARNER to allow employers to help employees repay their loans. Our Employer Participation and Repayment Act amends the Educational Assistance Program to permit employers to make tax-free payments on their employees' student loans.

Previously, employers could make tax-free contributions to their employees' tuition if their employees were currently taking classes, but they



couldn't provide tax-free contributions to help employees with education debts that they had already incurred. Our bill allows them to make tax-free contributions to help with employees' already existing student loan debt. That is a win-win situation. It is a win for employees who get help paying off their student loans, and it is a win for employers who have a new option for attracting and retaining talented workers.

Our bill is not a silver bullet, but it will certainly help ease the pain of paying back student loans for a number of young Americans. I am pleased it was enacted into law for a 5-year period, and I hope Congress will act to make it permanent.

Another big thing we could do is make sure that graduates have access to good-paying jobs. This is key to enabling people to pay off their debt, and we should resolve to build on the economic progress that we had made pre-pandemic and focus on policies that will allow our economy to grow and to thrive.

High college costs and student debt are a problem, but blanket loan forgiveness is not the answer. I hope that President Biden will resist Democratic calls to put taxpayers on the hook for literally billions and billions of dollars in student loans.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

#### REOPENING SCHOOLS

Mr. BOOZMAN. Mr. President, in recent days the Biden administration has backed away from its original goal to reopen most schools within the first 100 days. This comes despite new Centers for Disease Control and Prevention research recommending that schools can safely reopen for in-person instruction.

Arkansas schools reopened their doors in August of 2020. Currently, the Arkansas Department of Education reports that 67 percent of K-12 students are attending school in-person full time, almost 13 percent have a hybrid schedule, and 20 percent are entirely remote.

Natural State school districts invested in cleaning supplies, barriers, and retrofitting classrooms. Educators thought creatively and found solutions to these new problems. And although every school and community has different challenges, they moved ahead with the same goal: finding the best and the safest way to get and keep children and teachers in the classroom.

I had the opportunity to visit several school districts last fall. I was so impressed with their daily efforts to keep their doors open, keep their staff

healthy, and provide the learning that children desperately need.

These heroes need our support. Over the course of this past year, Congress has delivered \$113 billion—and over \$686 million to Arkansas—to support education through the COVID-19 pandemic, including nearly \$68 billion to help bring K-12 students back into the classroom. That money is already hard at work. However, much of it remains to be spent.

Parents can see that virtual learning simply isn't working. If you need more evidence of the unbalanced impact of 100-percent virtual learning, a study by the RAND Corporation in fall 2020 highlighted tremendous areas of concern. Researchers surveyed educators across the country and concluded that State and Federal Governments needed to prioritize making schools safe to attend. One particularly shocking result of the survey found that principals in America's highest poverty schools reported only 80 percent of their students had adequate internet access at home. When schools are virtual, we are knowingly failing 20 percent of those students without even getting to the question of how effective the instruction is or addressing the negative effects on students' social needs and development.

This crisis in education also means that families are falling behind. Women, in particular, are shouldering an incredible burden through this pandemic. In February 2020, women held the majority of nonfarm payroll jobs. They outnumbered men in the workforce for the first time in American history. Today, the number of women in the workforce is at a 33-year low. Much of this is attributed to the outsized role women are playing in balancing their families' financial, educational, and caregiving needs.

Of all the challenges we have faced through the COVID-19 pandemic, the mission of educating children continues to be one of the most critical and complex. It has been rewarding to see educators receive their much needed COVID-19 vaccine. These heroes are essential to our recovery.

Arkansas is setting the example. The Natural State can be proud of the teachers, administrators, and elected leaders who continue to find ways to keep schools open and provide critical services that children deserve. It is time that students in other States have the same opportunities.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Mr. BLUNT. Mr. President, a year ago, schools began to close due to the coronavirus. Teachers quickly scram-

bled to try to figure out how they were going to teach kids who weren't there. They set up virtual classrooms on the internet. Parents started googling activities to keep their children motivated and active, but they didn't start that a year ago. They started 11 months ago. It didn't take long to figure out that kids at home are different than kids at school. And even before that, many parents had to start accommodating their schedule to try to figure out how they were going to deal with this new and unanticipated schedule.

Congress stepped up. On multiple occasions, we passed emergency legislation to get money to schools to clean classrooms, to buy laptops for students, and to do almost anything else that schools thought they might need at the elementary and secondary level. But what started as what I believe everybody thought was a stopgap—certainly no longer than until the weather got hot in the summertime as we finished up the last school year—has become, in many places, permanent, full time now, where students for a year have not been in school. That is despite a lot of widespread consensus that both scientists and medical experts think that kids can be back in the classroom.

The science on studying and learning is also clear that when schools are closed, students suffer. There have been a lot of studies to show that prolonged remote learning puts kids at higher risk for falling behind, for failing classes, for suffering from mental health problems, and, in many cases, just deciding not to show up. And, you know, the one thing about virtual is it is pretty easy to not virtually be there as well.

The risks on all those areas—the mental health problems, the falling behind, the failing grades—are even greater for students with disabilities or for minorities or people who live in generally underserved areas. A study by McKinsey looked at the toll prolonged remote learning has taken on students. It estimated that when it comes to mathematics, students, on average, are likely to lose 5 to 9 months of learning by the end of this school year. It said that students of color—this is according to McKinsey—could be 6 to 12 months behind at the end of this school year. Think about that. One year of remote learning could leave students 1 year behind where they should be in math if you look at these expert studies.

In addition to the academic damage, remote learning has led to an increase in mental health challenges facing students. A report by the Centers for Disease Control and Prevention found that mental health problems accounted for a growing proportion of students' visits to hospital emergency rooms. Visits were up 31 percent for kids between ages 12 and 17 and 24 percent for kids between ages 5 and 11, and according to the CDC, many of those visits are based on a mental health challenge rather



than some other kind of health challenge.

The risk of keeping kids at home are significant. What is worse, they are unnecessary by the growing number of people who are looking at this. Dr. Rochelle Walensky, who is the head of CDC, recently appointed by President Biden—she began her work there on January 21—talked about what we should do earlier this month. She said that there was “increasing data”—“increasing data that schools can safely reopen.” That ends the quote, but she went on to say, even if teachers aren’t vaccinated for the virus.

Anthony Fauci—Dr. Fauci echoed that point. He said: “I would back the CDC recommendation because that is really based on data . . . we need to try and get the children back to school.” That ends Dr. Fauci’s quote. He went on a step further by saying that it is not even workable to wait for every teacher to be vaccinated before schools reopen because, when you think about that, if every teacher had their first vaccine today in the double-vaccine world we are still in, it will be the end of March before every teacher had their second vaccine, and you are so far down the line, before you know it, the school might not be able to reopen in that circumstance.

Dr. David Rosen, a professor of pediatric infectious diseases at Washington University in St. Louis, said:

There is no situation in which schools can’t be open unless they have evidence of in-school transmission.

The Biden White House actually immediately said they just didn’t agree with the experts on this, even the ones in their own administration. The President’s Press Secretary said that Dr. Walensky was speaking in her personal capacity when she said that you can go back to school even if teachers weren’t vaccinated, even though she was speaking in an official White House coronavirus briefing. Now, how the head of the CDC speaks in her personal capacity at an official White House coronavirus briefing on this topic, I don’t know, but that is what happened.

The White House just keeps repeating these points that teachers should be a priority for vaccination. I don’t have a problem with that. I think that would be a great thing. It would make teachers more comfortable and might make parents more comfortable. In fact, when we were debating the budget resolution just a couple of weeks ago, I offered an amendment that would have incentivized school districts to get kids back to school after teachers had been vaccinated. That is more stringent than the President himself has said and more stringent than the CDC has said, but my amendment was blocked on a party-line vote. Every single Member of our friends on the other side voted against an amendment that would say we should incentivize, financially, getting kids back to school when teachers have been vaccinated.

Now, a couple of my friends on the other side walked up and said: Well, we

just need to work this language a little bit because all of us that have kids know how important it is that we get our kids back to school. Democrats say we need emergency legislation to help the schools. I have been part of five bills that did that, and we provided \$67.5 billion for K–12 schools to reopen safely. So far, States have spent just under \$7 billion of that \$67 billion, so clearly money is not the obstacle to getting back to school.

The new plan would give an additional \$128.6 billion for schools, according to the CBO, and, again, only 5 percent of that money would be spent by the end of this fiscal year, only about \$6.5 billion. The rest of the money would be available over the next 7 years. Hopefully, that money is not money that is designed to get kids back to school. We don’t need to be waiting 7 years to get kids back to school.

If schools need money right now, they, first of all, should spend the money that the Congress has already provided. There is no reason to have over \$60 billion still waiting to be spent if that is what it takes to get kids back to school.

This probably isn’t about funding. It is really a discussion about whether the schools should reopen and what else we need to do with money that might be available right now because of this coronavirus legislation.

We need to be sure we get back to school. Our goal should not be to keep the schools closed. If it is, why are we providing all this extra money so that schools can reopen, even though it will be a long time before that is spent?

I started out my career, after college, as a high school history teacher and then later I was a university president. I know the challenges educators face every day and the ways well-meaning policy experts sometimes miss the reality of the classroom. I also know that teachers are used to big challenges. They see them every day. They meet them every day. They do their best every day to overcome the challenges in front of them. Teachers want to help kids learn, and they don’t know what to do when they can’t have the contact they need to have with the kids. They know that kids won’t be doing as well as they need to do, in more cases than not, until they are back to school.

In a recent Axios poll, teachers said they would return to school and are ready to do that. It is really time for a commonsense appraisal of what needs to be done to get kids back in school. This should not be something that we wait till next fall to do. It is something that needs to happen right now.

The CDC guidelines are helpful, but they need to be more flexible. We need to constantly look at all the data. As people working hard to get kids back to school, we need to be sure that we understand where that is working, why that is working, how that is working, and we are getting that information out to school districts all over America. It is time to go back to school.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Ms. ERNST. Mr. President, the experts, the health officials, and the data have made it clear, we can and we should safely reopen our schools. But parents, students, and even some teachers are asking the question: Why have we failed to do that?

There is a pretty simple answer. Politicians are putting political interests ahead of the livelihoods of our kids and of our families. According to the science presented by the Centers for Disease Control and Prevention, CDC, schools can dust off their books and safely open up classrooms to students with commonsense precautions.

Transmission of COVID among students is relatively rare, and classrooms have not been a significant source of community transmission, according to the CDC. Furthermore, the CDC says “it is possible for communities to reduce the incidence of COVID-19 while keeping schools open for in-person instruction.”

So what is the holdup? Despite his CDC’s own advice, President Biden’s administration continues to play games, to ignore the science, and to send mixed messages to the American people.

Their lack of clarity and their reluctance to get students back in the classroom is a detriment to our children, our working families, and our economy.

Just recently, President Biden’s own CDC Director stated that the “vaccination of teachers is not”—not—“a prerequisite for safe reopening of schools” and that “there is increasing data to suggest that schools can safely reopen.” But shortly after her statement, the White House Press Secretary moved the goalposts once again, claiming that the Biden administration’s aim is to have more than 50 percent of the schools offer “some teaching” in person “at least one”—one “day a week” by the 100th day of Joe Biden’s Presidency. One day a week, folks. Yes, you heard it right, have kids in school only one day per week and no sooner than the end of April.

Just days after this, after coming under immense pressure from the American people, including folks on the left, the President moved the goalposts again and threw his communications staff under the bus—a school bus—for the one-day-a-week goal.

Folks, our youngest generation is falling behind. Virtual learning does not give them the attention they need to be successful, and the isolation it creates has had an enormous impact on their mental health.

But it is not just impacting our kids. The closure of schools and childcare centers has disproportionately impacted women, most notably our moms. An analysis from the National Women’s Law Center found that 275,000 women left the workforce in January alone, with many staying home to care

for their kids and often becoming their de facto teachers and tutors.

Women across the country have made enormous strides in all fields of service, and our moms shouldn't be forced to put their careers on hold because our schools, at the direction of this administration, are failing to do their jobs.

In Iowa, because of Governor Reynolds' bold leadership, many of our kids have safely been back at school since August. The Iowa General Assembly passed and the Governor signed legislation to require safe in-person learning in our State's public school system. Now the rest of the country needs to follow Iowa's lead and get our kids safely back in the classroom.

At the Federal level, I am helping lead an effort that would require schools to offer a safe in-person learning option to students by April 30, 2021.

It is increasingly clear that the Biden administration, one that prides itself on following the science, is actually more loyal to leftwing special interests than the well-being of our kids. Science, not special interests, should be guiding these decisions, and that means Washington should not be locking students out of the classroom.

This type of meddling is precisely why I have always been leery of the overinvolvement of the Federal Government in education. So to get our bureaucrats and special interests out of way and to put students first, I am helping lead that effort to require schools to offer safe in-person learning to our students by April 30, 2021.

To guide us through this pandemic, I suggest we follow these revised and updated three r's of education: first, respect the science; second, reopen our schools safely; and third, return students, teachers, and learning to the classroom.

It is long past time schools across the country follow the science and the data. Let's do the right thing by safely getting our kids back in the classroom and help get our parents back to work. The well-being of our children, our working moms and dads, and our Nation's economy depend on it.

Thank you.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I want to thank my colleague from the great State of Iowa for bringing forth her three r's. I think they are very succinct. They are the message that certainly I want to convey with my colleague from the great State of Florida here today: respect the science, reopen the schools safely, and return students, teachers, and learning to the classroom.

A year ago, we were only just starting to realize what COVID-19 was about, almost a year to this date practically. Yet no one could have foreseen that many children would leave their classrooms in 2020 and still not have returned in March of 2021.

Fortunately, during these past few months, we have come a long way in our knowledge of COVID-19. We knew little about how the virus spread when most schools closed last March, but now experts have had the opportunity to learn more about the spread of the disease, specifically as it would spread in a K-12 school environment.

At the end of January, the CDC, the Centers for Disease Control and Prevention, published data showing that in-person learning for K-12 students with limited in-school COVID-19 spread is, indeed, possible. The schools studied adhered to the public health practices many of us have followed—wearing a mask, social distancing, washing hands, avoiding large groups, and quarantining after exposure to the virus.

Since this data was released, CDC has gone on and issued additional guidance for reopening our schools. This guidance focuses on many of the same public health strategies as well as cleaning facilities and additional ventilation.

In addition to the improved knowledge of how COVID-19 affects our schools, we also have safe and effective vaccines. By enabling our teachers and other education professionals to have the vaccine on a priority basis, we continue to forge ahead with reopening our schools.

Yesterday, Dr. Clay Marsh, who is our State's coronavirus czar—he has done an incredibly great job. He has also led our efforts in our successful vaccine efforts. And I want to remind the Nation that West Virginia is No. 1 in vaccine distribution per capita. We have done a fantastic job.

Dr. Marsh said yesterday:

The classroom is a safe place to be.

He continued by saying:

The K-8 classroom—there is a tremendous amount of really good data to suggest that it is even a safer place to be than staying in your community.

Following these comments, our State's board of education voted in favor of our students in kindergarten through eighth grade returning to a full 5-day, in-person learning. It had some blended, some in class, and some at home.

While data we have seen makes a very compelling case for why we can get children safely back into the classroom with the right mitigations, other realities make it even more necessary.

With the option of remote learning at home, there are still many children—especially in States like mine, West Virginia—who struggle with connectivity. Despite robust funding from Congress to attempt to address these issues, the digital divide is very real, and it begins to exacerbate the have-and-have-not phenomenon. As a result, these children can be affected for years.

I hear concerns from parents all over my State. Last year, I had a Mercer County principal tell me that many of the students' parents in their class had to drive their students to a parking lot of a fast food restaurant so they could

get Wi-Fi so they could do their homework.

A constituent from Lewis County recently wrote to my office expressing her frustration with balancing her work with also the remote learning that her children are doing. To make matters worse, they can't get on the internet at the same time in their home.

Another parent from Berkeley County wrote to me with a heartbreaking story about how her daughter cries at the computer because she requires extra help on certain assignments. Parents helping their children on schoolwork can only go so far. In-person attention is absolutely necessary and something that the internet can't solve through a Zoom meeting or a video meeting or what a lot of this is—going to certain assignments on your computer where there is nobody to interact with whatsoever.

These are very real concerns that parents have, a fear that their children will fall behind and are falling behind without access to their schoolwork.

Even more disturbing are the concerns I have heard from child abuse advocates throughout our State. The heightened stress, school closures, loss of income, and social isolation from this pandemic have increased the risk of child abuse and neglect. Yet, without the safe space of the school and the watchful eyes of our teachers and other caring professionals, I fear too many children are falling through the cracks and would have nowhere to turn.

Last week, our West Virginia DHHR deputy secretary said there were 8,000 fewer referrals to child protective services this year in our State. Sadly, we know it is not because it is not occurring; it is because teachers and school employees aren't there to notice the abuse and neglect and report it. This is where our teachers are so incredibly caring and invaluable.

According to data from the CDC, between April and October of 2020, emergency departments nationwide have experienced a rise in the share of total visits from children with mental health needs. In my State of West Virginia, our State board of education has reported a spike in attempted suicides in Cabell County.

In addition, parents have had to make hard decisions as they attempt to balance their careers with their children's education, especially more difficult for those parents of younger children who can't leave their child at home for any period of time as they are doing their schoolwork.

As more workers are being asked to physically return to their workplaces, the lack of in-person learning and adequate childcare is hindering many from returning to work. This is especially true for many women who work outside the home. In fact, many women are having to quit their jobs as a result.

According to data from the Bureau of Labor Statistics, the January jobs report showed that some 275,000 women

left the workforce, while about 71,000 men left the workforce. Overall, approximately 2.4 million women have left the workforce since last February. This has been a common and unfortunate trend we are seeing as a result of the pandemic, and I know for certain it is definitely tied to the fact that schools have not reopened.

West Virginia's State superintendent said recently:

There is absolutely no substitution for a teacher in the lives of a child.

He continued by saying:

There is no substitution for what that means to the community and the families—not just for the academics but for the social, emotional, [and] physical well-being.

He is absolutely right, and this is just another reason why it is so important for our children to return to school safely.

At the same time, I know there is no one-size-fits-all solution. State leaders, local governments, school administrators, and parents must take this data and these recommendations and apply them to the realities they see in their own communities.

Congress has provided \$68 billion in resources for K–12 schools that they could use last year, which schools could use to implement these strategies. For these, this may mean continuing some form of remote learning. For others, including my State of West Virginia, it means bringing every K–8 student to a 5-day school week.

Before I conclude, I want to take a moment to thank the teachers, the parents, and the students who have adjusted and readjusted over the past years.

Despite the many challenges—whether they are technical, logistical, or emotional challenges—you have tried to make it work the best you can, and for that we are all very grateful. But now we have to do the three r's. We must look at the data, listen to the stories, and look at the realities in our classrooms and in our communities.

Get our children back to school. Respect the science. Reopen the schools safely, and return students, teachers, and learning to the classroom, where it should be.

I yield the floor.

The PRESIDING OFFICER (Mr. DURBIN). The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, I first want to thank my colleague from West Virginia and my colleague from Iowa for their focus on getting our kids back in school.

I agree with the three r's: respect the science, reopen our schools safely, and return our teachers and our children to our classrooms.

It has been almost a year since schools first shuttered due to COVID-19. In many States across the Nation, unfortunately, schools remain closed. The consequences are devastating. Being forced to stay at home is taking a significant social and emotional toll, and it also directly impacts our children's future.

Continuing to subject kids to this unnecessary virtual-learning system is not backed by science or facts. I applaud my State of Florida for getting schools reopened quickly and safely.

The science is overwhelming and clear about reopening our Nation's schools. It is safe, and it is necessary for the well-being and the future of students. The CDC confirmed last month that in-person instruction does not pose an increased risk of community transmission. Schools can and should be open, and they can do so safely.

We need to be honest about why we are even having this conversation today. The only reason schools across the Nation remain closed is because my Democratic colleagues and the Biden administration are standing with teachers unions instead of standing up for our children.

For months, we have heard Democrats preach about following the science, but now Democrats don't want to acknowledge the scientific evidence that school reopenings are safe. They are blindly following the teachers unions because they are afraid of losing campaign contributions, and they are pushing a lie that schools can't reopen without more taxpayer money.

Here is the truth: The funding they claim is absolutely necessary for schools to reopen would not even be allocated for 2 or 3 years. According to the Congressional Budget Office, Biden's COVID spending bill would distribute only \$6.4 billion to K–12 schools this year. The remaining \$122 billion would be spent between the years 2022 and 2028.

Here is another fact: Congress has already provided \$68 billion for K–12 schools, but so far States have spent just \$4 billion of that money. Schools don't need more money to open safely. Yet the Biden administration keeps clinging to this lie and doing everything possible to keep schools closed.

Last week, Speaker PELOSI said:

We want as many kids to be back in school as possible. For that to happen, it takes some money.

Also last week, Vice President HARRIS would not directly answer whether it is safe for teachers to go back to school if they are not vaccinated, despite clear CDC guidelines that it is not a prerequisite if other safety measures are in place.

And earlier this month, all 50 Senate Democrats voted against students safely returning to classrooms even after teachers have been vaccinated. We all agree that teachers should be able to receive vaccinations. I will work with any of my colleagues on a way to get vaccines to teachers more quickly.

We all agree that schools should have additional resources to ensure our students and teachers have safe, clean, and healthy classrooms, and we have allocated \$68 billion to do just that right now. But keeping schools closed doesn't make sense. It is hurting our children and America's poorest families the most.

I grew up in a poor family that struggled to make ends meet, and education was life-changing for me, just as it is for families across our great country. Every student in this Nation deserves the option of in-person learning.

It is time for the Biden administration to acknowledge that the best place for children to learn is in the classroom, and it is time for my Democratic colleagues and the President to stop putting union bosses ahead of America's students and families.

Let's get our schools open now.

I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The majority leader.

#### LEGISLATIVE SESSION

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

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

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 8.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Gina Marie Raimondo, of Rhode Island, to be Secretary of Commerce.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 8, Gina Marie Raimondo, of Rhode Island, to be Secretary of Commerce.

Charles E. Schumer, Sherrod Brown, Sheldon Whitehouse, Benjamin L. Cardin, Robert Menendez, Patrick J. Leahy, Alex Padilla, Jacky Rosen, Richard J. Durbin, Tammy Baldwin, Jack Reed, Chris Van Hollen, Richard Blumenthal, Tim Kaine, Martin Heinrich, Christopher Murphy, Maria Cantwell.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum call for the cloture motion be waived.

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

#### LEGISLATIVE SESSION

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

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 13.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Cecilia Elena Rouse, of New Jersey, to be Chairman of the Council of Economic Advisers.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 13, Cecilia Elena Rouse, of New Jersey, to be Chairman of the Council of Economic Advisers.

Charles E. Schumer, Sherrod Brown, Tina Smith, Tammy Baldwin, Thomas R. Carper, Sheldon Whitehouse, Patrick J. Leahy, Brian Schatz, Christopher A. Coons, Jack Reed, Michael F. Bennet, Debbie Stabenow, Chris Van Hollen, Ron Wyden, Martin Heinrich, Bernard Sanders, Edward J. Markey, Cory A. Booker.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum call for the cloture motion be waived.

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

The Senator from Wyoming.

Mr. BARRASSO. Madam President, I ask unanimous consent that I be allowed to conclude my remarks before recessing.

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

#### BIDEN ADMINISTRATION

Mr. BARRASSO. Madam President, I come to the floor today, as I have done twice before over the past month, to sound the alarm about the new administration's attacks on American energy. Yet there is still more to talk about.

President Biden has continued this assault on American energy as well as the American economy. Now he is taking that attack further. He is taking the attack on energy around the world as well as attacking the needs for energy of a number of our allies around the world. President Biden signed an Executive order to cut off all loans for coal, oil, and gas projects in some of the poorest nations in the world.

Now, some of these nations are our friends that we work with and we try

to help, and these are people who desperately need affordable energy, and they don't have it.

Democrats close to the administration have reported that what the administration and President Biden are trying to do is to "isolate" the Chinese Communist Party.

The Biden administration thinks that by refusing to make these loans to folks around the world, that the Chinese Communist Party will be shamed for using fossil fuels for energy and will shame the Communist Party of China for loans that they make to countries to develop coal-fired powerplants, natural gas plants, and other projects that use fossil fuel.

Let me tell you, the Chinese Communist Party will not be shamed. China has a totalitarian regime; China puts Uighurs in concentration camps. So I am not sure what makes President Biden and his administration think that the Chinese Communist Party will be ashamed of using an affordable reliable source of energy—coal.

In reality, President Biden, by this Executive order, is giving China a gift. President Biden is giving China another advantage on the world stage and putting ourselves at a disadvantage, if you think about it.

If the United States and those that we fund through the World Bank refuse to provide loans to those countries to build the powerplants that they need, that is going to leave a vacuum. They are going to need to use the resources that they have—if they have plenty of coal or natural gas—and the Chinese Communist Party is going to come in and make the loan.

China already funds 7 out of 10 new coal plants around the world, and thanks to President Biden's misguided effort, that is likely soon going to be close to 10 out of 10.

Just like President Biden's other energy orders, this new policy will make China stronger. It will make America weaker. China will have more influence, and the United States will have less.

Now, this order is not going to hurt China at all. The people whom it will hurt are those who look to the United States for help and for friendship. It is going to especially hurt the 840 million people around the world who don't have access to electricity today.

Developing countries desperately need the electricity. They need it to be affordable. They need it to be reliable. So if you help developing countries in terms of helping them get a stable supply of energy, it is one of the best things we can do to help people around the world in their fight against poverty.

Many parts of the world, countries with abundant energy resources, just need our help and turn to us for our help so they can use the resources that they have.

And let me give you a good example, Madam President, because you and I have traveled to various places around

the world and had a chance to see men and women in uniform and thank them for their services, as we have done, and gone to battlefields, as we have had family members who have served in the military and defended this country and our freedoms. And it has been a pleasure to be able to do that with you and share that with your family because of our united heritage of fighting or our family history of fighting for the country.

So a good example of what I am talking about is Kosovo. I have been there on three separate occasions specifically to visit members of our troops—the men and women in uniform, people from Wyoming who are serving in Kosovo. I have been there three separate times. I was there in 2019, was there previously for Thanksgiving, was there on Easter Sunday one time to be with the troops.

Well, Kosovo is one of the poorest nations in Europe, but it has vast energy resources. Despite being physically smaller than the State of Connecticut, Kosovo has the fifth largest reserves of coal in the world: small geography, massive resources of coal.

So the World Bank has cut off Kosovo's funding for a new state-of-the-art coal-fired powerplant. They have old coal-fired powerplants. They are burning coal right now.

I have talked to the leaders of the country, and they say: We need to build a new coal-fired powerplant. We need to borrow the money to do it.

Well, the World Bank has said it is only going to support new energy projects from renewable sources. So this is what Kosovo's Minister of Economic Development is saying. He said: "In a poor country [like] Kosovo . . . we don't have the luxury . . ."—the luxury of focusing only on renewable sources when they don't have that much access to renewable energy. The wind doesn't blow that much; in terms of sunny days, not at all during the winter, and they have this incredible resource of coal.

Well, the Minister of Economic Development is absolutely correct—because I have been there in the spring; I have been there in the winter; I have been there different times throughout the year. Developing countries cannot afford the elitist environmental agendas of Presidents who become climate elitists, especially those being put in charge of those issues, former Secretary of State John Kerry.

Let me repeat myself so—I want to just make this absolutely clear: We, the United States, have peacekeeping troops in the country of Kosovo. We have them right there in Kosovo. And we, the United States, are driving the Government of Kosovo into the clutches of the Communist Chinese Party because of a holier-than-thou attitude of the climate alarmists in the White House.

So we pay to put our troops on the ground, and then we say: Go to China if you need help providing power to your country.

People need affordable, reliable energy. Traditional energy projects are still the most affordable, still the most reliable.

If we really care about the people in developing countries, then we ought to help them turn on the lights. So I urge the Biden administration to reverse course, to rethink this, to look at all the implications of the decisions they are making.

We need to stop this senseless attack on energy jobs. We need to stop this reckless attack on developing nations. We need to stop pushing our allies into the waiting arms of the Chinese Communist Party.

The American people and our friends around the world—we are better than what we are getting right now from this administration, and we need to reverse course.

I yield the floor.

### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4 p.m.

Thereupon, the Senate, at 3:07 p.m., recessed until 4 p.m. and reassembled when called to order by the Presiding Officer (Mr. KELLY).

### EXECUTIVE SESSION—Continued

#### CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 9, Jennifer Mulhern Granholm, of Michigan, to be Secretary of Energy.

Charles E. Schumer, Cory A. Booker, Jon Ossoff, Richard Blumenthal, Richard J. Durbin, Alex Padilla, Christopher A. Coons, Margaret Wood Hassan, Sheldon Whitehouse, Robert Menendez, Kirsten E. Gillibrand, Tim Kaine, Tammy Baldwin, Ron Wyden, Mazie Hirono, Tammy Duckworth.

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 Jennifer Mulhern Granholm, of Michigan, to be Secretary of Energy, 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. DURBIN. I announce that the Senator from Georgia (Mr. WARNOCK), is necessarily absent.

The PRESIDING OFFICER (Ms. HASSAN). Are there any Senators in the

Chamber wishing to vote or change his or her vote?

The yeas and nays resulted—yeas 67, nays 32, as follows:

[Rollcall Vote No. 65 Ex.]

#### YEAS—67

Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hickenlooper	Risch
Booker	Hirono	Romney
Braun	Hoeben	Rosen
Brown	Johnson	Rounds
Burr	Kaine	Sanders
Cantwell	Kelly	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Sinema
Collins	Lujan	Smith
Coons	Manchin	Stabenow
Cornyn	Markey	Sullivan
Cortez Masto	McConnell	Tester
Cramer	Menendez	Van Hollen
Crapo	Merkley	Warner
Daines	Murkowski	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Feinstein	Ossoff	Young
Gillibrand	Padilla	
Grassley	Peters	

#### NAYS—32

Barrasso	Hagerty	Rubio
Blackburn	Hawley	Sasse
Blunt	Hyde-Smith	Scott (FL)
Boozman	Inhofe	Scott (SC)
Capito	Kennedy	Shelby
Cassidy	Lankford	Thune
Cotton	Lee	Tillis
Cruz	Lummis	Toomey
Ernst	Marshall	Tuberville
Fischer	Moran	Wicker
Graham	Paul	

#### NOT VOTING—1

Warnock

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 32.

The motion is agreed to.

The Senator from Iowa.

#### BIG TECH

Mr. GRASSLEY. Madam President, last week I held 12 meetings in Iowa. Those meetings are for the purpose of having dialogue with my constituents, mostly answering their questions. As many of my colleagues know, I hold face-to-face meetings with Iowans in all 99 counties every year. It has been a privilege to get to every county in every corner of the State every single year for the past four decades.

People have asked me why I do this. The simple answer is, in our system of self-government, I am one half of a representative government; my constituents are the other half. My county meetings are a good way for me to keep in touch and see for myself the challenges and successes going on in communities across my home State. In recent years, it has become an important way for me to counter disinformation, correct misinformation, and sidestep censorship that Americans digest daily in the mainstream and social media.

Big tech and big data companies, much like State surveillance and Big Brother, share something in common: If left unchecked, Big Tech can undermine the privacy, civil liberties, and constitutional freedoms that every American should hold sacred and should never take for granted.

Responsible digital citizenship is more important now than ever, par-

ticularly with the censoring that is going on. Consumers must be mindful about their digital footprint. Anything typed into a search engine is effectively a digital diary, saved in the cloud for some rainy day. Consumers must be mindful about what is posted, what is downloaded, what is shared, and what is liked on social media platforms.

The road to responsible and accountable digital citizenship isn't solely the consumer's responsibility. Social media companies, as well as content and internet providers, are not exempt from ethical corporate stewardship, especially when the welfare of the next generation is at stake. Keep in mind that human trafficking is a pervasive crime that grooms and blackmails young people on Main Street but also in online communications.

However, having said all those question marks about Big Tech, I think we all realize that Big Tech isn't all bad. Technology companies have revolutionized our way of life and how we connect with friends and family. During the pandemic—and we are still in that pandemic—technology delivered invaluable connections for e-commerce, for digital learning, for teleworking, and for telehealth. However, that doesn't give big tech and big data companies license to undermine constitutional protections or disregard harmful impacts their products and services have on civic life and public trust in our American democracy. Titans of technology need to take responsibility for the products they build, sell, and profit from fellow Americans.

Policymakers and regulators have a duty to shape and enforce the rules of the road. Big Tech and all of its stakeholders, from content makers, social media platforms, and internet service providers, all bear responsibility to understand how their business model puts freedom at risk. Red flags are popping up all over the digital frontier, from recurring data breaches to online censorship, misuse of user profiles, and the recent mess with an online brokerage app.

In the last two Presidential elections, Big Tech has had a big influence on information that appeared or didn't appear in Americans' social media feeds.

Big Tech can't hide behind its business model when its revenue streams cash in on an infrastructure that sows division and distrust among Americans. This ecosystem has been exploited to radicalize political extremism and mobilize civil unrest. Social media companies have reaped the benefits of their enterprise, so these companies bear some responsibility to help repair cracks in the architecture of our civic institutions and also to heal the wounds festering in American life.

Our economic freedom allows social media companies to create a business model that grows their bottom line. Americans need to understand their personal data is harvested for profit.

Advertisers buy the data to influence consumer and voter behavior. The bottom line for every American ought to be ensuring that constitutional protections aren't archived—out of sight, out of mind—in the annals of history.

I am not saying Big Tech is a bad actor, but I am calling on Big Tech to be a good actor. Take responsibility for the online ecosystem you created.

Congress also must take a good, hard look at this famous section 230 we all talk about that has given these platforms great protection—more protection than they probably deserve—and whether, in regard to section 230, there is a need to reform immunity laws on the books. I think there is great reason to do that.

We have seen what happens when conversations take place online versus in person. Take it from me. The tone of conversation was neighborly and civil when I talked with these Iowans last week in Forest City, IA, or Ogden, IA, to answer their questions. However civil that is, it is sure offset by the incivility on these platforms. Incivility outflanks kindness, I think, tenfold in the responses posted on my Twitter account.

We need to work together to heal the unholy civil divide that has taken root online. It is bleeding into our way of life, pitting neighbor against neighbor, and harming the ability of elected leaders to build bipartisan consensus for the public good.

I am here to put social media platforms, the mainstream media, Congress, and the American public on notice: The digital landscape needs a reboot. What we do with this space will influence how young people participate in civic and political life for generations to come.

So, in closing, in the coming days, I am going to have more conversations with my colleagues on this through a series of speeches. I will be talking more about social and mainstream media, censorship, and freedom of speech, particularly on college campuses.

I yield the floor.

The PRESIDING OFFICER (Ms. SMITH). The Senator from Maryland.

#### BLACK HISTORY MONTH

Mr. CARDIN. Madam President, each February, we mark Black History Month by coming together to highlight the achievements and contributions of Black Americans to our national story and remember the centuries of struggle that have shaped our society.

At every turning point in American history, Black American achievements and calls to action have driven our Nation's cultural, economic, and social progress forward, helping to hold to account the promises of freedom and equality for all people that our founding doctrine failed to uphold.

For too long, this history and the names and faces of those who marched, sacrificed, and fought for change have been obscured by prejudice and hate. It is our charge to remember those who

marched for justice and the forces they marched against.

When we ignore the injustices of our past, we cannot make amends in the present. The consequences of such inaction are grave and live on in present day: the ongoing racial and religious profiling, brutality, and killing of Black Americans by police; the high rates of COVID-19 transmission and death in Black communities; and the disproportionate impact this current economic crisis has had on Black workers and Black-owned businesses.

The unemployment rate for Black workers reached 9.9 percent, for instance—far beyond the national average of 6.7 percent, according to the Bureau of Labor Statistics.

These issues, including the broader economic and health consequences of the pandemic, result from systemic failures in place far before the current crisis, and they threaten to worsen racial gaps in wealth, health outcomes, and opportunities for years to come.

Last year, our Nation's fight against racism gained new urgency by a police officer's callous killing of George Floyd in May. The Trump administration and law enforcement's response to peaceful protests further displayed the double standard that still exists in our society today. Protesters were attacked with tear gas and rubber bullets across the Nation and here in our capital as they organized and marched to make it known that Black lives matter. We watched on television as the National Guard forcefully removed peaceful protesters from Lafayette Park to make way for President Trump to walk to St. John's Episcopal Church for a photo op. President Trump brandished a Bible in front of the church while he continued to fan the flames of bigotry, hate, and racism.

The historic election of KAMALA HARRIS as our Nation's first Black female Vice President serves as a reminder of the power of collective action. The Biden-Harris administration gives us opportunity to take meaningful action in government to create a more just society. In the year ahead, we must work together to advance the George Floyd Justice in Policing Act to bring accountability to law enforcement and the JOHN LEWIS Voting Rights Act to combat voter suppression and restore the Voting Rights Act of 1965.

It is our charge to mobilize all levels, from our communities to the Oval Office, to advance social, economic, and civil rights and justice to all Americans. It is time to expel all remaining vestiges of slavery and White supremacy that continue to plague our Nation.

As our National Youth Poet Laureate Amanda Gorman said so eloquently in her inaugural day address, "[B]eing American is more than [just] a pride we inherit, it's the past we step into and how we repair it." Black History Month is a reminder to look to this past and to act on our responsibilities in the present to make our Nation a better place for all of us.

We are still fighting against the vestiges of the institutions of slavery, of targeted violence and resistance in the Reconstruction and the Jim Crow eras, and of the tactics to keep Black Americans from the polls and out of government.

They are not merely footnotes in our history textbooks; they are the lineage of our Nation, the obstacles that have left millions of our citizens behind in the effort to obtain the American dream.

The realization of justice and true equality depends on our work to build a country committed to righting historic wrongs, closing gaps in the opportunity to achieve, and dismantling vestiges of inequality in our foundations. The 28 days in February must set the tone for the entire year—a continued commitment to justice, equality, and opportunity.

Celebrating Black experiences and culture contributes to the greatness of our diverse society. Such a celebration is aspirational, highlighting one of the many fundamental components that make this Nation a beacon around the world despite our flaws.

For the past 40 years, House Majority Leader STENY HOYER celebrated Black History Month by hosting a breakfast for political and civic leaders and inviting illustrious keynote speakers. Past speakers included then-Senator Barack Obama and Congressman John Lewis. Congressman ANTHONY BROWN joined the effort to bring so many of us together for this 40th Annual Black History Month Celebration and featured Vice President Harris as the honored guest and keynote speaker.

I would like to acknowledge the planning committee for this year's event, including Jackie Rhone and the former chair, Betty Richardson. Through their hard work, the celebration is a true success that everyone who participates looks forward to year after year.

This year's event focused on the identity, representation, and diversity of the Black family. Maya Angelou once said:

I sustain myself with the love of my family.

The lasting bonds we have with our families sustain us through life. For many, our families serve as our home base through times of triumph, trial, and tragedy.

The past year was a tumultuous year, from the COVID-19 pandemic, which has disproportionately harmed African Americans much more severely than others, to the resounding calls for racial justice and racial equity, which have long been overdue. Through all of the turmoil, 2020 brought us together to appreciate and celebrate the gifts of life, family, and diversity. As we celebrate Black History Month and moving forward, we can recommit ourselves to promoting and celebrating diversity and advancing civil rights in our society. Black history is American history. It is a story of oppression, struggle, and, if we are to be true to our founding premise, redemption and equality.



I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll.

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

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

(The remarks of Ms. COLLINS pertaining to the introduction of S. 436 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. Seeing no one seeking recognition, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

#### REOPENING SCHOOLS

Mrs. BLACKBURN. Madam President, I know that some of my colleagues have been talking about schools, getting children back to school, getting schools reopened. Indeed, in Tennessee, that is a topic that has received a good bit of conversation. All but two of our school systems have been open and working this entire school year, and those other two systems have recently reopened since the first of the year. Our school superintendents, our directors of school, our parents, our teachers, and the students have all worked together as a team—a solid, cohesive team—to make this happen.

I think there are two main points that we have seen, and as we are holding meetings with our county elected officials and city officials and as they talk about the efforts that they have made in getting children back into the classroom, we hear a lot about one point. That is that our Governor, Tennessee Governor Bill Lee, made it clear that the school districts would be responsible for the "how" they were going to open and the "when" they would be reopening. I really thank him for listening and recognizing that local officials and individuals in the community really do know what is best for their school districts and their students.

The second point is that these plans didn't just drop out of the sky. As I said, this has been a team effort in our communities, and it has happened because there was this agreement between the administrators and the parents and the teachers that they were going to make decisions that were going to be best for the children. So when you look at Tennessee and how they have approached this—indeed, the schools reopening and how they proceeded—it was done with the children in mind.

Last week, I had the privilege of speaking with school administrators from West Tennessee, who played a part in developing their own reopening plans. I cannot adequately describe to you with the time that we have on the floor today the amount of work and the thoughtfulness that they put into these schedules, from health and safety con-

siderations, to scheduling changes, to the complicated logistics of social distancing and cramped classrooms. They thought it all through by walking through the day and listening to what teachers and parents had to say as to how they would walk through this day.

They took the millions of dollars in CARES Act funding that the area received, and what did they do with that money? They invested in the best possible plan for these kids—no Federal mandate or sweeping litmus test required. They said: We are going to do what is right by these children.

Then, of course, they turned on the TV, and they saw that the Biden administration was busy walking back their own enthusiastic scientific guidance on safely reopening schools—walking it back—and they didn't have to flip too many channels to figure out why. Powerful teachers unions had taken their own stands in refusing to make a plan, in refusing to think things through, and in some cases in refusing to go to work at all—not doing what is best for the children but doing what was going to serve their interests first and, in their opinions, what would best serve their interests. That, I think, they will see were regrettable actions.

Educators in Tennessee were not just confused by what they saw; they were insulted because they knew exactly what was happening. On January 26, CDC officials released a study showing that, if we were careful, safe reopening was indeed possible. Administration officials touted that report as a light at the end of a very long COVID pandemic, but now, just a few weeks later, those same officials are defying their own experts, insisting that safe reopening can only happen if Congress approves additional funding contained in the Democrats' latest, untargeted spending bill.

Students in this country are suffering. They are lonely, they are bored, and many of them are struggling with clinical depression and anxiety. Teen pregnancy, teen alcohol, and suicide rates are rising. Children need to be in in-person school.

The American Academy of Pediatrics has repeatedly stated—bear in mind, this isn't something that I am saying; it isn't something that is partisan; it is the American Academy of Pediatrics—that it is not only feasible but necessary for students to be back in school, back in the classroom, back to seeing their friends, back to participating in extracurricular activities and sports.

I would ask my colleagues across the aisle to keep this in mind when they hear from so-called stakeholders who are willing to hold a child's mental health hostage in exchange for a political win that will serve their power and their purposes and not that of the child's. They might have powerful voices in the cable news circuit, but those sound bites will provide you no cover back home with the teachers and

administrators who have rolled up their sleeves, have gotten to work, and have figured out a way to get schools open for the children.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Madam President, outrage—that is what American families should be feeling right now, and many are. We are seeing President Biden and the Democrats support opening the border, the southern border, for illegal immigrants while bowing to political pressure and keeping many of our Nation's schools closed for our students—opening the southern border for illegal immigrants, closing our Nation's schools for our students.

Schools across the Nation remain closed to in-person instruction largely due to teachers unions and their influence on many of our local and Federal leaders on the other side of the aisle—all, unfortunately, to the detriment of the education and the health of our students.

In States and localities where schools remain closed, America's youngest and brightest minds are posed with challenges that generations before have never dealt with. Children are continuing to cope with the unprecedented hardship of virtual classrooms, a lack of social interaction with their peers, and other impediments to their education. But this isn't because of the pandemic itself; it is because President Biden, the Democrats, and local leaders have caved to the political pressures of teachers unions and have kept many classrooms closed and students at home despite what the available science and other experts are telling us. The science is clear: Schools are not major COVID-19 spreading grounds, and younger students are a low-risk group. Studies indicate that students across the country are months behind where they should be academically.

The hardships our students face go beyond academics because the mental and physical health of children has also taken a toll. We are seeing depression and anxiety rates skyrocket among our young people. I was on a call today, a Zoom call, with several elementary school principals in Montana, hearing their firsthand, frankly, tragic accounts of what is happening with the mental health of our students in elementary school and hearing about elementary school students assaulting teachers. A whole year without full-time, in-person learning has done irreparable damage. The status quo is truly devastating to many of our students. Despite this—despite the science, despite the overwhelming data—schools across the country, in many parts of our country, remain closed.

Frankly, it is unacceptable that many of my colleagues across the aisle and the Biden administration are standing by while this happens to our students across our country. They have chosen to play politics with our Nation's students instead of ensuring that

our children are getting the very best education possible, which is full-time, in-person instruction. They are intent on jamming through this partisan \$1.9 trillion COVID package, which does include billions of dollars for schools.

Incidentally, in working together, we have passed five bipartisan COVID relief packages. Yes, it is harder to work in a bipartisan fashion, but that is why we were sent back here to Washington—to work together. Yet President Biden and the Democrats are saying: We are going to do this one alone. It is going to be their way or the high-way.

The sad reality is, the more the American people hear what is in this \$1.9 trillion package, the more they are not going to like it. Most of the money in this package is not to be spent now. In fact, 95 percent of it will be spent over the next 7 years, after the crisis. We should not use this COVID crisis as a liberal wish list of items here wherein 95 percent of it gets spent in the out-years. How does this help our students and our schools now? The answer is, it doesn't.

This is not how we solve the problems that our students are facing. Fortunately, there is a pretty simple solution. It is this: Listen to the experts. Listen to the science. Reopen our schools, and let's get our students back in the classroom.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

TEXAS

Mr. CORNYN. Madam President, we have had some bizarre weather in my State in the last week or so. We are still reeling from a deadly winter storm that hit all 254 counties in the State of Texas last week.

The snowstorm brought snow, ice, and prolonged subfreezing temperatures. We don't have temperatures below zero in Texas—or at least we haven't for a long, long time, but we did last week. As a result, it paralyzed much of our critical infrastructure, leaving millions without electricity, leaving them without heat, and leaving them without running water for days on end.

The good news is that power has now been restored for the vast majority of Texans, and cities are slowly lifting water boil notices as water filtration systems come back online.

But a number of families are still facing outages, and as we have seen during previous disasters, low-income and minority communities are the hardest hit. Our top priority is to restore power and clean water to every single Texan.

Throughout this episode—this tragedy, really—my staff and I have been in contact with local, State, and, of course, Federal officials to determine what kinds of things we can do to help and how we can mobilize resources as soon as possible. As recovery efforts continue in the coming days and weeks, I will continue to try to do that.

This is not unlike what we have to do periodically for hurricanes that seem to find their way to the State of Texas. But in this case we know that some of the problem was not an act of nature; it was a failure to anticipate these subfreezing, subzero cold temperatures. So we have got to ask not only "What happened?" but "How can we prevent it from happening again in the future?"

As I said, we experience, from time to time, hurricanes, occasionally tornadoes and tropical storms or record-low temperatures, but we cannot allow our infrastructure to go offline for days on end.

I want to thank the countless Texans who supported each other during this crisis. There are those that have gone above and beyond the call of duty in their official capacities, whether it is as first responders, emergency dispatchers, utility and energy workers, healthcare workers—the list goes on and on.

But there are also the unsung heroes—those who invited neighbors into their homes, delivered hot meals to those in need, checked on an elderly neighbor, those who towed vehicles stuck in the snow, and so much more.

I just want to assure all of my constituents that we are in this together, and we will do everything we can not only to find out how this happened but what we can do to make sure it never happens again.

CORONAVIRUS

Madam President, on another matter, as you know, this week our Democratic colleagues in the House are continuing to take action on President Biden's relief bill, using the budget reconciliation process.

It is really not so much an issue in the House, where you can do anything you want, basically, with a majority vote. But if all goes their way, our Democratic colleagues will write a \$1.9 trillion check, funded by taxpayers—future taxpayers because it will be borrowed money—without the input of a single Republican in Congress, either in the House or in the Senate.

We know that there are 10 Republicans who went over to the White House, had a very pleasant meeting with President Biden, but were essentially told: My way or the highway. Any effort to try to come up with a bipartisan compromise was rejected.

Regardless of your political affiliation or views on this particular bill, that fact alone should trouble every single American. After all, there was no need for partisan maneuvering to pass a coronavirus relief bill last year. As a matter of fact, we passed five of them. All of them were signed into law with overwhelming bipartisan support. No bill received fewer than 90 votes here in the Senate. One even passed unanimously.

Of course, the reason for the widespread support wasn't because Members thought these relief packages were perfect. There were things I would have changed if I had had a chance, and I am

sure others would have made other changes.

But each bill was a clear response to the crisis at hand and free from any unrelated partisan priorities. In other words, it was focused on COVID-19 relief.

Suffice it to say that the same cannot be said about this latest piece of legislation, this \$1.9 trillion bill being rammed through Congress by our Democratic colleagues.

Overall, I have three concerns with this legislation. First, it would dramatically overspend in areas that aren't even in need of additional funding.

In the early days of the pandemic, we had no real expectation about how long the crisis would last or how big a blow it would deal to our economy. After the CARES Act was signed into law in March, late March, it made sense to hit the pause button so we could see how what we did was working—what was working well and what was not working so well. Where was more assistance needed? Where was it sufficient?

These needs became obvious pretty quickly. One example was the Paycheck Protection Program. Within 2 weeks of passage of \$350 billion worth of relief, it ran dry—in 2 weeks. So we quickly came together on a bipartisan basis to replenish the fund with additional money, and we did so again at the end of the year.

This sort of bipartisan, step-by-step approach is the most effective way to get funding where it is needed without wasting money on already well-funded programs.

But, unfortunately, our friends across the aisle didn't apply that same logic to this \$1.9 trillion piece of legislation, which sends hundreds of billions of dollars to areas that are nowhere near running out of money.

One example is public education. So far, Congress has provided more than \$110 billion to support K-12 education, including \$68 billion in the relief bill passed just in December. Schools in Texas have used this money to update their ventilation systems, purchase masks and personal protective equipment, and make other investments in classroom safety. But the vast majority of the funding that was provided in December is still waiting to be used. In other words, there is no current need for any more money from Congress.

As a matter of fact, as of February 9, States have spent just under \$5 billion of the \$68 billion we have already provided for K-12 education. They have spent just \$5 billion out of the \$68 billion.

As a reminder, in December, the CDC—the Centers for Disease Control—estimated schools would need only about \$22 billion to reopen safely, meaning there is already more than enough money to support safe school reopenings. But that data-driven estimate from the experts doesn't seem to matter to our Democratic colleagues or the administration, who are preparing

to drop another \$130 billion for public education. So \$5 billion has been spent out of the \$68 billion we have already appropriated, and our Democratic colleagues now want to spend another \$130 billion.

Since most of the existing funds remain to be spent, the nonpartisan Congressional Budget Office estimates that the bulk of spending of this new proposed funding would occur after this year, after 2021; that is, the majority of the funding in this new so-called COVID relief bill wouldn't even be touched until, God willing, the pandemic is already in the rearview mirror.

I have advocated for funding to help our schools prepare for a safe return to the classroom, and the experts tell us that there is more than sufficient funding already out there to make that happen. So I am left to conclude, as I think most—really, any reasonable person would, that it is irresponsible to have taxpayers foot the bill for another \$130 billion when there is no need for the funding.

And this isn't like we are spending money that we have. We are actually borrowing money from future generations, exacerbating an already huge Federal debt.

That brings me to the second concern I have with this bill: It completely ignores the trajectory of our economic recovery.

At the start of the pandemic, we all know the economic hammer came down hard and fast. As States imposed lockdown measures, businesses closed their doors, people lost their jobs, and consumer spending plummeted.

But as the pandemic has gone on, even the more moderate predictions about an economic depression have proven wrong. By any measure, our economy has recovered faster than any of us expected. That should be a positive thing. We should be happy about that.

The unemployment rate has steadily declined, going from 14.8 percent in April to 6.3 percent last month. State tax revenues have largely rebounded. As a matter of fact, California has fared so well that it is adding money to their rainy day fund. In other words, they don't need any more money. Their revenues have exceeded their revenues from years before the pandemic even hit.

The Congressional Budget Office projects that the U.S. economy will return to its prepandemic size by the middle of this year, even if Congress doesn't approve another penny of money. Let me say that again. The Congressional Budget Office projects the U.S. economy will return to its prepandemic size in the middle of this year—just a few months away—even if Congress does not approve any more Federal money to aid the recovery.

Well, it is tough to reconcile that fact with the claim from our friends across the aisle that we need to spend another \$1.9 trillion, money that we don't have.

Despite all the data that shows our economy is recovering, rebounding in a robust way, this bill sends another \$350 billion to State and local governments that are not facing the dire budget shortfalls that we worried about last March. And it is not without negative consequences.

Larry Summers, who served as the Treasury Secretary during the Clinton administration and who was an economic adviser to President Obama, offered a good observation on the situation in a recent opinion piece. He wrote:

[W]hereas the Obama stimulus was about half as large as the output shortfall, the proposed Biden stimulus is three times as large as the projected shortfall. Relative to the size of the gap being addressed, it is six times as large.

For this administration to make public comments about following the science—certainly, following the facts, listening to the experts—it is hard to reconcile that with this bill that is so divorced from reality. I don't think you can do it, which brings me to my third big concern with this bill: This is not a COVID-19 relief bill in its entirety. It includes a range of completely unrelated, liberal priorities that should not be included in this emergency spending, let alone one that is rushed through in a partisan manner through the budget process.

One case in point is the proposed increase in the minimum wage to \$15. Regardless of the cost of living, businesses in small towns and major cities alike would be required to pay their employees \$15 an hour by 2025. Now, for big companies in big cities, that may be doable. That may be the going rate to get the kind of quality workforce you want. As we know, companies like Amazon have already implemented their own \$15 an hour minimum wage back in 2018, and they can afford it. But for small businesses that are the backbone of our economy and are key to our economic recovery following this pandemic, this could lead to massive layoffs or permanent closures.

The Congressional Budget Office that I referred to earlier estimates that this provision alone could put 1.4 million Americans out of work. Do we really want to pass a provision that would put 1.4 million Americans out of work? That is 50 percent more than it could potentially lift out of poverty.

As a reminder, our colleagues are trying to rush this massive change through Congress as part of a pandemic relief bill because they know that it is the only shot at passing a bill that would have this sort of dramatic negative effect on jobs—all under the guise of economic relief and stimulus. There is simply no way to justify a one-size-fits-all mandate that treats Silicon Valley the same as it does mom-and-pop businesses in rural America.

And the range of unrelated provisions doesn't stop there. This legislation includes \$30 billion for public transit agencies, a blank check to bail out

mismanaged union pension funds without any reforms, and funding for a bridge to connect the majority leader's home State of New York to Canada. So we are going to build the majority leader a bridge to Canada as part of an emergency COVID-19 relief bill. It is outrageous. Everyone remembers the infamous earmark now known as the bridge to nowhere. At least in this case we know where the bridge will end up. But a pandemic relief bill should not serve as a Trojan horse in order to pursue such parochial and local desires or any other part of an unrelated liberal wish list.

So the Biden bill of \$1.9 trillion actually creates more problems than it solves or it tries to solve nonexistent problems. It drives up our national debt by spending money that experts say is not needed. It ignores the data—the facts about our economic recovery—and it creates even more problems, all in the name of securing a win for the administration and our Democratic colleagues. It is as though this bill were drafted in a vacuum with no attention paid to what has already been done, how things are going, or what we anticipate the need will be in the future.

If the evidence and the experts tell us that more funding is needed to bolster our response to the virus, I will be one of the first people to advocate for additional targeted relief. But this race to spend money for the sake of spending money and ignore what the experts are saying is absolutely disgraceful.

The two parties have done much better than this. As I said, last year, we passed five COVID relief bills on a bipartisan basis because we all were trying to come together and meet a common enemy—the COVID-19 virus and the consequences of the pandemic. But it seems like this \$1.9 trillion wish list is divorced, really, from the COVID-19 relief that we did in the past and is designed purely for partisan political purposes, and I think it is an unfortunate development in an area where we have so successfully worked together in a bipartisan way.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Minnesota.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

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

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

#### SENATE COMMITTEE ON ARMED SERVICES RULES OF PROCEDURE

Mr. REED. Mr. President, pursuant to rule XXVI, paragraph 2, of the

Standing Rules of the Senate, on behalf of myself and Senator INHOFE, I ask unanimous consent that a copy of the committee rules governing the procedure of the Committee on Armed Services be printed in the RECORD. These Rules were adopted by committee by voice vote on February 11, 2021.

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

UNITED STATES SENATE COMMITTEE ON ARMED SERVICES RULES OF PROCEDURE, 117TH CONGRESS

1. Regular Meeting Day—The Committee shall meet at least once a month when Congress is in session. The regular meeting days of the Committee shall be Tuesday and Thursday, unless the Chairman, after consultation with the Ranking Minority Member, directs otherwise.

2. Additional Meetings—The Chairman, after consultation with the Ranking Minority Member, may call such additional meetings as he deems necessary.

3. Special Meetings—Special meetings of the Committee may be called by a majority of the members of the Committee in accordance with paragraph 3 of Rule XXVI of the Standing Rules of the Senate.

4. Open Meetings—Each meeting of the Committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee thereof on the same subject for a period of no more than fourteen (14) calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated below in clauses (a) through (f) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings

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

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

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

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

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

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

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

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

5. Presiding Officer—The Chairman shall preside at all meetings and hearings of the

Committee except that in his absence the Ranking Majority Member present at the meeting or hearing shall preside unless by majority vote the Committee provides otherwise.

6. Quorum—(a) A majority of the members of the Committee are required to be actually present to report a matter or measure from the Committee. (See Standing Rules of the Senate XXVI.7(a)(1)).

(b) Except as provided in subsections (a) and (c), and other than for the conduct of hearings, nine members of the Committee, including one member of the minority party; or a majority of the members of the Committee, shall constitute a quorum for the transaction of such business as may be considered by the Committee.

(c) Three members of the Committee, one of whom shall be a member of the minority party, shall constitute a quorum for the purpose of taking sworn testimony, unless otherwise ordered by a majority of the full Committee.

(d) No measure or matter or recommendation shall be reported by the Committee in the absence of the concurrence of a majority of the members of the Committee who are present. The Chairman of the Committee shall transmit notice of a tie vote to the Secretary of the Senate in accordance with Section 3 of S. Res. 27, February 3, 2021.

(e) Proxy votes may not be considered for the purpose of establishing a quorum.

7. Proxy Voting—Proxy voting shall be allowed on all measures and matters before the Committee. The vote by proxy of any member of the Committee may be counted for the purpose of reporting any measure or matter to the Senate if the absent member casting such vote has been informed of the matter on which the member is being recorded and has affirmatively requested that he or she be so recorded. Proxy must be given in writing.

8. Announcement of Votes—The results of all roll call votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report, unless previously announced by the Committee. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee who was present at such meeting. The Chairman, after consultation with the Ranking Minority Member, may hold open a roll call vote on any measure or matter which is before the Committee until no later than midnight of the day on which the Committee votes on such measure or matter.

9. Subpoenas—Subpoenas for attendance of witnesses and for the production of memoranda, documents, records, and the like may be issued, after consultation with the Ranking Minority Member, by the Chairman or any other member designated by the Chairman, but only when authorized by a majority of the members of the Committee. The subpoena shall briefly state the matter to which the witness is expected to testify or the documents to be produced.

10. Hearings—(a) Public notice shall be given of the date, place and subject matter of any hearing to be held by the Committee, or any subcommittee thereof, at least 1 week in advance of such hearing, unless the Committee or subcommittee determines that good cause exists for beginning such hearings at an earlier time.

(b) Hearings may be initiated only by the specified authorization of the Committee or subcommittee.

(c) Hearings shall be held only in the District of Columbia unless specifically authorized to be held elsewhere by a majority vote of the Committee or subcommittee conducting such hearings.

(d) The Chairman of the Committee or subcommittee shall consult with the Ranking Minority Member thereof before naming witnesses for a hearing.

(e) Witnesses appearing before the Committee shall file with the clerk of the Committee a written statement of their proposed testimony prior to the hearing at which they are to appear unless the Chairman and the Ranking Minority Member determine that there is good cause not to file such a statement. Witnesses testifying on behalf of the Administration shall furnish an additional 50 copies of their statement to the Committee. All statements must be received by the Committee at least 48 hours (not including weekends or holidays) before the hearing.

(f) Confidential testimony taken or confidential material presented in a closed hearing of the Committee or subcommittee or any report of the proceedings of such hearing shall not be made public in whole or in part or by way of summary unless authorized by a majority vote of the Committee or subcommittee.

(g) Any witness summoned to give testimony or evidence at a public or closed hearing of the Committee or subcommittee may be accompanied by counsel of his own choosing who shall be permitted at all times during such hearing to advise such witness of his legal rights.

(h) Witnesses providing unsworn testimony to the Committee may be given a transcript of such testimony for the purpose of making minor grammatical corrections. Such witnesses will not, however, be permitted to alter the substance of their testimony. Any question involving such corrections shall be decided by the Chairman.

11. Nominations—Unless otherwise ordered by the Committee, nominations referred to the Committee shall be held for at least seven (7) days before being voted on by the Committee. Each member of the Committee shall be furnished a copy of all nominations referred to the Committee.

12. Real Property Transactions—Each member of the Committee shall be furnished with a copy of the proposals of the Secretaries of the Army, Navy, and Air Force, submitted pursuant to 10 U.S.C. 2662 and with a copy of the proposals of the Director of the Federal Emergency Management Agency, submitted pursuant to 50 U.S.C. App. 2285, regarding the proposed acquisition or disposition of property of an estimated price or rental of more than \$50,000. Any member of the Committee objecting to or requesting information on a proposed acquisition or disposal shall communicate his objection or request to the Chairman of the Committee within thirty (30) days from the date of submission.

13. Legislative Calendar—(a) The clerk of the Committee shall keep a printed calendar for the information of each Committee member showing the bills introduced and referred to the Committee and the status of such bills. Such calendar shall be revised from time to time to show pertinent changes in such bills, the current status thereof, and new bills introduced and referred to the Committee. A copy of each new revision shall be furnished to each member of the Committee.

(b) Unless otherwise ordered, measures referred to the Committee shall be referred by the clerk of the Committee to the appropriate department or agency of the Government for reports thereon.

14. Except as otherwise specified herein, the Standing Rules of the Senate shall govern the actions of the Committee. Each subcommittee of the Committee is part of the Committee, and is therefore subject to the Committee's rules so far as applicable.

15. Powers and Duties of Subcommittees—Each subcommittee is authorized to meet,

hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen, after consultation with Ranking Minority Members of the subcommittees, shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

#### NOMINATION OF JENNIFER GRANHOLM

Mrs. FEINSTEIN. Mr. President, I rise today in support of Governor Jennifer Granholm's nomination to be Secretary of the Department of Energy.

I can think of no one better than Governor Granholm to lead the Department of Energy during this critical and transformative period for our country.

Governor Granholm has the experience to lead and oversee the 13,500 employees at the Energy Department. She served as the Governor of Michigan from 2003 to 2011 and as Michigan's attorney general from 1998 to 2002.

During her tenure as Governor, she led Michigan through the tumultuous years of the 2008 financial crisis and the resulting bailout of the auto industry. She shepherded over a billion dollars in Federal funding to her State to manufacture electric vehicles and batteries. She diversified Michigan's energy portfolio and signed into law the State's first renewable energy standard.

I won't hold against the Governor the fact that she is a graduate of UC Berkeley—I am sure a Stanford Cardinal and a Golden Bear can still find some common ground and I am sure it will help that she will bring the innovative spirit of California along with her to her new role as Secretary.

Following her tenure as Governor, Jennifer became a faculty member at the UC Berkeley Goldman School of Public Policy. She has spent her career, both inside and outside of public office, as a steadfast advocate for clean energy. I have no doubt she will bring the same passion if confirmed as Secretary.

With this appointment, Governor Granholm has gained the opportunity to understand our unique national lab system, which is a critical aspect of the Department of Energy. She was a project scientist at Lawrence Berkeley National Lab, and I look forward to her getting to know our 16 other National Labs. From basic science to nuclear safety, these are gems of the Energy Department.

Finally, I would be remiss if I did not mention the trailblazing nature of the Governor's career. She was Michigan's first female attorney general; Michigan's first female Governor; and, if confirmed, will be only the second woman to lead the Energy Department since its formation in 1977. She has been and will continue to be a role model for young women across this country.

The Governor does not have an easy task ahead of her, but I have full confidence that she is up to the challenge. As chair of the Appropriations Subcommittee on Energy and Water, I look forward to working with her closely over the coming years to fund clean energy programs, confront climate change, and fulfill the energy and water infrastructure needs of California and our country.

#### NOMINATION OF JENNIFER GRANHOLM

Mr. VAN HOLLEN. Mr. President, now is the time to take substantive action to transition to renewable resources, combat climate change, and build a brighter future for Americans. To help manage that transition, President Biden has nominated Jennifer Granholm to be the Secretary of Energy.

As the first female Governor and first female attorney general in Michigan history, Granholm oversaw the State's response to the great recession and worked closely with the Obama administration to save the Nation's auto industry and 1 million jobs. Granholm embraced innovative ideas to electrify the auto industry, stimulate State-wide job growth, and build the State's clean energy sector. She founded the American Jobs Project to promote technological advancements and clean energy policies to spark job creation and continues to push for clean energy policy nationwide.

Additionally, Granholm backed tax credits and incentives for wind and solar and signed legislation requiring Michigan to get 10 percent of its energy from renewable sources. She is eminently qualified to spearhead research and development and set policies to reach President Biden's stated goal of getting to a 100-percent carbon pollution-free power sector by 2035.

Granholm received bipartisan support from the Senate Energy and Natural Resources Committee, and we should follow their lead. She knows that clean energy is the key to creating millions of good jobs and mitigating climate change and is dedicated to advancing our Nation's nuclear security. For these reasons, I support Jennifer Granholm's nomination for Secretary of Energy.

#### DARFUR

Mr. MENENDEZ. Mr. President, I rise today to express my concern about increasing insecurity in the Darfur region of Sudan and to call for immediate action to prevent further violence and protect civilians.

As many of my colleagues will recall, in 2003 the regime of toppled Sudanese dictator Omar al-Bashir began a vicious and deadly campaign against his own citizens in the Darfur region. Millions were driven from their homes, and hundreds of thousands killed and sometimes raped by militia armed and

supported by the government. In 2004 Congress and the State Department stood united in determining that what was taking place in Darfur was, in fact, genocide. Three years after that determination, the United Nations-African Union Hybrid Operation in Darfur, UNAMID, was established.

UNAMID has not been perfect. However, despite numerous obstacles the Government of Sudan put in place under al-Bashir to obstruct the mission's ability to carry out its mandate to protect civilians, UNAMID has provided critical support for the people of Darfur. UNAMID policewomen have served as trusted confidants for Darfuri women to report sexual and domestic violence, and UNAMID soldiers have provided a protective presence, deterring violence against civilians in areas where they have been deployed. Overall, the presence of international forces has reinforced some sense of security and stability for the hundreds of thousands of people in Darfur who remain displaced, so that that they can continue to live full and dignified lives. These efforts have come at significant cost both in blood and treasure: 64 UNAMID peacekeepers have been killed, and billions of dollars spent, in support of the mission.

With the fall of Bashir, many had hoped that the situation in Darfur would improve. However, those hopes have yet to be fully realized. Violence in West Darfur in late December of 2019 killed dozens and displaced an estimated 40,000 people. In January 2020, two separate violent incidents in North Darfur were additional indicators that all was not well in the region, as were deadly attacks on internally displaced camps in July. In January of this year, communal clashes in West and South Darfur resulted in the death of over 250 people and the displacement of over 100,000. These episodes raise the specter of a return to the catastrophic and genocidal violence that engulfed the region in 2003. But instead of redoubling its commitment to Darfur's long-suffering people at this critical time, the international community risks abandoning them.

This past December, the United Nations Security Council made the decision to dissolve UNAMID. Although it will retain a presence in the region until it completes its full drawdown at the end of June 2021, UNAMID's core civilian protection functions have now ceased. UNAMID is to be replaced by the United Nations Integrated Transition Assistance Mission in Sudan, or UNITAMS. UNITAMS is a Sudan-wide political mission that is aimed at assisting with the transition. I agree that such a mission is needed to ensure that Sudan's transition to democracy is successful. However, supporting the transition and protecting vulnerable civilians are not mutually exclusive, and the mandate for UNITAMS could have included both. Unfortunately, Sudan's transitional government refused to accept this course of action, and

UNITAMS therefore lacks UNAMID's Chapter VII authorities to deploy military tools in service of civilian protection and the advancement of peace in Darfur. Officials in the transitional government at the highest levels have argued that a Chapter VII mission is not necessary because the security situation in Darfur has improved; that many of the warring parties in Darfur have made peace with the Government of Sudan through the Juba Peace Agreement; that Bashir's genocidal regime, which bore primary responsibility for the crisis in the region, is no longer in power; and that the transitional government is implementing a security plan for Darfur that will adequately protect civilians.

I do not share this assessment of the situation in Darfur, and recent clashes, as well as earlier rounds of violence that have plagued Darfur since Sudan's transition began in 2019, demonstrate that the region remains fragile. Communal tensions over land, water, and political power persist, and Darfur is awash in weapons. The government's program to provide security to the region, including through its National Plan for Civilian Protection, has yet to be adequately fleshed out let alone implemented. Just last week, the UNAMID team site at Saraf Umrah that was transferred to the Sudanese Government on January 21 was looted by unnamed assailants, and all of the buildings on the site were reportedly destroyed despite the government's prior commitment to secure it. The Juba Peace Agreement, while promising, has not been endorsed by all of Darfur's warring parties. And most worryingly, those likely to be charged with protecting civilians in Darfur, including components of the Sudanese military and the Rapid Support Forces, RSF, of Mohamed Hamdan Dagalo, are the same actors that for years worked to implement Bashir's campaign of terror and genocide in the region.

In this context, the United Nations Security Council's ill-timed and poorly-conceived decision to end UNAMID's mandate—facilitated by the Trump administration's lack of a well-thought-out diplomatic strategy and approach—and to rapidly draw down the mission exposes the Darfuri people to significant harm. It could derail Sudan's civilian-led transition to democracy, resulting in another round of instability that Sudan and the broader region can ill afford. That is why in February 2020 I led a group of Senators in writing to the Trump administration, urging it to ensure that the U.N. maintain a mission in Darfur with an adequate number of peacekeeping troops operating under a robust Chapter VII mandate to protect civilians from violence; and that is why I am raising the alarm again here today. The United States, along with its international partners, must work rapidly to put in place mechanisms that can protect Darfur's civilians until such a time that Sudan's transitional government is capable of providing security to the region.

Fortunately, the plight of Darfur has long attracted the bipartisan support of Congress and multiple administrations. At this critical time, it is vital that our commitment remain steadfast. I hope to work with the Biden administration to urgently address the security vacuum created by UNAMID's drawdown and call upon Secretary of State Blinken and United Nations Ambassador Thomas-Greenfield to take urgent steps.

First, we must use our voice and vote at the UNSC to encourage a temporary reauthorization of UNAMID so that it can carry out critical protection of civilian functions, at the very least until it fully draws down in June 2021. Second, we must work actively at the UNSC to strengthen the mandate of the UNITAMS so that it includes robust civilian protection mechanisms. Third, we should press Sudan's civilian-led transitional government to develop a credible civilian protection plan in Darfur that does not—I repeat, does not—involve the RSF or any other forces implicated in violence in Darfur. Fourth, the administration should carefully monitor progress on civilian protection in Darfur and provide support where necessary, including by considering how much of the recently appropriated \$700 million for Sudan needs to be set aside to support civilian security in Darfur. Fifth, we must make clear to all that sustainable peace in Darfur requires justice and accountability for past atrocities, no matter how powerful the people implicated.

Mr. President, I strongly support a closer bilateral relationship with Sudan and will continue, as I have for the past 2 years, to do what I can to ensure the United States does its part to see to it that Sudan's civilian-led transition to democracy is successful. We have what may be a once in a generation opportunity. A healthy political transition at the national level will only aid the cause of peace in Darfur, and vice versa.

Mr. President, the situation in Darfur requires our urgent and considered attention. Let us continue our strong tradition of bipartisan support for the long-suffering people of Sudan at this critical time.

#### IMPEACHMENT

Mr. ROMNEY. Mr. President, once again, I have listened to the arguments of the respective counsel, studied briefs, and weighed evidence in an impeachment trial of President Donald Trump. This is not a responsibility I sought or expected. I certainly did not anticipate having to serve a second time as a Senator-juror in an impeachment trial.

An initial question shaping the context of this trial was whether or not the Senate has constitutional jurisdiction to try a President who is no longer in office. The Constitution gives the Senate the power to try all impeachments. In this case, where the House

impeached the President while he was in office, it is particularly clear that the impeachment is constitutional and therefore that this trial is constitutional. The weight of legal opinion and historical precedent affirms this conclusion. Further, the Senate decided this question in the affirmative. I believe its decision was correct: The Senate must not surrender its power to hold accountable those who abuse their office or threaten our Republic, even in their final days in office.

In following the oath in an impeachment trial and in our deliberations on the final question, I believe it is up to every Senator to determine what to consider and what the Constitution and their conscience require of them. The conclusion I reached on the final verdict will not surprise anyone who read my reasoning in the first impeachment trial: I consider an attempt to corrupt an election to keep oneself in power one of the most reprehensible acts that can be taken by a sitting President. The second impeachment resulted from the President's continued effort to do just that.

His attempt to pressure Georgia's secretary of state to falsify the electoral results was itself a heinous act that merited impeachment. President Trump summoned his supporters to Washington on the very day of the electoral vote count, knowing that among the people he gathered were many who had committed violence in the past and who had violent intent. Despite the obvious and well-known threat of violence, he incited and directed thousands to descend upon the seat of Congress as it was undertaking the constitutionally prescribed process to certify his successor. And then he not only failed to defend the Vice President and the others at the Capitol who he saw were in mortal danger, he also incited further violence against the Vice President.

The President's conduct represented an unprecedented violation of his oath of office and of the public trust.

There is a thin line that separates our democratic republic from an autocracy: It is a free and fair election and the peaceful transfer of power that follows it. President Trump attempted to breach that line, again. What he attempted is what was most feared by the Founders. It is the reason they invested Congress with the power to impeach.

Accordingly, I voted to convict President Trump.

We must also consider how we came to a point where a President felt he could do as he did without suffering meaningful consequence.

It has become almost cliché to say that America is divided as never before in modern history. So, too, is the observation that this division is the product of a decline in trust in our governing institutions, of a decline in the social bonds forged in churches and charities and communities, of expanding income inequality, and of trusted



news sources replaced by cable and internet algorithms calculated to inflame our prejudices.

Less unanimous are the predictions of where this division will lead. Even so, no one suggests that it will lead to a better future. Some envision an economy buffeted by policies drafted by the extreme wings of the political parties. Others claim that authoritarianism will replace democracy. Some anticipate social unrest and violence. A few even predict civil war. Still others fear that a weakened America will become vulnerable to an opportunistic foreign foe.

We instinctively know that the growing division represents a growing danger. Academics and pundits may promote cures, but in our hearts, we know that their bromides won't heal the rift. People aren't going to return to mainstream media, churches aren't going to experience a resurgence, and income inequality will remain a persistent feature of the global digital economy.

Throughout history, only one thing has been able to unite a divided nation: great leaders—leaders like Churchill who inspired a fearful nation; leaders like Lincoln who mustered the national will to save the Union; and leaders like Reagan who raised our spirits from suffocating malaise. Leaders like these also have been essential in our churches and universities and businesses and charities, and just as importantly, in our homes.

With our Nation so divided, so vulnerable to economic distress or to civil violence or even to foreign adversaries, the need for leadership that unites and uplifts, that calls on our better angels, is as great as we have ever known. The corollary is that the failure of leaders to unite, to speak truth, to place duty above self, is as dangerous as we have ever known.

With the country as divided as it assuredly is, a person in a position of leadership who inflames passions with the purpose of perpetuating untruth commits a singularly dangerous sin against the Republic.

We Senator-jurors did not all vote in the same way in this impeachment trial. Differences in perception of the facts that were presented are to be expected. So, too, are the differences in our respective estimations of the impact of the outcome of the trial. People of conscience reached different conclusions. National unity does not require unanimity of opinion.

But civic unity does require truth. There is one untruth that divides the Nation today like none other: it is that the election was stolen, that there was a massive conspiracy, more secret and widespread than any in human history, so brilliant in execution that no evidence can be found of it and no observer among the tens of thousands in our intelligence agencies will speak of it.

That lie brought our Nation to a dark and dangerous place. Invented and disseminated by the President, it poisoned our politics and our public discourse.

Like you, I hear many calls for unity. It is apparent that calling for unity while at the same time appeasing the big lie of a stolen election is a fraud. It is the lie that caused the division. It is in the service of that lie that a mob invaded the Capitol on January 6.

Now that the impeachment trial is behind us, it falls to each of us to affirm what we all know: President Biden won the election through the legitimate vote of the American people. The division in America will only begin to heal in the light of this truth, a truth which must now be affirmed by each of us in this Chamber.

#### ADDITIONAL STATEMENTS

##### REMEMBERING DR. SEAN MCCAGH

• Mr. CARDIN. Mr. President, I rise today to honor Dr. Sean McCagh, a Marylander whom we should all emulate for his selflessness and passion for helping others. Sean touched the hearts and lives of his family, friends, coworkers, patients, and the entire community of Allegany County in the western part of my State. Sadly, Sean was taken far too soon from his family and the many neighbors who cared so deeply for him due to complications of COVID-19. He leaves behind his wife, Terri, and three sons, Mike, Cory, and Casey.

Sean was born and raised in Cumberland, MD. He graduated from Bishop Walsh High School and completed his undergraduate studies at Mount St. Mary's University. He earned his medical degree from Georgetown University School of Medicine and completed his dermatology residency at the University of West Virginia. He returned to the hometown he loved so well and joined his brother Mike's dermatology practice in 1996.

Sean was a man of vision who was never one to sit idly by. He volunteered his time as the athletic physician for Allegany High School for several years and later established a community fundraiser known as the Hooley Plunge to support the ice rink at the local YMCA. When the YMCA closed the ice rink, Sean redirected his efforts to another cause close to his heart, people with developmental disabilities. With Sean as its champion for 17 years, the Hooley Plunge has raised more than \$1.5 million to support the Special Olympics of Allegany County and other local programs that serve individuals with developmental disabilities. It has become the largest single-day fundraising event in Allegany County, with hundreds of brave souls running into the freezing waters of Rocky Gap State Park's Lake Habeeb in return for donations.

A few years ago, Sean received the Community Service Award from the Allegany County Chamber of Commerce, one of numerous entities to recognize his unwavering commitment to

the greater good. Sean's sister, Erin McCagh Morrissey, has fittingly called him Cumberland's George Bailey, referring to the community-minded banker James Stewart played in the classic movie, "It's a Wonderful Life."

While Sean loved his job as a dermatologist and was passionate about helping others, he also loved being a cattle farmer. When his middle son, Cory, graduated from college, Sean encouraged him to follow his dream to start a brewery. With Cory's vision and Sean's support and investment, they christened the 200-year-old barn on the family's farm as the "1812 Brewery," which set the stage for a growing and mutually supportive family of small brewers to attract tourists and enhance the lives of local residents.

While the people of Allegany County grieve the sudden, stunning loss of a cherished husband, father, friend, doctor, businessman, and community leader, I ask my Senate colleagues to join me in remembering and honoring the life of Dr. Sean McCagh who, through his service and love for people, has left his community a better place.●

##### TRIBUTE TO BIRGIT KLOHS

• Mr. PETERS. Mr. President, I rise today to honor a lifelong leader of West Michigan's economic development community, Birgit Klohs, president and CEO of The Right Place in Grand Rapids, MI. Ms. Klohs has made an immense impact on western Michigan over the past 33 years and has helped reshape the region and State's future.

Born in West Germany, Ms. Klohs left her home country to attend Western Michigan University in Kalamazoo, where she graduated with a bachelors of business administration in finance. While going to school full time, she began her economic development career in service to the Berrien County Economic Development Corporation as an industrial consultant and then eventually moved to the Michigan Department of Commerce where she served as an account executive focusing on western Michigan.

Later, as assistant director of the Office for Economic Expansion at Grand Valley State University, Ms. Klohs was asked to join the region's first-ever European foreign investment mission in conjunction with The Right Place. The Right Place, an organization started in 1985 by Grand Rapids area business executives, was concerned that the region was missing out on economic opportunities. That trip involved discussions with a German company that 2 years later broke ground on a new manufacturing plant just north of Grand Rapids, a highlight in Klohs' career dedicated to keeping and growing jobs in the region.

Mrs. Klohs applied for the directorship of The Right Place and began leading the organization as president and CEO in 1987. At that time, The Right Place had a small staff serving one county; after Ms. Klohs' dynamic leadership and expertise, it grew into a

team of more than 30 professionals serving a six-county region. Throughout her three decades of leadership, The Right Place has assisted thousands of west Michigan companies to invest more than \$5 billion and create 48,500 new jobs throughout the region.

Ms. Klohs also helped the region, known for its manufacturing heritage, to grow its skill and sophistication in making things, from medical devices to office furniture. In the process, she helped the region grow and increase the job opportunities across many sectors. Those efforts attracted attention worldwide, with "The Economist" last year citing Grand Rapids as "the most successful intensive manufacturing city in America" and Forbes ranking Grand Rapids No. 2 on its list of the top 15 industrial cities in America.

Over her career, Ms. Klohs worked closely with five Michigan Governors to pursue economic development opportunities around the globe. The region is now home to 136 foreign companies, including more than 50 from her homeland of Germany. She is credited with fostering countless public-private ventures that advance the economic prosperity of the region, including the Medical Mile which is the 10th largest life science cluster in the United States, the Michigan Manufacturing Technology Center West, and partnerships with Hello West Michigan, the first employer-driven relocation and job information center in the Nation.

Most recently, The Right Place recognized that economic prosperity was not being shared by all citizens. That led to the creation of a New Community Transformation Fund to uplift communities of color through capital investment. As the pandemic reared its ugly head throughout 2020, The Right Place quickly pivoted to assist in delivering \$10 million in emergency financial aid to 1200 struggling businesses in the Grand Rapids community and harnessed the region's manufacturing ingenuity and supply chains to create and distribute lifesaving personal protective equipment.

Ms. Klohs' commitment to the region and State was not limited to The Right Place. Among the boards she chaired or served on are the Michigan Economic Development Corporation, the Gerald R. Ford Airport Authority, the International Crossing Authority, and the Western Michigan University Board of Trustees, her alma mater.

Ms. Birgit Klohs was fond of saying that economic development was "a team sport." After 33 years as captain of one of the Nation's most successful teams, I ask all of my colleagues to join me in congratulating her for her well-earned retirement from The Right Place and to wish Birgit and her family health and happiness in the years ahead.●

#### REMEMBERING SHERIFF STEPHEN BATES

● Mr. SANDERS. Mr. President, I rise today to recognize Mr. Stephen Bates,

who was Vermont's first Black sheriff and chief of police. Mr. Bates was elected sheriff and chief of police of Vergennes, VT, in 1879, where he served as a public official until his death in 1907.

Mr. Bates faced many obstacles on his journey to his elected positions in Vergennes. Born in Shirley, VA, in 1842, historical records show that he and his family members were enslaved on the Shirley plantation. In August of 1862, Mr. Bates successfully escape from the Shirley plantation. Several months prior to the Emancipation Act of 1863, Mr. Bates courageously helped many other enslaved people escape to freedom.

After the Civil War, when Mr. Bates was in the service of officers at Harrison's Landing, Mr. Bates was employed by U.S. Representative Frederick E. Woodbridge, of Vergennes, VT. Mr. Bates worked as Congressman Woodbridge's coachman and moved with him to Vergennes in 1866. In 1871, Mr. Bates married Frances Mason of Elizabethtown, NY, and had two children, Rose and Fredrick. The Bates family lived on North Street in Vergennes until 1880, when their home was destroyed by a fire. The residents of Vergennes showed much support to the family following the fire, rallying to raise money to help them during that difficult time.

During his time as chief of police, Mr. Bates was responsible for some notable arrests, including "Brooklyn Slim" and "Ottawa Red," two members of a gang of post office burglars. He also had in his custody Oliver Curtis Perry, an infamous New York train robber of the time. Newspaper articles describe Mr. Bates as the arresting officer in murder, grand larceny, check forgery, and vagrancy cases in Vergennes and the surrounding area. In 1897, Mr. Bates was awarded \$100 by the Assistant Attorney General of the Post Office Department for his extraordinary work in arresting two people involved with robbing post offices in Morrisville, Glover, and Windsor, VT, in 1894.

Though Mr. Bates dedicated his life to his community, he still faced many challenges as the first Black sheriff in Vermont. During one incident, a man tried to kill Sheriff Bates while he was responding to a call. And while the man was charged with attempted murder, he was found guilty of obstructing, beating, and wounding an officer. Vergennes community members stated that Mr. Bates "was almost entirely a self-taught man, and in the discharge of the duties of his office was cool and self-restrained, rarely if ever acting hastily." Despite this, Mr. Bates was not well-compensated for his work and was required to work a number of other jobs to provide for his family. As he was skilled at handling and caring for horses, he managed a horse company owned by Congressman Woodbridge's son. He also worked as a trusted night watchman at a local bank, as well as a

custodian. Uniquely dedicated to his community despite the hardship he faced, Mr. Bates also served as an appointed agent for the Humane Society, and he and his family were active members of St. Paul's Episcopal Church in Vergennes. Mr. Bates died from cardiac arrest while milking a cow on June 10, 1907.

I am proud to honor the life and work of Mr. Stephen Bates. Though he remains relatively unknown by many Vermonters, it is encouraging to know that Vergennes and its residents came together not long after the end of the Civil War to elect Vermont's first Black sheriff and chief of police, who was an exemplary public servant and community leader. It is a remarkable American story that I am glad to honor and celebrate.●

#### TRIBUTE TO THE CLEMMONS FAMILY

● Mr. SANDERS. Mr. President, I rise today in recognition of Dr. Jack and Lydia Clemmons of Charlotte, VT. The Clemmons family's positive impact on Vermont is powerful every single day, but I am especially pleased to recognize them during Black History Month. The Clemmons family has been instrumental in preserving and promoting African-American farm heritage in my home State of Vermont, and for that, I am extremely grateful.

In 1962, Dr. and Mrs. Clemmons moved to Vermont, where Dr. Clemmons joined the University of Vermont's department of pathology and became the second African-American on the faculty of the College of Medicine. Dr. Clemmons is nationally recognized for his ground-breaking work in perinatal pathology and cytogenetics. He has long advocated for universities to implement recruitment strategies that attract and retain more students and faculty of color. Mrs. Clemmons was the first African-American nurse anesthetist at the University of Vermont Medical Center.

During the same year that they began their careers in Burlington, VT, Dr. and Mrs. Clemmons purchased a historic farm in Charlotte, which was in need of significant repair and improvement. They raised five children on their farm, while working hard to restore its many buildings and working lands. For the Clemmons family, as 1 of only 17 Black-owned farms in Vermont, the work was always about more than one farm; it was about the massive loss of Black-owned farmland in Vermont and across the Nation.

To that end, Dr. and Mrs. Clemmons have worked tirelessly to ensure their farm can continue under African-American ownership for generations to come. They, along with their family, have also dedicated themselves to fighting for racial justice and creating opportunities for Vermonters to learn about Black arts, farming, heritage, and culture. The arts are a particular passion of Mrs. Clemmons, who ran a

shop in their town of Charlotte, which featured sculptures and other artwork imported from Africa. Additionally, the Clemmons farm is now 1 of 22 official landmarks on Vermont's African-American Heritage Trail, also serving as a multicultural arts center, with a gallery and programming for all Vermonters to enjoy.

I am grateful to Dr. and Mrs. Clemmons for their enormously important contribution to Black farming and cultural heritage in our State. I wish the entire Clemmons family all the best today, and for generations to come.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### PRESIDENTIAL MESSAGE

#### REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN PROCLAMATION 6867 OF MARCH 1, 1996, WITH RESPECT TO THE UNAUTHORIZED ENTRY OF ANY UNITED STATES-REGISTERED VESSELS INTO CUBAN TERRITORIAL WATERS—PM 2

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Cuba that was declared on March 1, 1996, in Proclamation 6867, as amended by Proclamation 7757 on February 26, 2004, Proclamation 9398 on February 24, 2016, and Proclamation 9699 on February 22, 2018, is to continue in effect beyond March 1, 2021.

There remains a need to continue this national emergency, based on a disturbance or threatened disturbance of the international relations for the United States related to Cuba. The unauthorized entry of any United States-registered vessel into Cuban territorial waters continues to be detrimental to the foreign policy of the United States.

The unauthorized entry of vessels subject to the jurisdiction of the United States into Cuban territorial waters is currently a violation of Federal law. Further, the unauthorized entry of United States-registered vessels into Cuban territorial waters continues to be detrimental to United States foreign policy and counter to the purpose of Executive Order 12807, which is to ensure, among other things, safe, orderly, and legal migration. The possibility of large-scale unauthorized entries of United States-registered vessels into Cuban territorial waters would disturb the international relations of the United States regarding Cuba by allowing for or providing the means to facilitate a mass migration of Cuban nationals and threatening our national security.

Therefore, I have determined that it is necessary to continue the national emergency with respect to Cuba and the emergency authority relating to the regulation of the anchorage and movement of vessels set out in Proclamation 6867, as amended by Proclamation 7757, Proclamation 9398, and Proclamation 9699.

JOSEPH R. BIDEN.  
THE WHITE HOUSE, February 24, 2021.

#### PRESIDENTIAL MESSAGE

#### REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN PROCLAMATION 9994 OF MARCH 13, 2020, WITH RESPECT TO THE CORONAVIRUS DISEASE 2019 (COVID-19) PANDEMIC—PM 3

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Proclamation 9994 of March 13, 2020, beginning March 1, 2020, concerning the coronavirus disease 2019 (COVID-19)

pandemic, is to continue in effect beyond March 1, 2021.

There remains a need to continue this national emergency. The COVID-19 pandemic continues to cause significant risk to the public health and safety of the Nation. More than 500,000 people in this Nation have perished from the disease, and it is essential to continue to combat and respond to COVID-19 with the full capacity and capability of the Federal Government.

Therefore, I have determined that it is necessary to continue the national emergency declared in Proclamation 9994 concerning the COVID-19 pandemic.

JOSEPH R. BIDEN.  
THE WHITE HOUSE, February 24, 2021.

#### MESSAGE FROM THE HOUSE

At 12:03 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 bills, in which it requests the concurrence of the Senate:

H.R. 208. An act to designate the facility of the United States Postal Service located at 500 West Main Street, Suite 102 in Tupelo, Mississippi, as the "Colonel Carlyle 'Smitty' Harris Post Office".

H.R. 264. An act to designate the facility of the United States Postal Service located at 1101 Charlotte Street in Georgetown, South Carolina, as the "Joseph Hayne Rainey Memorial Post Office Building".

H.R. 772. An act to designate the facility of the United States Postal Service located at 229 Minnetonka Avenue South in Wayzata, Minnesota, as the "Jim Ramstad Post Office".

H.R. 813. An act to designate the facility of the United States Postal Service located at 1050 Sunset Road Southwest in Albuquerque, New Mexico, as the "Jose Hernandez Post Office Building".

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 208. An act to designate the facility of the United States Postal Service located at 500 West Main Street, Suite 102 in Tupelo, Mississippi, as the "Colonel Carlyle 'Smitty' Harris Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 264. An act to designate the facility of the United States Postal Service located at 1101 Charlotte Street in Georgetown, South Carolina, as the "Joseph Hayne Rainey Memorial Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 772. An act to designate the facility of the United States Postal Service located at 229 Minnetonka Avenue South in Wayzata, Minnesota, as the "Jim Ramstad Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 813. An act to designate the facility of the United States Postal Service located at 1050 Sunset Road Southwest in Albuquerque, New Mexico, as the "Jose Hernandez Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER  
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-499. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Robert B. Abrams, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-500. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Admiral Philip S. Davidson, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-501. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Michael J. Dumont, United States Navy Reserve, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-502. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Nancy A. Norton, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-503. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Establishment of a Domestic Hemp Production Program" ((7 CFR Part 990) (Docket No. AMS-SC-19-0042)) received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-504. A communication from the Acting Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Department of Homeland Security Privacy Office's Fiscal Year 2020 Semiannual Report to Congress"; to the Committees on Homeland Security and Governmental Affairs; Select Committee on Intelligence; and the Judiciary.

EC-505. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-506. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-446, "Sanctuary Values Temporary Amendment Act of 2020"; to the Committee on Homeland Security and Governmental Affairs.

EC-507. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-614, "Coronavirus Public Health Extension Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-508. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-615, "UDC PR Harris Exclusive Use Repeal Temporary Amendment Act of 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-509. A communication from the Chairman of the Council of the District of Colum-

bia, transmitting, pursuant to law, a report on D.C. Act 23-616, "Department of Buildings Establishment Act of 2020"; to the Committee on Homeland Security and Governmental Affairs.

EC-510. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-617, "Office of the Ombudsperson for Children Establishment Act of 2020"; to the Committee on Homeland Security and Governmental Affairs.

EC-511. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-560, "Bella Evangelista and Tony Hunter Panic Defense Prohibition and Hate Crimes Response Amendment Act of 2020"; to the Committee on Homeland Security and Governmental Affairs.

EC-512. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23-592, "Unemployment Benefits Extension Amendment Act of 2020"; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE REPORT OF  
COMMITTEE

The following executive report of a nomination was submitted:

By Mr. CARDIN for the Committee on Small Business and Entrepreneurship.

\*Isabella Casillas Guzman, of California, to be Administrator of the Small Business Administration.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND  
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WICKER (for himself, Ms. CANTWELL, Mr. CARPER, Mrs. CAPITO, Mr. SCOTT of South Carolina, Mr. BOOKER, Mr. WARNOCK, Mr. CASEY, Mr. TOOMEY, Mr. SULLIVAN, Mr. INHOFE, and Mr. BARRASSO):

S. 400. A bill to designate the headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, as the "William T. Coleman, Jr., Federal Building"; to the Committee on Environment and Public Works.

By Mr. LANKFORD (for himself, Mr. TILLIS, Mr. SCOTT of South Carolina, Mr. PORTMAN, Mr. RISCH, Mr. MORAN, Mr. DAINES, Mrs. FISCHER, Mr. BOOZMAN, Mr. MARSHALL, Mr. CASSIDY, Mr. CRAMER, Mrs. HYDE-SMITH, Mr. BARRASSO, Mr. THUNE, Mr. HOEVEN, Mr. SASSE, Mr. INHOFE, Mrs. BLACKBURN, Mr. ROUNDS, Ms. LUMMIS, Mr. HAWLEY, Mr. SCOTT of Florida, Mr. LEE, and Mr. HAGERTY):

S. 401. A bill to amend the Public Health Service Act to prohibit governmental discrimination against health care providers that do not participate in abortion; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Ms. STABENOW, Mrs. FISCHER, and Mr. WARNER):

S. 402. A bill to amend the Bipartisan Congressional Trade Priorities and Account-

ability Act of 2015 to include a trade negotiating objecting relating to addressing the security of the global communications infrastructure; to the Committee on Finance.

By Mr. YOUNG (for himself and Mr. SCOTT of South Carolina):

S. 403. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself, Mr. BROWN, Ms. WARREN, Ms. SMITH, Mr. REED, Mr. DURBIN, Mrs. MURRAY, Mr. WYDEN, Mr. SANDERS, Ms. CORTEZ MASTO, Mr. CARDIN, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Ms. ROSEN, Mr. COONS, Ms. KLOBUCHAR, Ms. HIRONO, Mr. WARNOCK, Mr. MARKEY, Mr. KAINE, Mrs. FEINSTEIN, Mr. BOOKER, Mr. BENNETT, Mr. TESTER, and Mr. MERKLEY):

S. 404. A bill to provide funding for the Neighborhood Reinvestment Corporation Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself and Mr. WICKER):

S. 405. A bill to provide compensation to certain residents of the island of Vieques, Puerto Rico, for the use of such island for military readiness, and for other purposes; to the Committee on the Judiciary.

By Mr. PAUL (for himself, Mr. SCOTT of South Carolina, Ms. ERNST, Mr. MARSHALL, Mr. GRASSLEY, Mr. BARRASSO, Mr. CORNYN, Mr. BOOZMAN, Mr. SCOTT of Florida, Mr. CRAMER, Mr. WICKER, Mr. BRAUN, Mr. BURR, Mr. CRUZ, Mr. INHOFE, and Ms. LUMMIS):

S. 406. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. WARNER, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. CORNYN, Ms. ROSEN, Ms. KLOBUCHAR, Mr. BRAUN, Mr. MENENDEZ, Mr. CARDIN, Mr. ROUNDS, Mr. CASEY, Mr. VAN HOLLEN, Mr. SCHUMER, Ms. SMITH, Mr. BOOKER, Ms. HIRONO, Mr. CASSIDY, Mr. HAWLEY, Ms. SINEMA, Mr. MANCHIN, Mr. DURBIN, Ms. CORTEZ MASTO, Ms. BALDWIN, Mr. TESTER, Mr. COTTON, and Mr. PADILLA):

S. 407. A bill to provide redress to the employees of Air America; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TOOMEY (for himself and Mr. BROWN):

S. 408. A bill to require the Secretary of Health and Human Services to publish guidance for States on strategies for maternal care providers participating in the Medicaid program to reduce maternal mortality and severe morbidity with respect to individuals receiving medical assistance under such program; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Ms. HASSAN, Ms. ERNST, and Ms. BALDWIN):

S. 409. A bill to amend the Commodity Exchange Act to modify the Commodity Futures Trading Commission Customer Protection Fund, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SMITH (for herself and Mrs. GILLIBRAND):

S. 410. A bill making emergency supplemental appropriations for social isolation

services under the Older Americans Act of 1965; to the Committee on Appropriations.

By Mr. DURBIN (for himself, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. BROWN, Ms. STABENOW, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Ms. SMITH, Mr. VAN HOLLEN, and Mr. SANDERS):

S. 411. A bill to improve Federal efforts with respect to the prevention of maternal mortality, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Ms. COLLINS, Mr. WYDEN, and Mr. BROWN):

S. 412. A bill to establish the Commission on the Coronavirus Pandemic in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. RUBIO, Ms. WARREN, and Mr. CORYN):

S. 413. A bill to establish the China Censorship Monitor and Action Group, and for other purposes; to the Committee on Foreign Relations.

By Mr. MORAN:

S. 414. A bill to provide standards relating to compensation for the use of the names, images, and likenesses of amateur intercollegiate athletes and to provide protections for amateur intercollegiate athletes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASSIDY (for himself, Ms. SMITH, and Mr. MARSHALL):

S. 415. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the scope of new chemical exclusivity; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN (for himself and Mr. LUJÁN):

S. 416. A bill to restore integrity to America's Elections; to the Committee on Rules and Administration.

By Mr. COTTON (for himself, Mr. SCOTT of Florida, Mrs. BLACKBURN, Mr. CRUZ, and Mr. RUBIO):

S. 417. A bill to prohibit the Secretary of State from issuing B1 and B2 visas to nationals of the People's Republic of China for periods of more than one year unless certain conditions are met; to the Committee on the Judiciary.

By Mr. PORTMAN:

S. 418. A bill to enforce work authorization requirements for immigrants; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mrs. MURRAY, Mr. MORAN, Ms. BALDWIN, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOZMAN, Mr. BROWN, Mrs. CAPITO, Mr. CARDIN, Mr. CASSIDY, Mr. CORYN, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Ms. DUCKWORTH, Ms. ERNST, Mrs. FISCHER, Mr. GRASSLEY, Ms. HASSAN, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. Kaine, Mr. KENNEDY, Ms. KLOBUCHAR, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MERKLEY, Mr. RISCH, Ms. ROSEN, Mr. RUBIO, Ms. SINEMA, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. VAN HOLLEN, Ms. WARREN, Mr. WICKER, Mr. WYDEN, and Mr. LANKFORD):

S. 419. A bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, Ms. DUCKWORTH, Mr. BOOKER, Ms. WARREN, Mr. WYDEN, Mrs. GILLIBRAND, Ms. CANTWELL, Mr. MURPHY, Ms. HASSAN, Mr. CASEY, Mr. CARDIN, Mr.

MERKLEY, Mr. WHITEHOUSE, Mr. REED, Mr. DURBIN, Mr. KAINE, Ms. KLOBUCHAR, Mr. BROWN, Mr. LUJÁN, Mr. MENENDEZ, Ms. BALDWIN, Mr. SANDERS, Ms. CORTEZ MASTO, Mr. VAN HOLLEN, Mr. MARKEY, Mr. HEINRICH, Ms. HIRONO, Mr. SCHATZ, Ms. SMITH, Mr. LEAHY, Mr. CARPER, Mr. BENNET, Ms. STABENOW, Mr. COONS, Ms. ROSEN, Mr. TESTER, Mr. PETERS, Mr. PADILLA, Mrs. SHAHEEN, Ms. FEINSTEIN, Mr. OSSOFF, Mr. WARNOCK, and Mr. HICKENLOOPER):

S. 420. A bill to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 421. A bill to amend the America's Water Infrastructure Act of 2018 to expand the Indian reservation drinking water program, and for other purposes; to the Committee on Indian Affairs.

By Ms. KLOBUCHAR:

S. 422. A bill to allow Senators, Senators-elect, committees of the Senate, leadership offices, and other offices of the Senate to share employees, and for other purposes; considered and passed.

By Mr. MARKEY (for himself, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. SANDERS, and Mr. BENNET):

S. 423. A bill to direct the Secretary of Health and Human Services to establish a grant program to protect vulnerable mothers and babies from climate change risks, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 424. A bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBTQI Peoples, and for other purposes; to the Committee on Foreign Relations.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, and Mr. SCHATZ):

S. 425. A bill to require States to establish complete streets programs, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Mr. LEE, Mr. LEAHY, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. RUBIO, Ms. KLOBUCHAR, Mr. CRUZ, Mr. COONS, Mrs. BLACKBURN, Mr. BLUMENTHAL, and Ms. HIRONO):

S. 426. A bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. MORAN, and Mr. BRAUN):

S. 427. A bill to require covered entities to implement and disclose information moderation policies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VAN HOLLEN (for himself and Mr. LUJÁN):

S. 428. A bill to amend chapters 95 and 96 of the Internal Revenue Code of 1986 to reform the system of public financing for Presi-

dential election campaigns, and for other purposes; to the Committee on Finance.

By Mr. COTTON:

S. 429. A bill to impose sanctions with respect to foreign persons that knowingly spread malign disinformation as part of or on behalf of a foreign government or political party for purposes of political warfare and to require a determination regarding the United Front Work Department of the Chinese Communist Party; to the Committee on Foreign Relations.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 430. A bill to direct the Secretary of Transportation to establish a grant program for projects to strengthen and protect vulnerable infrastructure used during mass evacuations, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Mr. CARPER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. SANDERS, and Mr. PADILLA):

S. 431. A bill to amend title 23, United States Code, to require transportation planners to consider projects and strategies to reduce greenhouse gas emissions, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY:

S. 432. A bill to direct the Administrator of the Environmental Protection Agency to carry out a pilot program to award grants for the electrification of certain refrigerated vehicles, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Ms. HIRONO, Mr. BLUMENTHAL, and Ms. WARREN):

S. 433. A bill to establish the National Office of New Americans, to reduce obstacles to United States citizenship, to support the integration of immigrants into the social, cultural, economic, and civic life of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Ms. WARREN, Mr. SANDERS, Ms. DUCKWORTH, Mr. LEAHY, Mrs. FEINSTEIN, Mr. MURPHY, Ms. BALDWIN, Mrs. MURRAY, Mr. VAN HOLLEN, and Mr. MERKLEY):

S. 434. A bill to seek a diplomatic resolution to Iran's nuclear program, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, Mr. MERKLEY, Mrs. CAPITO, Ms. ROSEN, Ms. CORTEZ MASTO, Mr. KELLY, Mr. SULLIVAN, Ms. STABENOW, Mr. BENNET, Mr. TESTER, Mrs. MURRAY, Ms. KLOBUCHAR, Mr. ROMNEY, Mrs. FEINSTEIN, Mr. MANCHIN, Ms. SINEMA, and Mr. SANDERS):

S. 435. A bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself and Ms. ROSEN):

S. 436. A bill to provide Federal matching funding for State-level broadband programs; to the Committee on Commerce, Science, and Transportation.

By Mr. SULLIVAN (for himself and Mr. MANCHIN):

S. 437. A bill to amend title 38, United States Code, to concede exposure to airborne hazards and toxins from burn pits under certain circumstances, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUBIO (for himself, Mr. COTTON, Ms. ERNST, Mr. SCOTT of Florida, Mr. BARRASSO, Mr. INHOFE, Mr. GRAHAM, Mr. BOOZMAN, and Mr. KENNEDY):

S. 438. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. ERNST (for herself, Mr. GRASSLEY, and Mrs. FISCHER):

S. Res. 71. A resolution expressing the sense of the Senate that aliens convicted of drunk driving offenses qualify as a public safety threat for the purposes of immigration enforcement; to the Committee on the Judiciary.

By Mr. COTTON (for himself, Mr. CRUZ, Mr. RUBIO, Mr. CORNYN, Mr. HAWLEY, Mr. CRAMER, Mr. TILLIS, Mr. BOOZMAN, Mrs. HYDE-SMITH, Mr. SASSE, Mr. MARSHALL, Mr. DAINES, Mr. ROUNDS, Mr. YOUNG, Mr. BARRASSO, Mrs. BLACKBURN, Mr. SULLIVAN, Mr. TUBERVILLE, Mr. BLUNT, Mr. THUNE, Ms. LUMMIS, Mr. INHOPE, Mr. HOEVEN, Mr. HAGERTY, Mr. LANKFORD, and Mr. CRAPO):

S. Res. 72. A resolution opposing the lifting of sanctions imposed with respect to Iran without addressing the full scope of Iran's malign activities, including its nuclear program, ballistic and cruise missile capabilities, weapons proliferation, support for terrorism, hostage-taking, gross human rights violations, and other destabilizing activities; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. ROSEN (for herself and Mr. RUBIO):

S. Res. 73. A resolution reaffirming the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. SCOTT of South Carolina, Ms. KLOBUCHAR, Mr. WICKER, Mr. MARKEY, and Mr. BOOKER):

S. Res. 74. A resolution designating February 28, 2021, as "Rare Disease Day"; considered and agreed to.

By Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. DURBIN, Mr. BLUNT, Ms. HASSAN, Mr. TILLIS, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. MERKLEY, Mr. GRASSLEY, Mr. WYDEN, Mr. RISCH, Ms. SMITH, Mr. CRAMER, Mr. MARKEY, Mr. WICKER, Ms. HIRONO, Mr. SULLIVAN, Mr. BROWN, Mr. SHELBY, Mr. VAN HOLLEN, Mr. RUBIO, Mr. MENENDEZ, Mr. SCOTT of Florida, Ms. DUCKWORTH, Mr. PORTMAN, Mr. BLUMENTHAL, Mr. HAGERTY, Mr. COONS, Mr. LANKFORD, Ms. BALDWIN, Mr. BRAUN, Mrs. MURRAY, Mr. GRAHAM, Mr. WARNER, Ms. ERNST, Mr. KAINE, Mr. BURR, Mrs. FEINSTEIN, Mr. YOUNG, Ms. ROSEN, Mr. MURPHY, Ms. SINEMA, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. SCHATZ, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. KING, Mr. BENNET, Ms. WARREN, Mr. OSSOFF, Mr. HEINRICH, Mr. SANDERS, Mr. CARPER, Mr. CASEY, Mr. REED, Mr. CARDIN, Ms. CANTWELL,

Mr. LUJÁN, Mrs. HYDE-SMITH, Mrs. BLACKBURN, and Mr. HOEVEN):

S. Res. 75. A resolution celebrating Black History Month; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 25

At the request of Mrs. BLACKBURN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 25, a bill to restrict certain Federal grants for States that grant driver licenses to illegal immigrants and fail to share information about criminal aliens with the Federal Government.

S. 51

At the request of Mr. CARPER, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 51, a bill to provide for the admission of the State of Washington, D.C. into the Union.

S. 134

At the request of Mr. MORAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 134, a bill to direct the Secretary of Veterans Affairs to carry out a retraining assistance program for unemployed veterans, and for other purposes.

At the request of Mr. TESTER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 134, *supra*.

S. 158

At the request of Mr. CARDIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 158, a bill to promote international efforts in combating corruption, kleptocracy, and illicit finance by foreign officials and other foreign persons, including through a new anti-corruption action fund, and for other purposes.

S. 200

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 200, a bill to provide State and local workforce and career and technical education systems the support to respond to the COVID-19 national emergency.

S. 283

At the request of Mr. MARKEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 283, a bill to establish a National Climate Bank.

S. 313

At the request of Mr. DURBIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 313, a bill to amend the Food and Nutrition Act of 2008 to expand online benefit redemption options under the supplemental nutrition assistance program, and for other purposes.

S. 347

At the request of Ms. SMITH, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 347, a bill to improve

the collection and review of maternal health data to address maternal mortality, serve maternal morbidity, and other adverse maternal health outcomes.

S. 361

At the request of Mr. CRUZ, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 361, a bill to establish a 90-day limit to file a petition for judicial review of a permit, license, or approval for a highway or public transportation project, and for other purposes.

S. 395

At the request of Mr. MERKLEY, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 395, a bill to amend the Internal Revenue Code of 1986 to extend certain tax credits related to electric cars, and for other purposes.

S. RES. 43

At the request of Mr. MARKEY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. Res. 43, a resolution recognizing the duty of the Federal Government to implement an agenda to Transform, Heal, and Renew by Investing in a Vibrant Economy ("THRIVE").

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. THUNE (for himself, Ms. STABENOW, Mrs. FISCHER, and Mr. WARNER):

S. 402. A bill to amend the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 to include a trade negotiating objection relating to addressing the security of the global communications infrastructure; to the Committee on Finance.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 402

*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 "Network Security Trade Act of 2021".

### SEC. 2. TRADE NEGOTIATING OBJECTIVE RELATING TO SECURITY OF COMMUNICATIONS NETWORKS.

Section 102(a) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4201(a)) is amended—

- (1) in paragraph (14), by striking "and" and inserting a semicolon;
- (2) in paragraph (15), by striking the period at the end and inserting "and"; and
- (3) by adding at the end the following:

"(16) to ensure that the equipment and technology that create the global communications infrastructure are not compromised by addressing—

"(A) barriers to the security of communications networks and supply chains; and

"(B) unfair trade practices of suppliers of communications equipment that are owned, controlled, or supported by a foreign government."



By Mr. DURBIN (for himself, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. BROWN, Ms. STABENOW, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Ms. SMITH, Mr. VAN HOLLEN, and Mr. SANDERS):

S. 411. A bill to improve Federal efforts with respect to the prevention of maternal mortality, and for other purposes; to the Committee on Finance.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 411

*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 “Mothers and Offspring Mortality and Morbidity Awareness Act” or the “MOMMA’s Act”.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) Every year, across the United States, nearly 4,000,000 women give birth, about 700 women suffer fatal complications during pregnancy, while giving birth or during the postpartum period, and about 70,000 women suffer near-fatal, partum-related complications.

(2) The maternal mortality rate is often used as a proxy to measure the overall health of a population. While the infant mortality rate in the United States has reached its lowest point, the risk of death for women in the United States during pregnancy, childbirth, or the postpartum period is higher than such risk in many other high-income countries. The estimated maternal mortality rate (deaths per 100,000 live births) for the 48 contiguous States and Washington, D.C. increased from 14.5 percent in 2000 to 17.3 in 2017. The United States is the only industrialized nation with a rising maternal mortality rate.

(3) The National Vital Statistics System of the Centers for Disease Control and Prevention has found that in 2018, there were 17.4 maternal deaths for every 100,000 live births in the United States. This ratio is more than double that of most other high-income countries.

(4) It is estimated that more than 60 percent of maternal deaths in the United States are preventable.

(5) According to the Centers for Disease Control and Prevention, the maternal mortality rate varies drastically for women by race and ethnicity. There are about 13 deaths per 100,000 live births for White women, 40.8 deaths per 100,000 live births for non-Hispanic Black women, and 29.7 deaths per 100,000 live births for American Indian/Alaskan Native women. While maternal mortality disparately impacts Black women, this urgent public health crisis traverses race, ethnicity, socioeconomic status, educational background, and geography.

(6) In the United States, non-Hispanic Black women are about 3 times more likely to die from causes related to pregnancy and childbirth compared to non-Hispanic White women, which is one of the most disconcerting racial disparities in public health. This disparity widens in certain cities and States across the country.

(7) According to the National Center for Health Statistics of the Centers for Disease Control and Prevention, the maternal mortality rate heightens with age, as women 40 and older die at a rate of 81.9 per 100,000 births compared to 10.6 per 100,000 for women

under 25. This translates to women over 40 being 7.7 times more likely to die compared to their counterparts under 25 years of age.

(8) The COVID-19 pandemic risks exacerbating the maternal health crisis. A recent study of the Centers for Disease Control and Prevention suggests that pregnant women are at a significantly higher risk for severe outcomes, including death, from COVID-19 as compared to non-pregnant women. The COVID-19 pandemic has also decreased access to prenatal and postpartum care.

(9) The findings described in paragraphs (1) through (8) are of major concern to researchers, academics, members of the business community, and providers across the obstetric continuum represented by organizations such as—

(A) the American College of Nurse-Midwives;

(B) the American College of Obstetricians and Gynecologists;

(C) the American Medical Association;

(D) the Association of Women’s Health, Obstetric and Neonatal Nurses;

(E) the Black Mamas Matter Alliance;

(F) the Black Women’s Health Imperative;

(G) the California Maternal Quality Care Collaborative;

(H) EverThrive Illinois;

(I) the Illinois Perinatal Quality Collaborative;

(J) the March of Dimes;

(K) the National Association of Certified Professional Midwives;

(L) the National Birth Equity Collaborative;

(M) the National Partnership for Women & Families;

(N) the National Polycystic Ovary Syndrome Association;

(O) the Preeclampsia Foundation;

(P) the Society for Maternal-Fetal Medicine; and

(Q) the What To Expect Project.

(10) Hemorrhage, cardiovascular and coronary conditions, cardiomyopathy, infection or sepsis, embolism, mental health conditions (including substance use disorder), hypertensive disorders, stroke and cerebrovascular accidents, and anesthesia complications are the predominant medical causes of maternal-related deaths and complications. Most of these conditions are largely preventable or manageable. Even when these conditions are not preventable, mortality and morbidity may be prevented when conditions are diagnosed and treated in a timely manner.

(11) According to a study published by the Journal of Perinatal Education, doula-assisted mothers are 4 times less likely to have a low-birthweight baby, 2 times less likely to experience a birth complication involving themselves or their baby, and significantly more likely to initiate breastfeeding. Doula care has also been shown to produce cost savings resulting in part from reduced rates of cesarean and pre-term births.

(12) Intimate partner violence is one of the leading causes of maternal death, and women are more likely to experience intimate partner violence during pregnancy than at any other time in their lives. It is also more dangerous than pregnancy. Intimate partner violence during pregnancy and postpartum crosses every demographic and has been exacerbated by the COVID-19 pandemic.

(13) Oral health is an important part of perinatal health. Reducing bacteria in a woman’s mouth during pregnancy can significantly reduce her risk of developing oral diseases and spreading decay-causing bacteria to her baby. Moreover, some evidence suggests that women with periodontal disease during pregnancy could be at greater risk for poor birth outcomes, such as preeclampsia, pre-term birth, and low-birth

weight. Furthermore, a woman’s oral health during pregnancy is a good predictor of her newborn’s oral health, and since mothers can unintentionally spread oral bacteria to their babies, putting their children at higher risk for tooth decay, prevention efforts should happen even before children are born, as a matter of pre-pregnancy health and prenatal care during pregnancy.

(14) In the United States, death reporting and analysis is a State function rather than a Federal process. States report all deaths—including maternal deaths—on a semi-voluntary basis, without standardization across States. While the Centers for Disease Control and Prevention has the capacity and system for collecting death-related data based on death certificates, these data are not sufficiently reported by States in an organized and standard format across States such that the Centers for Disease Control and Prevention is able to identify causes of maternal death and best practices for the prevention of such death.

(15) Vital statistics systems often underestimate maternal mortality and are insufficient data sources from which to derive a full scope of medical and social determinant factors contributing to maternal deaths, such as intimate partner violence. While the addition of pregnancy checkboxes on death certificates since 2003 have likely improved States’ abilities to identify pregnancy-related deaths, they are not generally completed by obstetric providers or persons trained to recognize pregnancy-related mortality. Thus, these vital forms may be missing information or may capture inconsistent data. Due to varying maternal mortality-related analyses, lack of reliability, and granularity in data, current maternal mortality informatics do not fully encapsulate the myriad medical and socially determinant factors that contribute to such high maternal mortality rates within the United States compared to other developed nations. Lack of standardization of data and data sharing across States and between Federal entities, health networks, and research institutions keep the Nation in the dark about ways to prevent maternal deaths.

(16) Having reliable and valid State data aggregated at the Federal level are critical to the Nation’s ability to quell surges in maternal death and imperative for researchers to identify long-lasting interventions.

(17) Leaders in maternal wellness highly recommend that maternal deaths and cases of maternal morbidity, including complications that result in chronic illness and future increased risk of death, be investigated at the State level first, and that standardized, streamlined, de-identified data regarding maternal deaths be sent annually to the Centers for Disease Control and Prevention. Such data standardization and collection would be similar in operation and effect to the National Program of Cancer Registries of the Centers for Disease Control and Prevention and akin to the Confidential Enquiry in Maternal Deaths Programme in the United Kingdom. Such a maternal mortalities and morbidities registry and surveillance system would help providers, academicians, lawmakers, and the public to address questions concerning the types of, causes of, and best practices to thwart, maternal mortality and morbidity.

(18) The United Nations’ Millennium Development Goal 5a aimed to reduce by 75 percent, between 1990 and 2015, the maternal mortality rate, yet this metric has not been achieved. In fact, the maternal mortality rate in the United States has been estimated to have more than doubled between 2000 and 2014.

(19) Many States have struggled to establish or maintain Maternal Mortality Review

Committees (referred to in this section as “MMRC”). On the State level, MMRCs have lagged because States have not had the resources to mount local reviews. State-level reviews are necessary as only the State departments of health have the authority to request medical records, autopsy reports, and police reports critical to the function of the MMRC.

(20) The United States has no comparable, coordinated Federal process by which to review cases of maternal mortality, systems failures, or best practices. Many States have active MMRCs and leverage their work to impact maternal wellness. For example, the State of California has worked extensively with their State health departments, health and hospital systems, and research collaborative organizations, including the California Maternal Quality Care Collaborative and the Alliance for Innovation on Maternal Health, to establish MMRCs, wherein such State has determined the most prevalent causes of maternal mortality and recorded and shared data with providers and researchers, who have developed and implemented safety bundles and care protocols related to preeclampsia, maternal hemorrhage, peripartum cardiomyopathy, and the like. In this way, the State of California has been able to leverage its maternal mortality review board system, generate data, and apply those data to effect changes in maternal care-related protocol. To date, the State of California has reduced its maternal mortality rate, which is now comparable to the low rates of the United Kingdom.

(21) Hospitals and health systems across the United States lack standardization of emergency obstetric protocols before, during, and after delivery. Consequently, many providers are delayed in recognizing critical signs indicating maternal distress that quickly escalate into fatal or near-fatal incidences. Moreover, any attempt to address an obstetric emergency that does not consider both clinical and public health approaches falls woefully under the mark of excellent care delivery. State-based perinatal quality collaboratives, or entities participating in the Alliance for Innovation on Maternal Health (AIM), have formed obstetric protocols, tool kits, and other resources to improve system care and response as they relate to maternal complications and warning signs for such conditions as maternal hemorrhage, hypertension, and preeclampsia. These perinatal quality collaboratives serve an important role in providing infrastructure that supports quality improvement efforts addressing obstetric care and outcomes. State-based perinatal quality collaboratives partner with hospitals, physicians, nurses, patients, public health, and other stakeholders to provide opportunities for collaborative learning, rapid response data, and quality improvement science support to achieve systems-level change.

(22) The Centers for Disease Control and Prevention reports that nearly half of all maternal deaths occur in the immediate postpartum period—the 42 days following a pregnancy—whereas more than one-third of maternal deaths occur while a person is still pregnant. Further, 21 percent of maternal deaths occur between 1 and 6 weeks postpartum, and 12 percent of maternal deaths occur during the remaining portion of the postpartum year. Yet, for women eligible for the Medicaid program on the basis of pregnancy, such Medicaid coverage lapses at the end of the month on which the 60th postpartum day lands.

(23) The experience of serious traumatic events, such as being exposed to domestic violence, substance use disorder, or pervasive and systematic racism, can over-activate the body's stress-response system. Known as

toxic stress, the repetition of high-doses of cortisol to the brain, can harm healthy neurological development and other body systems, which can have cascading physical and mental health consequences, as documented in the Adverse Childhood Experiences study of the Centers for Disease Control and Prevention.

(24) A growing body of evidence-based research has shown the correlation between the stress associated with systematic racism and one's birthing outcomes. The undue stress of sex and race discrimination paired with institutional racism has been demonstrated to contribute to a higher risk of maternal mortality, irrespective of one's gestational age, maternal age, socioeconomic status, educational level, or individual-level health risk factors, including poverty, limited access to prenatal care, and poor physical and mental health (although these are not nominal factors). Black women remain the most at risk for pregnancy-associated or pregnancy-related causes of death. When it comes to preeclampsia, for example, for which obesity is a risk factor, Black women of normal weight remain at a higher at risk of dying during the perinatal period compared to non-Black obese women.

(25) The rising maternal mortality rate in the United States is driven predominantly by the disproportionately high rates of Black maternal mortality.

(26) Compared to women from other racial and ethnic demographics, Black women across the socioeconomic spectrum experience prolonged, unrelenting stress related to systematic racial and gender discrimination, contributing to higher rates of maternal mortality, giving birth to low-weight babies, and experiencing pre-term birth. Racism is a risk-factor for these aforementioned experiences. This cumulative stress, called weathering, often extends across the life course and is situated in everyday spaces where Black women establish livelihood. Systematic racism, structural barriers, lack of access to care, lack of access to nutritious food, and social determinants of health exacerbate Black women's likelihood to experience poor or fatal birthing outcomes, but do not fully account for the great disparity.

(27) Black women are twice as likely to experience postpartum depression, and disproportionately higher rates of preeclampsia compared to White women.

(28) Racism is deeply ingrained in United States systems, including in health care delivery systems between patients and providers, often resulting in disparate treatment for pain, irreverence for cultural norms with respect to health, and dismissiveness. However, the provider pool is not primed with many people of color, nor are providers (whether maternity care clinicians or maternity care support personnel) consistently required to undergo implicit bias, cultural competency, respectful care practices, or empathy training on a consistent, on-going basis.

(29) Not all people who have been pregnant or given birth identify as being a “woman”. The terms “birthing people” or “birthing persons” are also used to describe pregnant and postpartum people.

### **SEC. 3. IMPROVING FEDERAL EFFORTS WITH RESPECT TO PREVENTION OF MATERNAL MORTALITY.**

(a) **TECHNICAL ASSISTANCE FOR STATES WITH RESPECT TO REPORTING MATERNAL MORTALITY.**—Not later than one year after the date of enactment of this Act, the Director of the Centers for Disease Control and Prevention (referred to in this section as the “Director”), in consultation with the Administrator of the Health Resources and Services Administration, shall provide technical assistance to States that elect to report

comprehensive data on maternal mortality and factors relating to such mortality (including oral and mental health), intimate partner violence, and breastfeeding health information, for the purpose of encouraging uniformity in the reporting of such data and to encourage the sharing of such data among the respective States.

#### **(b) BEST PRACTICES RELATING TO PREVENTION OF MATERNAL MORTALITY.**—

(1) **IN GENERAL.**—Not later than one year after the date of enactment of this Act—

(A) the Director, in consultation with relevant patient and provider groups, shall issue best practices to State maternal mortality review committees on how best to identify and review maternal mortality cases, taking into account any data made available by States relating to maternal mortality, including data on oral, mental, and breastfeeding health, and utilization of any emergency services; and

(B) the Director, working in collaboration with the Health Resources and Services Administration, shall issue best practices to hospitals, State professional society groups, and perinatal quality collaboratives on how best to prevent maternal mortality.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—For purposes of carrying out this subsection, there is authorized to be appropriated \$5,000,000 for each of fiscal years 2021 through 2025.

#### **(c) ALLIANCE FOR INNOVATION ON MATERNAL HEALTH GRANT PROGRAM.**—

(1) **IN GENERAL.**—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this subsection as the “Secretary”), acting through the Associate Administrator of the Maternal and Child Health Bureau of the Health Resources and Services Administration, shall establish a grant program to be known as the Alliance for Innovation on Maternal Health Grant Program (referred to in this subsection as “AIM”) under which the Secretary shall award grants to eligible entities for the purpose of—

(A) directing widespread adoption and implementation of maternal safety bundles through collaborative State-based teams; and

(B) collecting and analyzing process, structure, and outcome data to drive continuous improvement in the implementation of such safety bundles by such State-based teams with the ultimate goal of eliminating preventable maternal mortality and severe maternal morbidity in the United States.

(2) **ELIGIBLE ENTITIES.**—In order to be eligible for a grant under paragraph (1), an entity shall—

(A) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

(B) demonstrate in such application that the entity is an interdisciplinary, multi-stakeholder, national organization with a national data-driven maternal safety and quality improvement initiative based on implementation approaches that have been proven to improve maternal safety and outcomes in the United States.

(3) **USE OF FUNDS.**—An eligible entity that receives a grant under paragraph (1) shall use such grant funds—

(A) to develop and implement, through a robust, multi-stakeholder process, maternal safety bundles to assist States, perinatal quality collaboratives, and health care systems in aligning national, State, and hospital-level quality improvement efforts to improve maternal health outcomes, specifically the reduction of maternal mortality and severe maternal morbidity;

(B) to ensure, in developing and implementing maternal safety bundles under subparagraph (A), that such maternal safety bundles—

(i) satisfy the quality improvement needs of a State, perinatal quality collaborative, or health care system by factoring in the results and findings of relevant data reviews, such as reviews conducted by a State maternal mortality review committee; and

(ii) address topics which may include—

(I) information on evidence-based practices to improve the quality and safety of maternal health care in hospitals and other health care settings of a State or health care system, including by addressing topics commonly associated with health complications or risks related to prenatal care, labor care, birthing, and postpartum care;

(II) best practices for improving maternal health care based on data findings and reviews conducted by a State maternal mortality review committee that address topics of relevance to common complications or health risks related to prenatal care, labor care, birthing, and postpartum care;

(III) information on addressing determinants of health that impact maternal health outcomes for women before, during, and after pregnancy;

(IV) obstetric hemorrhage;

(V) obstetric and postpartum care for women with substance use disorders, including opioid use disorder;

(VI) maternal cardiovascular system;

(VII) maternal mental health;

(VIII) postpartum care basics for maternal safety;

(IX) reduction of peripartum racial and ethnic disparities;

(X) reduction of primary caesarean birth;

(XI) severe hypertension in pregnancy;

(XII) severe maternal morbidity reviews;

(XIII) support after a severe maternal morbidity event;

(XIV) thromboembolism;

(XV) optimization of support for breastfeeding;

(XVI) maternal oral health; and

(XVII) intimate partner violence; and

(C) to provide ongoing technical assistance at the national and State levels to support implementation of maternal safety bundles under subparagraph (A).

(4) MATERNAL SAFETY BUNDLE DEFINED.—For purposes of this subsection, the term “maternal safety bundle” means standardized, evidence-informed processes for maternal health care.

(5) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this subsection, there is authorized to be appropriated \$10,000,000 for each of fiscal years 2021 through 2025.

(d) FUNDING FOR STATE-BASED PERINATAL QUALITY COLLABORATIVES DEVELOPMENT AND SUSTAINABILITY.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this subsection as the “Secretary”), acting through the Division of Reproductive Health of the Centers for Disease Control and Prevention, shall establish a grant program to be known as the State-Based Perinatal Quality Collaborative grant program under which the Secretary awards grants to eligible entities for the purpose of development and sustainability of perinatal quality collaboratives in every State, the District of Columbia, and eligible territories, in order to measurably improve perinatal care and perinatal health outcomes for pregnant and postpartum women and their infants.

(2) GRANT AMOUNTS.—Grants awarded under this subsection shall be in amounts

not to exceed \$250,000 per year, for the duration of the grant period.

(3) STATE-BASED PERINATAL QUALITY COLLABORATIVE DEFINED.—For purposes of this subsection, the term “State-based perinatal quality collaborative” means a network of teams that—

(A) is multidisciplinary in nature and includes the full range of perinatal and maternity care providers;

(B) works to improve measurable outcomes for maternal and infant health by advancing evidence-informed clinical practices using quality improvement principles;

(C) works with hospital-based or outpatient facility-based clinical teams, experts, and stakeholders, including patients and families, to spread best practices and optimize resources to improve perinatal care and outcomes;

(D) employs strategies that include the use of the collaborative learning model to provide opportunities for hospitals and clinical teams to collaborate on improvement strategies, rapid-response data to provide timely feedback to hospital and other clinical teams to track progress, and quality improvement science to provide support and coaching to hospital and clinical teams;

(E) has the goal of improving population-level outcomes in maternal and infant health; and

(F) has the goal of improving outcomes of all birthing people, through the coordination, integration, and collaboration across birth settings.

(4) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this subsection, there is authorized to be appropriated \$14,000,000 per year for each of fiscal years 2021 through 2025.

(e) EXPANSION OF MEDICAID AND CHIP COVERAGE FOR PREGNANT AND POSTPARTUM WOMEN.—

(1) REQUIRING COVERAGE OF ORAL HEALTH SERVICES FOR PREGNANT AND POSTPARTUM WOMEN.—

(A) MEDICAID.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(i) in subsection (a)(4)—

(I) by striking “; and (D)” and inserting “; (D)”;

(II) by inserting “; and (E) oral health services for pregnant and postpartum women (as defined in subsection (hh))” after “subsection (bb)”;

(ii) by adding at the end the following new subsection:

“(hh) ORAL HEALTH SERVICES FOR PREGNANT AND POSTPARTUM WOMEN.—

“(1) IN GENERAL.—For purposes of this title, the term ‘oral health services for pregnant and postpartum women’ means dental services necessary to prevent disease and promote oral health, restore oral structures to health and function, and treat emergency conditions that are furnished to a woman during pregnancy (or during the 1-year period beginning on the last day of the pregnancy).

“(2) COVERAGE REQUIREMENTS.—To satisfy the requirement to provide oral health services for pregnant and postpartum women, a State shall, at a minimum, provide coverage for preventive, diagnostic, periodontal, and restorative care consistent with recommendations for perinatal oral health care and dental care during pregnancy from the American Academy of Pediatric Dentistry and the American College of Obstetricians and Gynecologists.”

(B) CHIP.—Section 2103(c)(5)(A) of the Social Security Act (42 U.S.C. 1397cc(c)(5)(A)) is amended by inserting “or a targeted low-income pregnant woman” after “targeted low-income child”.

(2) EXTENDING MEDICAID COVERAGE FOR PREGNANT AND POSTPARTUM WOMEN.—Section

1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(A) in subsection (e)—

(i) in paragraph (5)—

(I) by inserting “(including oral health services for pregnant and postpartum women (as defined in section 1905(hh)))” after “postpartum medical assistance under the plan”;

(II) by striking “60-day” and inserting “1-year”;

(ii) in paragraph (6), by striking “60-day” and inserting “1-year”;

(B) in subsection (1)(1)(A), by striking “60-day” and inserting “1-year”.

(3) EXTENDING MEDICAID COVERAGE FOR LAW-FUL RESIDENTS.—Section 1903(v)(4)(A)(i) of the Social Security Act (42 U.S.C. 1396b(v)(4)(A)(i)) is amended by striking “60-day” and inserting “1-year”.

(4) EXTENDING CHIP COVERAGE FOR PREGNANT AND POSTPARTUM WOMEN.—Section 2112(d)(2)(A) of the Social Security Act (42 U.S.C. 1397ll(d)(2)(A)) is amended by striking “60-day” and inserting “1-year”.

(5) MAINTENANCE OF EFFORT.—

(A) MEDICAID.—Section 1902(1) of the Social Security Act (42 U.S.C. 1396a(1)) is amended by adding at the end the following new paragraph:

“(5) During the period that begins on the date of enactment of this paragraph and ends on the date that is five years after such date of enactment, as a condition for receiving any Federal payments under section 1903(a) for calendar quarters occurring during such period, a State shall not have in effect, with respect to women who are eligible for medical assistance under the State plan or under a waiver of such plan on the basis of being pregnant or having been pregnant, eligibility standards, methodologies, or procedures under the State plan or waiver that are more restrictive than the eligibility standards, methodologies, or procedures, respectively, under such plan or waiver that are in effect on the date of enactment of this paragraph.”

(B) CHIP.—Section 2105(d) of the Social Security Act (42 U.S.C. 1397ee(d)) is amended by adding at the end the following new paragraph:

“(4) IN ELIGIBILITY STANDARDS FOR TARGETED LOW-INCOME PREGNANT WOMEN.—During the period that begins on the date of enactment of this paragraph and ends on the date that is five years after such date of enactment, as a condition of receiving payments under subsection (a) and section 1903(a), a State that elects to provide assistance to women on the basis of being pregnant (including pregnancy-related assistance provided to targeted low-income pregnant women (as defined in section 2112(d)), pregnancy-related assistance provided to women who are eligible for such assistance through application of section 1902(v)(4)(A)(i) under section 2107(e)(1), or any other assistance under the State child health plan (or a waiver of such plan) which is provided to women on the basis of being pregnant) shall not have in effect, with respect to such women, eligibility standards, methodologies, or procedures under such plan (or waiver) that are more restrictive than the eligibility standards, methodologies, or procedures, respectively, under such plan (or waiver) that are in effect on the date of enactment of this paragraph.”

(6) INFORMATION ON BENEFITS.—The Secretary of Health and Human Services shall make publicly available on the Internet website of the Department of Health and Human Services, information regarding benefits available to pregnant and postpartum women and under the Medicaid program and the Children’s Health Insurance Program, including information on—

(A) benefits that States are required to provide to pregnant and postpartum women under such programs;

(B) optional benefits that States may provide to pregnant and postpartum women under such programs; and

(C) the availability of different kinds of benefits for pregnant and postpartum women, including oral health and mental health benefits, under such programs.

(7) FEDERAL FUNDING FOR COST OF EXTENDED MEDICAID AND CHIP COVERAGE FOR POSTPARTUM WOMEN.—

(A) MEDICAID.—Section 1905 of the Social Security Act (42 U.S.C. 1396d), as amended by paragraph (1), is further amended—

(i) in subsection (b), by striking “and (ff)” and inserting “(aa), and (ii)”; and

(ii) by adding at the end the following:

“(b) INCREASED FMAP FOR EXTENDED MEDICAL ASSISTANCE FOR POSTPARTUM WOMEN.—Notwithstanding subsection (b), the Federal medical assistance percentage for a State, with respect to amounts expended by such State for medical assistance for a woman who is eligible for such assistance on the basis of being pregnant or having been pregnant that is provided during the 305-day period that begins on the 60th day after the last day of her pregnancy (including any such assistance provided during the month in which such period ends), shall be equal to—

“(1) 100 percent for the first 20 calendar quarters during which this subsection is in effect; and

“(2) 90 percent for calendar quarters thereafter.”.

(B) CHIP.—Section 2105(c) of the Social Security Act (42 U.S.C. 1397ee(c)) is amended by adding at the end the following new paragraph:

“(12) ENHANCED PAYMENT FOR EXTENDED ASSISTANCE PROVIDED TO PREGNANT WOMEN.—Notwithstanding subsection (b), the enhanced FMAP, with respect to payments under subsection (a) for expenditures under the State child health plan (or a waiver of such plan) for assistance provided under the plan (or waiver) to a woman who is eligible for such assistance on the basis of being pregnant (including pregnancy-related assistance provided to a targeted low-income pregnant woman (as defined in section 2112(d)), pregnancy-related assistance provided to a woman who is eligible for such assistance through application of section 1902(v)(4)(A)(i) under section 2107(e)(1), or any other assistance under the plan (or waiver) provided to a woman who is eligible for such assistance on the basis of being pregnant) during the 305-day period that begins on the 60th day after the last day of her pregnancy (including any such assistance provided during the month in which such period ends), shall be equal to—

“(A) 100 percent for the first 20 calendar quarters during which this paragraph is in effect; and

“(B) 90 percent for calendar quarters thereafter.”.

(8) GUIDANCE ON STATE OPTIONS FOR MEDICAID COVERAGE OF DOULA SERVICES.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue guidance for the States concerning options for Medicaid coverage and payment for support services provided by doulas.

(9) EFFECTIVE DATE.—

(A) IN GENERAL.—Subject to subparagraph (B), the amendments made by this subsection shall take effect on the first day of the first calendar quarter that begins on or after the date that is one year after the date of enactment of this Act.

(B) EXCEPTION FOR STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act or a State child health plan under title XXI of such Act that the Secretary of Health and Human Services determines requires State legislation in order for the respective plan to meet any requirement imposed by amendments made by this subsection, the respective plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.

(F) REGIONAL CENTERS OF EXCELLENCE.—Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following new section:

“SEC. 399V-7. REGIONAL CENTERS OF EXCELLENCE ADDRESSING IMPLICIT BIAS AND CULTURAL COMPETENCY IN PATIENT-PROVIDER INTERACTIONS EDUCATION.

“(a) IN GENERAL.—Not later than one year after the date of enactment of this section, the Secretary, in consultation with such other agency heads as the Secretary determines appropriate, shall award cooperative agreements for the establishment or support of regional centers of excellence addressing implicit bias, cultural competency, and respectful care practices in patient-provider interactions education for the purpose of enhancing and improving how health care professionals are educated in implicit bias and delivering culturally competent health care.

“(b) ELIGIBILITY.—To be eligible to receive a cooperative agreement under subsection (a), an entity shall—

“(1) be a public or other nonprofit entity specified by the Secretary that provides educational and training opportunities for students and health care professionals, which may be a health system, teaching hospital, community health center, medical school, school of public health, school of nursing, dental school, social work school, school of professional psychology, or any other health professional school or program at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965) focused on the prevention, treatment, or recovery of health conditions that contribute to maternal mortality and the prevention of maternal mortality and severe maternal morbidity;

“(2) demonstrate community engagement and participation, such as through partnerships with home visiting and case management programs;

“(3) demonstrate engagement with groups engaged in the implementation of health care professional training in implicit bias and delivering culturally competent care, such as departments of public health, perinatal quality collaboratives, hospital systems, and health care professional groups, in order to obtain input on resources needed for effective implementation strategies; and

“(4) provide to the Secretary such information, at such time and in such manner, as the Secretary may require.

“(c) DIVERSITY.—In awarding a cooperative agreement under subsection (a), the Secretary shall take into account any regional differences among eligible entities and make an effort to ensure geographic diversity among award recipients.

“(d) DISSEMINATION OF INFORMATION.—

“(1) PUBLIC AVAILABILITY.—The Secretary shall make publicly available on the internet

website of the Department of Health and Human Services information submitted to the Secretary under subsection (b)(3).

“(2) EVALUATION.—The Secretary shall evaluate each regional center of excellence established or supported pursuant to subsection (a) and disseminate the findings resulting from each such evaluation to the appropriate public and private entities.

“(3) DISTRIBUTION.—The Secretary shall share evaluations and overall findings with State departments of health and other relevant State level offices to inform State and local best practices.

“(e) MATERNAL MORTALITY DEFINED.—In this section, the term ‘maternal mortality’ means death of a woman that occurs during pregnancy or within the one-year period following the end of such pregnancy.

“(f) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there is authorized to be appropriated \$5,000,000 for each of fiscal years 2021 through 2025.”.

(g) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN.—Section 17(d)(3)(A)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(A)(ii)) is amended—

(1) by striking the clause designation and heading and all that follows through “A State” and inserting the following:

“(ii) WOMEN.—

“(I) BREASTFEEDING WOMEN.—A State”;

(2) in subclause (I) (as so designated), by striking “1 year” and all that follows through “earlier” and inserting “2 years postpartum”; and

(3) by adding at the end the following:

“(II) POSTPARTUM WOMEN.—A State may elect to certify a postpartum woman for a period of 2 years.”.

(h) DEFINITIONS.—In this section:

(1) MATERNAL MORTALITY.—The term “maternal mortality” means death of a woman that occurs during pregnancy or within the one-year period following the end of such pregnancy.

(2) PREGNANCY RELATED DEATH.—The term “pregnancy related death” includes the death of a woman during pregnancy or within one year of the end of pregnancy from a pregnancy complication, a chain of events initiated by pregnancy, or the aggravation of an unrelated condition by the physiologic effects of pregnancy.

(3) SEVERE MATERNAL MORBIDITY.—The term “severe maternal morbidity” includes unexpected outcomes of labor and delivery that result in significant short-term or long-term consequences to a woman’s health.

#### SEC. 4. INCREASING EXCISE TAXES ON CIGARETTES AND ESTABLISHING EXCISE TAX EQUITY AMONG ALL TOBACCO PRODUCT TAX RATES.

(a) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO.—Section 5701(g) of the Internal Revenue Code of 1986 is amended by striking “\$24.78” and inserting “\$49.56”.

(b) TAX PARITY FOR PIPE TOBACCO.—Section 5701(f) of the Internal Revenue Code of 1986 is amended by striking “\$2.8311 cents” and inserting “\$49.56”.

(c) TAX PARITY FOR SMOKELESS TOBACCO.—(1) Section 5701(e) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1), by striking “\$1.51” and inserting “\$26.84”;

(B) in paragraph (2), by striking “50.33 cents” and inserting “\$10.74”; and

(C) by adding at the end the following:

“(3) SMOKELESS TOBACCO SOLD IN DISCRETE SINGLE-USE UNITS.—On discrete single-use units, \$100.66 per thousand.”.

(2) Section 5702(m) of such Code is amended—

(A) in paragraph (1), by striking “or chewing tobacco” and inserting “, chewing tobacco, or discrete single-use unit”;

(B) in paragraphs (2) and (3), by inserting “that is not a discrete single-use unit” before the period in each such paragraph; and

(C) by adding at the end the following:

“(4) DISCRETE SINGLE-USE UNIT.—The term ‘discrete single-use unit’ means any product containing, made from, or derived from tobacco or nicotine that—

“(A) is not intended to be smoked; and

“(B) is in the form of a lozenge, tablet, pill, pouch, dissolvable strip, or other discrete single-use or single-dose unit.”.

(d) TAX PARITY FOR SMALL CIGARS.—Paragraph (1) of section 5701(a) of the Internal Revenue Code of 1986 is amended by striking “\$50.33” and inserting “\$100.66”.

(e) TAX PARITY FOR LARGE CIGARS.—

(1) IN GENERAL.—Paragraph (2) of section 5701(a) of the Internal Revenue Code of 1986 is amended by striking “52.75 percent” and all that follows through the period and inserting the following: “49.56 per pound and a proportionate tax at the like rate on all fractional parts of a pound but not less than 10.066 cents per cigar.”.

(2) GUIDANCE.—The Secretary of the Treasury, or the Secretary’s delegate, may issue guidance regarding the appropriate method for determining the weight of large cigars for purposes of calculating the applicable tax under section 5701(a)(2) of the Internal Revenue Code of 1986.

(f) TAX PARITY FOR ROLL-YOUR-OWN TOBACCO AND CERTAIN PROCESSED TOBACCO.—Subsection (o) of section 5702 of the Internal Revenue Code of 1986 is amended by inserting “, and includes processed tobacco that is removed for delivery or delivered to a person other than a person with a permit provided under section 5713, but does not include removals of processed tobacco for exportation” after “wrappers thereof”.

(g) CLARIFYING TAX RATE FOR OTHER TOBACCO PRODUCTS.—

(1) IN GENERAL.—Section 5701 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(i) OTHER TOBACCO PRODUCTS.—Any product not otherwise described under this section that has been determined to be a tobacco product by the Food and Drug Administration through its authorities under the Family Smoking Prevention and Tobacco Control Act shall be taxed at a level of tax equivalent to the tax rate for cigarettes on an estimated per use basis as determined by the Secretary.”.

(2) ESTABLISHING PER USE BASIS.—For purposes of section 5701(i) of the Internal Revenue Code of 1986, not later than 12 months after the later of the date of the enactment of this Act or the date that a product has been determined to be a tobacco product by the Food and Drug Administration, the Secretary of the Treasury (or the Secretary of the Treasury’s delegate) shall issue final regulations establishing the level of tax for such product that is equivalent to the tax rate for cigarettes on an estimated per use basis.

(h) CLARIFYING DEFINITION OF TOBACCO PRODUCTS.—

(1) IN GENERAL.—Subsection (c) of section 5702 of the Internal Revenue Code of 1986 is amended to read as follows:

“(c) TOBACCO PRODUCTS.—The term ‘tobacco products’ means—

“(1) cigars, cigarettes, smokeless tobacco, pipe tobacco, and roll-your-own tobacco, and

“(2) any other product subject to tax pursuant to section 5701(i).”.

(2) CONFORMING AMENDMENTS.—Subsection (d) of section 5702 of such Code is amended by striking “cigars, cigarettes, smokeless tobacco, pipe tobacco, or roll-your-own tobacco” each place it appears and inserting “tobacco products”.

(i) INCREASING TAX ON CIGARETTES.—

(1) SMALL CIGARETTES.—Section 5701(b)(1) of such Code is amended by striking “\$50.33” and inserting “\$100.66”.

(2) LARGE CIGARETTES.—Section 5701(b)(2) of such Code is amended by striking “\$105.69” and inserting “\$211.38”.

(j) TAX RATES ADJUSTED FOR INFLATION.—Section 5701 of such Code, as amended by subsection (g), is amended by adding at the end the following new subsection:

“(j) INFLATION ADJUSTMENT.—

“(1) IN GENERAL.—In the case of any calendar year beginning after 2021, the dollar amounts provided under this chapter shall each be increased by an amount equal to—

“(A) such dollar amount, multiplied by

“(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2020’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

“(2) ROUNDING.—If any amount as adjusted under paragraph (1) is not a multiple of \$0.01, such amount shall be rounded to the next highest multiple of \$0.01.”.

(k) FLOOR STOCKS TAXES.—

(1) IMPOSITION OF TAX.—On tobacco products manufactured in or imported into the United States which are removed before any tax increase date and held on such date for sale by any person, there is hereby imposed a tax in an amount equal to the excess of—

(A) the tax which would be imposed under section 5701 of the Internal Revenue Code of 1986 on the article if the article had been removed on such date, over

(B) the prior tax (if any) imposed under section 5701 of such Code on such article.

(2) CREDIT AGAINST TAX.—Each person shall be allowed as a credit against the taxes imposed by paragraph (1) an amount equal to \$500. Such credit shall not exceed the amount of taxes imposed by paragraph (1) on such date for which such person is liable.

(3) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(A) LIABILITY FOR TAX.—A person holding tobacco products on any tax increase date to which any tax imposed by paragraph (1) applies shall be liable for such tax.

(B) METHOD OF PAYMENT.—The tax imposed by paragraph (1) shall be paid in such manner as the Secretary shall prescribe by regulations.

(C) TIME FOR PAYMENT.—The tax imposed by paragraph (1) shall be paid on or before the date that is 120 days after the effective date of the tax rate increase.

(4) ARTICLES IN FOREIGN TRADE ZONES.—Notwithstanding the Act of June 18, 1934 (commonly known as the Foreign Trade Zone Act, 48 Stat. 998, 19 U.S.C. 81a et seq.), or any other provision of law, any article which is located in a foreign trade zone on any tax increase date shall be subject to the tax imposed by paragraph (1) if—

(A) internal revenue taxes have been determined, or customs duties liquidated, with respect to such article before such date pursuant to a request made under the 1st proviso of section 3(a) of such Act, or

(B) such article is held on such date under the supervision of an officer of the United States Customs and Border Protection of the Department of Homeland Security pursuant to the 2d proviso of such section 3(a).

(5) DEFINITIONS.—For purposes of this subsection—

(A) IN GENERAL.—Any term used in this subsection which is also used in section 5702 of such Code shall have the same meaning as such term has in such section.

(B) TAX INCREASE DATE.—The term “tax increase date” means the effective date of any increase in any tobacco product excise tax rate pursuant to the amendments made by this section (other than subsection (j) thereof).

(C) SECRETARY.—The term “Secretary” means the Secretary of the Treasury or the Secretary’s delegate.

(6) CONTROLLED GROUPS.—Rules similar to the rules of section 5061(e)(3) of such Code shall apply for purposes of this subsection.

(7) OTHER LAWS APPLICABLE.—All provisions of law, including penalties, applicable with respect to the taxes imposed by section 5701 of such Code shall, insofar as applicable and not inconsistent with the provisions of this subsection, apply to the floor stocks taxes imposed by paragraph (1), to the same extent as if such taxes were imposed by such section 5701. The Secretary may treat any person who bore the ultimate burden of the tax imposed by paragraph (1) as the person to whom a credit or refund under such provisions may be allowed or made.

(1) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraphs (2) through (4), the amendments made by this section shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the last day of the month which includes the date of the enactment of this Act.

(2) DISCRETE SINGLE-USE UNITS AND PROCESSED TOBACCO.—The amendments made by subsections (c)(1)(C), (c)(2), and (f) shall apply to articles removed (as defined in section 5702(j) of the Internal Revenue Code of 1986) after the date that is 6 months after the date of the enactment of this Act.

(3) LARGE CIGARS.—The amendments made by subsection (e) shall apply to articles removed after December 31, 2021.

(4) OTHER TOBACCO PRODUCTS.—The amendments made by subsection (g)(1) shall apply to products removed after the last day of the month which includes the date that the Secretary of the Treasury (or the Secretary of the Treasury’s delegate) issues final regulations establishing the level of tax for such product.

By Ms. KLOBUCHAR:

S. 422. A bill to allow Senators, Senators-elect, committees of the Senate, leadership offices, and other offices of the Senate to share employees, and for other purposes; considered and passed.

S. 422

*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 “Senate Shared Employee Act”.

#### SEC. 2. ALLOWING SENATORS, COMMITTEES, LEADERSHIP OFFICES, AND OTHER OFFICES OF THE SENATE TO SHARE EMPLOYEES.

(a) IN GENERAL.—Section 114 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 4576) is amended—

(1) by inserting “(a)” before “Notwithstanding”;

(2) by striking “position, each of” and all that follows through the period at the end and inserting the following: “qualifying position if the aggregate gross pay from those positions does not exceed—

“(1) the maximum rate specified in section 105(d)(2) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(d)(2)), as amended and modified; or

“(2) in a case where 1 or more of the individual’s qualifying positions are positions described in subsection (d)(2)(B), the maximum rate specified in section 105(e)(3) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(e)(3)), as amended and modified.”; and

(3) by adding at the end the following:

“(b)(1) For an individual serving in more than 1 qualifying position under subsection

(a), the cost of any travel for official business shall be paid by the office authorizing the travel.

“(2) Messages for each electronic mail account used in connection with carrying out the official duties of an individual serving in more than 1 qualifying position under subsection (a) may be delivered to and sent from a single handheld communications device provided to the individual for purposes of official business.

“(3)(A) For purposes of the Ethics in Government Act of 1978 (5 U.S.C. App.), the rate of basic pay for an individual serving in more than 1 qualifying position under subsection (a) shall be the total basic pay received by the individual from all such positions.

“(B) For an individual serving in more than one qualifying position under subsection (a), for purposes of the rights and obligations described in, or described in the provisions applied under, title II of the Congressional Accountability Act of 1995 (2 U.S.C. 1311 et seq.) related to practices used at a time when the individual is serving in such a qualifying position with an employing office, the rate of pay for the individual shall be the individual rate of pay received from the employing office.

“(c)(1) If the duties of a qualifying position under subsection (a) include information technology services and support, an individual may only serve in the qualifying position and 1 or more additional qualifying positions under such subsection if the individual is in compliance with each information technology standard and policy established for Senate offices by the Office of the Sergeant at Arms and Doorkeeper of the Senate.

“(2) Notwithstanding subsection (a), an employee serving in a qualifying position in the Office of the Secretary of the Senate or the Office of the Sergeant at Arms and Doorkeeper of the Senate may serve in an additional qualifying position only if—

“(A) the other qualifying position is with the other Office; or

“(B) the Committee on Rules and Administration of the Senate has approved the arrangement.

“(d) In this section, the term ‘qualifying position’ means a position that—

“(1) is designated as a shared position for purposes of this section by the Senator or other head of the office in which the position is located; and

“(2) is one of the following:

“(A) A position—

“(i) that is in the office of a Senator; and

“(ii) the pay of which is disbursed by the Secretary of the Senate.

“(B) A position—

“(i) that is in any committee of the Senate (including a select or special committee) or a joint committee of Congress; and

“(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading ‘INQUIRIES AND INVESTIGATIONS’ or ‘JOINT ECONOMIC COMMITTEE’, or a heading relating to a Joint Congressional Committee on Inaugural Ceremonies.

“(C) A position—

“(i) that is in another office (excluding the Office of the Vice President and the Office of the Chaplain of the Senate); and

“(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading ‘SALARIES, OFFICERS AND EMPLOYEES’.

“(D) A position—

“(i) that is filled pursuant to section 105 of the Second Supplemental Appropriations Act, 1978 (2 U.S.C. 6311); and

“(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading ‘MISCELLANEOUS ITEMS’.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect beginning on the day that is 6 months after the date of enactment of this Act.

By Mr. DURBIN (for himself, Mr. LEE, Mr. LEAHY, Mr. GRASSLEY, Mrs. FEINSTEIN, Mr. RUBIO, Ms. KLOBUCHAR, Mr. CRUZ, Mr. COONS, Mrs. BLACKBURN, Mr. BLUMENTHAL, and Ms. HIRONO):

S. 426. A bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 426

*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 “Inspector General Access Act of 2021”.

#### SEC. 2. INVESTIGATIONS OF DEPARTMENT OF JUSTICE PERSONNEL.

Section 8E of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “and paragraph (3)”;

(B) by striking paragraph (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(D) in paragraph (4), as redesignated, by striking “paragraph (4)” and inserting “paragraph (3)”;

(2) in subsection (d), by striking “, except with respect to allegations described in subsection (b)(3),”.

By Ms. COLLINS (for herself and Ms. ROSEN):

S. 436. A bill to provide Federal matching funding for State-level broadband programs; to the Committee on Commerce, Science, and Transportation.

Ms. COLLINS. Mr. President, I rise today to introduce the American Broadband Buildout Act. This legislation would help ensure that rural Americans have access to broadband services at the speeds they need to participate fully in the benefits of our modern society and economy. I want to thank my colleague Senator ROSEN for joining me in introducing this bill today.

Twenty-five years ago, Americans typically accessed the internet using their home phone lines via modems, capable of downloading data at just 56 kilobits per second, too slow even to support MP3-quality streaming music. Today, the Federal Communications Commission defines broadband service as having a threshold download speed nearly 500 times faster.

Many areas of our country, particularly our rural communities, simply do not have the infrastructure to achieve these speeds and fully tap into the opportunities that digital connectivity can deliver. According to a 2019 Pew Research Center survey, nearly 37 per-

cent of rural Americans lack a broadband connection compared to 25 percent of urban Americans.

Similar disparities occur in terms of broadband adoption. That is the rate at which Americans subscribe to broadband service once they have access to it.

The survey also found that 15 percent of rural Americans don’t use the internet at home compared to just 9 percent of urban Americans.

The current pandemic has brought these connectivity challenges into stark focus as many families have had to move their education, their workplaces, and their healthcare services online.

Andrea Powers, the town manager of Fort Fairfield in northern Maine, recently described a number of challenges in her community: students who have to sit on the town’s library steps in order to finish research projects and submit their papers; a business owner who was forced to relocate his company to another community in order to have a chance to succeed; a senior citizen who requires the care of distant doctors but does not have the capacity to travel nor access the telehealth options.

Andrea told me the story of one family whose jobs rely heavily on access to high-speed broadband. They were told that it would cost them \$15,000 to bring that connection to their doorstep. Andrea summed up the reality facing so many rural communities that lack access in this way. She said: “We will continue to see a loss of business retention and expansion along with job creation. We simply cannot afford to allow this to happen. Online schooling, business growth and development, telehealth care, and economic agriculture success are all dependent on . . . affordable fiber optic broadband.”

Telehealth services are an essential piece of the national broadband conversation. Often, rural communities struggle to attract and retain healthcare providers that they need to ensure access to quality care. Broadband is vital to bridging that gap to enable innovative healthcare delivery.

Let me give you an example. Hospice workers at Northern Light Homecare were able to use the internet and video technology to help support a patient living on an island off the coast of Maine—not far as the seagull flies, but hours away in travel time. Although the connection was poor, the video enabled nurses to monitor the patient’s condition and symptoms and, equally important, to provide emotional support to her and to her family. As one hospice worker put it, “our hospice team could be doing so much more with video and telemonitoring technologies if only Maine had better connectivity.”

The American Broadband Buildout Act would help close this “digital divide” between urban and rural America by providing up to \$15 billion in matching grants to assist States and State-



approved entities in building that “last-mile” infrastructure to bring high-speed broadband directly to homes and businesses in areas that lack it.

Projects would have to be located in unserved areas—that is, areas where broadband is unavailable at speeds that meet the FCC standards. Focusing on those areas will direct support where it is most needed and will protect against overbuilding where infrastructure is already in place.

The Federal funding authorized in our bill would be matched through public-private partnerships between the broadband service provider and the State where they provide service. This means that States and their private sector partners will have “skin in the game” so that the projects will be well thought out and sustainable. This model will also incentivize existing service providers to extend their networks to rural areas and swiftly connect new households.

Third, the bill would require that projects be designed to be “future proof,” meaning that the infrastructure installed must be capable of delivering higher speeds as broadband accelerates in the future. We want these investments to serve rural Americans now and in the future without having to rebuild every time technology advances.

Our bill would also prioritize projects in States that have traditionally lagged behind the national average in terms of broadband subscribers and those that are at risk of falling further behind as broadband speeds increase.

Finally, the bill would provide grants for digital literacy and public awareness campaigns to encourage wider broadband adoption once access is available. Increasing broadband adoption will help drive down the cost of the service and make it more affordable for everyone.

Rural Americans need access to high-speed internet just as urban Americans do. In fact, one could argue they need it even more, especially during these times that can require remote work, education, and healthcare. The bill that Senator ROSEN and I are introducing today would help bridge this digital divide by funding “future proof” broadband where it is needed most and give a boost to job creation in rural America.

As the Presiding Officer well knows, businesses will not locate in areas that do not have this essential service, in many cases. I urge all of our colleagues to join in supporting this bill.

Thank you.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 71—EXPRESSING THE SENSE OF THE SENATE THAT ALIENS CONVICTED OF DRUNK DRIVING OFFENSES QUALIFY AS A PUBLIC SAFETY THREAT FOR THE PURPOSES OF IMMIGRATION ENFORCEMENT

Ms. ERNST (for herself, Mr. GRASSLEY, and Mrs. FISCHER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 71

Whereas Sarah Root of Council Bluffs, Iowa, died at the hands of a drunk driver who was not lawfully present in the United States;

Whereas the mission of the immigration enforcement process is to ensure the safety of our communities; and

Whereas drunk driving and aliens convicted of drunk driving are a threat to public safety of the United States, and to say otherwise is offensive to both the victims of drunk driving offenses and those who seek to enforce criminal statutes related to drunk driving: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that any guidance issued by the Department of Homeland Security or U.S. Immigration and Customs Enforcement as it relates to immigration enforcement and removal of aliens should not deprioritize the removal of aliens convicted of—

- (1) drunk driving or otherwise driving under the influence; or
- (2) any crime which includes as an element an act of assault or violence.

### SENATE RESOLUTION 72—OPPOSING THE LIFTING OF SANCTIONS IMPOSED WITH RESPECT TO IRAN WITHOUT ADDRESSING THE FULL SCOPE OF IRAN'S MALIGAN ACTIVITIES, INCLUDING ITS NUCLEAR PROGRAM, BALLISTIC AND CRUISE MISSILE CAPABILITIES, WEAPONS PROLIFERATION, SUPPORT FOR TERRORISM, HOSTAGE-TAKING, GROSS HUMAN RIGHTS VIOLATIONS, AND OTHER DESTABILIZING ACTIVITIES

Mr. COTTON (for himself, Mr. CRUZ, Mr. RUBIO, Mr. CORNYN, Mr. HAWLEY, Mr. CRAMER, Mr. TILLIS, Mr. BOOZMAN, Mrs. HYDE-SMITH, Mr. SASSE, Mr. MARSHALL, Mr. DAINES, Mr. ROUNDS, Mr. YOUNG, Mr. BARRASSO, Mrs. BLACKBURN, Mr. SULLIVAN, Mr. TUBERVILLE, Mr. BLUNT, Mr. THUNE, Ms. LUMMIS, Mr. INHOFE, Mr. HOEVEN, Mr. HAGERTY, Mr. LANKFORD, and Mr. CRAPO) submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 72

Whereas the Joint Comprehensive Plan of Action (commonly referred to as the “JCPOA”), an agreement that was finalized by the administration of President Barack Obama and the governments of the United Kingdom, Germany, France, the People's Republic of China, and the Russian Federation in July 2015, provided Iran permanent sanctions relief and access to more than

\$100,000,000,000 in return for temporary restrictive measures on Iran's nuclear program;

Whereas, under the JCPOA, restrictions on the number and types of centrifuges that Iran may manufacture, retain, test, and use, the number and types of enrichment facilities that Iran may construct, and the amount and level of enriched uranium and heavy water that Iran may stockpile, will expire;

Whereas multiple United Nations Security Council resolutions adopted between 2006 and 2010 required Iran to suspend all enrichment of uranium, but the JCPOA did not require Iran to cease its enrichment of uranium, a failure that is directly responsible for Iran's expanded enrichment activity today;

Whereas United Nations Security Council Resolution 2231 (in this preamble referred to as “UNSCR 2231”), adopted on July 20, 2015, called on Iran not to undertake any activity related to nuclear-capable ballistic missile activities for 8 years and imposed a 5-year ban on conventional arms transfers to and from Iran;

Whereas neither the JCPOA nor UNSCR 2231 adequately addressed the threat emanating from Iran's ballistic and cruise missile program or long-standing support for terrorism, and the sunset provisions applied to prohibitions in UNSCR 2231 and the JCPOA severely weakened their restrictions and inadvertently legitimized that program and support;

Whereas, based on the shortcomings of the JCPOA and UNSCR 2231, bipartisan majorities in both the Senate and the House of Representatives opposed the JCPOA and the sanctions relief for Iran contained in the agreement;

Whereas the sanctions relief contained in the JCPOA provided resources necessary for Iran to continue developing ballistic missiles and supporting terrorism;

Whereas the United States Government has designated Iran's Islamic Revolutionary Guard Corps (in this preamble referred to as the “IRGC”) as a foreign terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)) and a specially designated global terrorist entity pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism);

Whereas, by a vote of 98-2 in the Senate and 419-3 in the House of Representatives, Congress required the imposition of terrorism-related sanctions against the IRGC as part of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9401 et seq.);

Whereas, on May 21, 2018, the United States Government outlined steps that the Government of Iran must take to normalize relations with the United States, including—

- (1) providing the International Atomic Energy Agency a full account of the possible military dimensions of its nuclear program and permanently and verifiably abandoning that program;
- (2) ceasing all enrichment and vowing never to pursue plutonium reprocessing;
- (3) providing the International Atomic Energy Agency with access to all sites throughout the entire country;
- (4) ending its development and proliferation of ballistic missiles;
- (5) releasing all United States citizens currently held hostage, as well as citizens of countries that are partners and allies of the United States;
- (6) ending support for terrorist groups, including Hezbollah, Hamas, and the Palestinian Islamic Jihad;

(7) respecting the sovereignty of Iraq by demobilizing Iranian-controlled Shia militias in the country;

(8) ending its military support for the Houthi militia in Yemen;

(9) withdrawing all forces under Iranian command in Syria;

(10) ending support for the Taliban in Afghanistan and for senior al Qaeda leaders around the region;

(11) ending the IRGC's support for terrorists and militant partners around the world; and

(12) halting its threatening behavior against its neighbors;

Whereas President Donald Trump announced the withdrawal of the United States from the JCPOA on May 8, 2018, and gradually reimposed sanctions that were suspended by the Obama administration under the JCPOA, depriving the regime of valuable funds that the regime could have used to support its malign activities;

Whereas the JCPOA defined the sanctions that the Obama administration suspended under the JCPOA as "nuclear-related", but "nuclear-related" is not a term recognized under existing United States statutory sanctions related to Iran;

Whereas the Obama administration agreed to define the most significant bilateral sanctions imposed by the United States on Iran as "nuclear-related", waive the application of those sanctions under the JCPOA, and commit the executive branch to work to repeal the provisions of law providing for those sanctions upon the expiration of the JCPOA;

Whereas, pursuant to the terms of the JCPOA, sanctions were lifted on Iranian financial institutions, cargo vessels, aircraft, fraudulent charities, and other entities that were not linked to Iran's nuclear program, but were sanctioned for illicit conduct;

Whereas, pursuant to section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)), in order to terminate sanctions against the Central Bank of Iran and other Iranian financial institutions, the President is required to certify that "the Government of Iran...no longer satisfies the requirements for designation as a state sponsor of terrorism", and that "Iran has ceased the pursuit, acquisition, and development of, and verifiably dismantled its, nuclear, biological, and chemical weapons and ballistic missiles and ballistic missile launch technology";

Whereas, on March 12, 2020, President Trump extended the national emergency declared by Executive Order 12957 (50 U.S.C. 1701 note; relating to prohibiting certain transactions with respect to the development of Iranian petroleum resources) following a determination that Iran's malign activities pose an unusual and extraordinary threat to the United States;

Whereas the Department of the Treasury has determined that the IRGC and its affiliated entities have a dominant presence in Iran's commercial and financial sectors and maintain extensive economic interests in the defense, construction, aviation, oil, banking, metal, automobile, and mining industries;

Whereas, on October 8, 2020, the Secretary of the Treasury designated the financial sector of Iran for the imposition of sanctions, authorizing sanctions with respect to persons operating in Iran's construction, mining, manufacturing, and textile sectors, to deny the Government of Iran financial resources that may be used to fund and support its malign activities;

Whereas the United States Government has sanctioned Iranian entities for their support to, or association with, Iran's terrorism campaigns, ballistic missile program, or the Supreme Leader of Iran, including the Central Bank of Iran, the National Development

Fund of Iran, elements of the IRGC, Foreign Minister Javad Zarif, and entities in Iran's banking, petroleum, and industrial sectors;

Whereas, in February 2020, the Financial Action Task Force, the global anti-money laundering standard-setting body, fully lifted the suspension of countermeasures and called on its members and urged all jurisdictions to apply effective countermeasures relating to the terrorist financing risk emanating from Iran and the threat that poses to the international financial system;

Whereas the United States Government, under Democratic and Republican administrations, has concluded that Iran provides a safe haven for al Qaeda leaders and that the al Qaeda network has used Iran to establish a "core pipeline" through which money, facilitators, and operators moved to Afghanistan and Pakistan;

Whereas the United States Government has sanctioned entities in the Government of Iran for perpetrating human rights abuses;

Whereas, pursuant to section 8 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note), in order to terminate sanctions imposed with respect to the energy sector of Iran, the President is required to certify "that Iran—

"(1) has ceased its efforts to design, develop, manufacture, or acquire—

"(A) a nuclear explosive device or related materials and technology;

"(B) chemical and biological weapons; and

"(C) ballistic missiles and ballistic missile launch technology;

"(2) has been removed from the list of countries the governments of which have been determined...to have repeatedly provided support for acts of international terrorism; and

"(3) poses no significant threat to United States national security, interests, or allies."; and

Whereas the concept of "nuclear-related" sanctions does not exist in statute, and existing statutes likely require a treaty to terminate such sanctions: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms that it is the policy of the United States not to allow Iran to develop or otherwise acquire a nuclear weapons capability;

(2) resolves that the lifting or termination of sanctions with respect to Iran must take place only as provided for under section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)) and section 8 of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note);

(3) rejects and opposes the reapplication of sanctions relief, including the use of waivers, de-listing individuals or entities, or the application of licenses, provided for in, or incident to, the Joint Comprehensive Plan of Action, including on any sectors of the Iranian economy or any individuals or entities designated for the imposition of sanctions under United States law for supporting terrorism, missile development and proliferation, human rights abuses, corruption, or Iran's other destabilizing activities;

(4) opposes reversing the finding that identifies Iran as a jurisdiction of primary money laundering concern under section 5318A of title 31, United States Code;

(5) opposes the lifting of the "U-Turn" prohibition, which bans Iran from accessing the United States financial system for the purpose of conducting dollarized transactions; and

(6) opposes the suspension or lifting of the call for countermeasures by the Financial Action Task Force on the Iranian financial sector until Iran fully completes its action plan.

## SENATE RESOLUTION 73—RE-AFFIRMING THE COMMITMENT TO MEDIA DIVERSITY AND PLEDGING TO WORK WITH MEDIA ENTITIES AND DIVERSE STAKEHOLDERS TO DEVELOP COMMON GROUND SOLUTIONS TO ELIMINATE BARRIERS TO MEDIA DIVERSITY

Ms. ROSEN (for herself and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

### S. RES. 73

Whereas the principle that an informed and engaged electorate is critical to a vibrant democracy is deeply rooted in our laws of free speech and underpins the virtues on which we established our Constitution, "in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity...";

Whereas having independent, diverse, and local media that provide exposure to a broad range of viewpoints and the ability to contribute to the political debate is central to sustaining that informed engagement;

Whereas it is in the public interest to encourage source, content, and audience diversity on our Nation's shared telecommunications and media platforms;

Whereas the survival of small, independent, and diverse media outlets that serve diverse audiences and local media markets is essential to preserving local culture and building understanding on important community issues that impact the daily lives of residents;

Whereas research by the American Society of News Editors, the Radio Television Digital News Association, the Pew Research Center, and others has documented the continued challenges of increasing diversity among all types of media entities;

Whereas with increasing media experience and sophistication, it is even more important to have minority participation in local media to ensure a diverse range of information sources are available and different ideas and viewpoints are expressed to strengthen social cohesion among different communities; and

Whereas the constriction in small, independent, and diverse media outlets and limited participation of diverse populations in media ownership and decisionmaking are combining to negatively impact our goal of increasing local civic engagement and civic knowledge through increased voter participation, membership in civic groups, and knowledge of local political and civil information: Now, therefore, be it

*Resolved*, That the Senate—

(1) reaffirms its commitment to diversity as a core tenet of the public interest standard in media policy; and

(2) pledges to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity.

## SENATE RESOLUTION 74—DESIGNATING FEBRUARY 28, 2021, AS "RARE DISEASE DAY"

Mr. BROWN (for himself, Mr. BARASSO, Mr. BLUMENTHAL, Mr. SCOTT of South Carolina, Ms. KLOBUCHAR, Mr. WICKER, Mr. MARKEY, and Mr. BOOKER)

submitted the following resolution; which was considered and agreed to:

S. RES. 74

Whereas a rare disease or disorder is a disease or disorder that affects a small number of patients;

Whereas, in the United States, a rare disease or disorder typically affects fewer than 200,000 individuals;

Whereas, as of the date of the adoption of this resolution, more than 7,000 rare diseases or disorders affect approximately 1 in 10 individuals in the United States;

Whereas children with rare diseases or disorders account for a significant portion of the population affected by rare diseases or disorders in the United States;

Whereas many rare diseases and disorders are serious and life-threatening and lack effective treatments;

Whereas, as a result of the enactment of the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049), important advances have been made in the research and treatment of rare diseases and disorders;

Whereas the Food and Drug Administration has made strides in gathering patient perspectives to inform the drug review process as part of the Patient-Focused Drug Development program, an initiative that was reaffirmed under the FDA Reauthorization Act of 2017 (Public Law 115-52; 131 Stat. 1005);

Whereas, although the Food and Drug Administration has approved more than 880 orphan indications for drugs and biological products for the treatment of rare diseases and disorders, 90 percent of individuals in the United States with a rare disease or disorder are not receiving an FDA-approved treatment for their condition;

Whereas limited treatment options and difficulty obtaining reimbursement for life-altering and lifesaving treatments can be challenging for individuals with rare diseases or disorders and their families;

Whereas rare diseases and disorders include sickle cell anemia, spinal muscular atrophy, common variable immune deficiency, median arcuate ligament syndrome, glycogen storage disease type V, pulmonary hypertension, hemophilia, cystic fibrosis, sarcoidosis, amyotrophic lateral sclerosis, and autosomal recessive polycystic kidney disease;

Whereas individuals with rare diseases or disorders can experience difficulty in obtaining accurate diagnoses and finding physicians or treatment centers with expertise in their rare disease or disorder;

Whereas the 116th Congress passed a 4-year extension of the Rare Pediatric Disease Priority Review Voucher program under section 529(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff(b)) as part of the Consolidated Appropriations Act, 2021 (Public Law 116-260; 134 Stat. 1182), providing an incentive for the development of therapies for children with rare diseases;

Whereas the 116th Congress passed the Advancing Care for Exceptional Kids Act (Public Law 116-16; 133 Stat. 852), improving access to coordinated, patient-centered health care for children with complex and rare medical conditions in Medicaid;

Whereas the Food and Drug Administration and the National Institutes of Health support research on the treatment of rare diseases and disorders;

Whereas 2021 marks the 38th anniversary of the enactment of the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049);

Whereas Rare Disease Day is observed each year on the last day of February;

Whereas Rare Disease Day is a global event that was first observed in the United States on February 28, 2009, and was observed in more than 100 countries in 2020; and

Whereas Rare Disease Day is expected to be observed globally for years to come, providing hope and information for rare disease and disorder patients around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates February 28, 2021, as “Rare Disease Day”; and

(2) recognizes the importance of, with respect to rare diseases and disorders—

(A) improving awareness;

(B) encouraging accurate and early diagnosis; and

(C) supporting national and global efforts to develop effective treatments, diagnostics, and cures.

SENATE RESOLUTION 75—CELEBRATING BLACK HISTORY MONTH

Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. DURBIN, Mr. BLUNT, Ms. HASSAN, Mr. TILLIS, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. MERKLEY, Mr. GRASSLEY, Mr. WYDEN, Mr. RISCH, Ms. SMITH, Mr. CRAMER, Mr. MARKEY, Mr. WICKER, Ms. HIRONO, Mr. SULLIVAN, Mr. BROWN, Mr. SHELBY, Mr. VAN HOLLEN, Mr. RUBIO, Mr. MENENDEZ, Mr. SCOTT of Florida, Ms. DUCKWORTH, Mr. PORTMAN, Mr. BLUMENTHAL, Mr. HAGERTY, Mr. COONS, Mr. LANKFORD, Ms. BALDWIN, Mr. BRAUN, Mrs. MURRAY, Mr. GRAHAM, Mr. WARNER, Ms. ERNST, Mr. KAINE, Mr. BURR, Mrs. FEINSTEIN, Mr. YOUNG, Ms. ROSEN, Mr. MURPHY, Ms. SINEMA, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. SCHATZ, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. KING, Mr. BENNET, Ms. WARREN, Mr. OSSOFF, Mr. HEINRICH, Mr. SANDERS, Mr. CARPER, Mr. CASEY, Mr. REED, Mr. CARDIN, Ms. CANTWELL, Mr. LUJÁN, Mrs. HYDE-SMITH, Mrs. BLACKBURN, and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 75

Whereas, in 1776, people envisioned the United States as a new nation dedicated to the proposition stated in the Declaration of Independence that “all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness”;

Whereas Africans were first brought involuntarily to the shores of the United States as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas, in 2021, the vestiges of those injustices and inequalities remain evident in the society of the United States;

Whereas, in the face of injustices, people of good will and of all races in the United States have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have fought courageously for the rights and freedom of African Americans and others;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Maya Angelou, Arthur Ashe, Jr., James Baldwin, James Beckwourth, Clara Brown, Blanche Bruce, Ralph Bunche, Shirley Chisholm, Holt Collier, Miles Davis, Louis Armstrong, Larry Doby, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Aretha Frank-

lin, Alex Haley, Dorothy Height, Jon Hendricks, Olivia Hooker, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Stephanie Tubbs Jones, B.B. King, Martin Luther King, Jr., Coretta Scott King, Thurgood Marshall, Constance Baker Motley, Rosa Parks, Walter Payton, Bill Pickett, Homer Plessy, Bass Reeves, Hiram Revels, Amelia Platts Boynton Robinson, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Booker T. Washington, the Greensboro Four, the Tuskegee Airmen, Prince Rogers Nelson, Recy Taylor, Fred Shuttlesworth, Duke Ellington, Langston Hughes, Muhammad Ali, Elijah Cummings, Ella Fitzgerald, Mamie Till, Toni Morrison, Gwen Ifill, Diahann Carroll, Chadwick Boseman, John Lewis, Katherine Johnson, Rev. C.T. Vivian, Hank Aaron, Edith Savage-Jennings, Septima Clark, Mary Mcleod Bethune, Cicely Tyson, Mary Wilson, John Thompson, John Hope Franklin, and Chief Justice of South Carolina Ernest Finney, along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancement of the United States;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition those individuals deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve the United States at the highest levels of business, government, and the military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the “Father of Black History”, to enhance knowledge of Black history through *The Journal of Negro History*, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, originated in 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievements of Black people in the United States;

Whereas Dr. Carter G. Woodson stated, “We have a wonderful history behind us. . . If you are unable to demonstrate to the world that you have this record, the world will say to you, ‘You are not worthy to enjoy the blessings of democracy or anything else.’”;

Whereas, since its founding, the United States has imperfectly progressed toward noble goals;

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure, before committing to try again;

Whereas, on November 4, 2008, the people of the United States elected Barack Obama, an African-American man, as President of the United States; and

Whereas, on February 22, 2012, people across the United States celebrated the groundbreaking of the National Museum of African American History and Culture, which opened to the public on September 24, 2016, on the National Mall in Washington, District of Columbia: Now, therefore, be it

*Resolved*, That the Senate—

(1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to commemorate the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and

(5) agrees that, while the United States began as a divided country, the United States must—

(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and

(B) move forward with purpose, united tirelessly as a nation “indivisible, with liberty and justice for all.”.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have 8 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, February 24, 2021, at 10 a.m., to conduct a hearing on a nomination.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, February 24, 2021, at 10:15 a.m., to conduct a hearing.

##### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, February 24, 2021, at 10:15 a.m., to conduct a hearing on a nominations.

##### COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, February 24, 2021, at 2:30 p.m., to conduct a hearing.

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, February 24, 2021, at 2:30 p.m., to conduct a hearing on a nomination.

##### COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the ses-

sion of the Senate on Wednesday, February 24, 2021, at 4 p.m., to conduct a hearing.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, February 24, 2021, at 10 a.m., to conduct a hearing on a nomination.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, February 24, 2021, at 1 p.m., to conduct a closed hearing.

#### AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 6, S. Res. 70.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 70) authorizing expenditures by committees of the Senate for the periods March 1, 2021 through September 30, 2021, October 1, 2021 through September 30, 2022, and October 1, 2022 through February 28, 2023.

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

Ms. SMITH. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 70) was agreed to.

(The resolution is printed in the RECORD of February 23, 2021, under “Submitted Resolutions.”)

#### SENATE SHARED EMPLOYEE ACT

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 422, which was introduced earlier today.

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

The senior assistant legislative clerk read as follows:

A bill (S. 422) to allow Senators, Senators-elect, committees of the Senate, leadership offices, and other offices of the Senate to share employees, and for other purposes.

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

Ms. SMITH. I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 422) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 422

*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 “Senate Shared Employee Act”.

#### SEC. 2. ALLOWING SENATORS, COMMITTEES, LEADERSHIP OFFICES, AND OTHER OFFICES OF THE SENATE TO SHARE EMPLOYEES.

(a) IN GENERAL.—Section 114 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 4576) is amended—

(1) by inserting “(a)” before “Notwithstanding”;

(2) by striking “position, each of” and all that follows through the period at the end and inserting the following: “qualifying position if the aggregate gross pay from those positions does not exceed—

“(1) the maximum rate specified in section 105(d)(2) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(d)(2)), as amended and modified; or

“(2) in a case where 1 or more of the individual's qualifying positions are positions described in subsection (d)(2)(B), the maximum rate specified in section 105(e)(3) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(e)(3)), as amended and modified.”; and

(3) by adding at the end the following:

“(b)(1) For an individual serving in more than 1 qualifying position under subsection (a), the cost of any travel for official business shall be paid by the office authorizing the travel.

“(2) Messages for each electronic mail account used in connection with carrying out the official duties of an individual serving in more than 1 qualifying position under subsection (a) may be delivered to and sent from a single handheld communications device provided to the individual for purposes of official business.

“(3)(A) For purposes of the Ethics in Government Act of 1978 (5 U.S.C. App.), the rate of basic pay for an individual serving in more than 1 qualifying position under subsection (a) shall be the total basic pay received by the individual from all such positions.

“(B) For an individual serving in more than one qualifying position under subsection (a), for purposes of the rights and obligations described in, or described in the provisions applied under, title II of the Congressional Accountability Act of 1995 (2 U.S.C. 1311 et seq.) related to practices used at a time when the individual is serving in such a qualifying position with an employing office, the rate of pay for the individual shall be the individual rate of pay received from the employing office.

“(c)(1) If the duties of a qualifying position under subsection (a) include information technology services and support, an individual may only serve in the qualifying position and 1 or more additional qualifying positions under such subsection if the individual is in compliance with each information technology standard and policy established for Senate offices by the Office of the Sergeant at Arms and Doorkeeper of the Senate.

“(2) Notwithstanding subsection (a), an employee serving in a qualifying position in the Office of the Secretary of the Senate or the Office of the Sergeant at Arms and Doorkeeper of the Senate may serve in an additional qualifying position only if—

“(A) the other qualifying position is with the other Office; or

“(B) the Committee on Rules and Administration of the Senate has approved the arrangement.

“(d) In this section, the term ‘qualifying position’ means a position that—

“(1) is designated as a shared position for purposes of this section by the Senator or other head of the office in which the position is located; and

“(2) is one of the following:

“(A) A position—

“(i) that is in the office of a Senator; and

“(ii) the pay of which is disbursed by the Secretary of the Senate.

“(B) A position—

“(i) that is in any committee of the Senate (including a select or special committee) or a joint committee of Congress; and

“(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading ‘INQUIRIES AND INVESTIGATIONS’ or ‘JOINT ECONOMIC COMMITTEE’, or a heading relating to a Joint Congressional Committee on Inaugural Ceremonies.

“(C) A position—

“(i) that is in another office (excluding the Office of the Vice President and the Office of the Chaplain of the Senate); and

“(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading ‘SALARIES, OFFICERS AND EMPLOYEES’.

“(D) A position—

“(i) that is filled pursuant to section 105 of the Second Supplemental Appropriations Act, 1978 (2 U.S.C. 6311); and

“(ii) the pay of which is disbursed by the Secretary of the Senate out of an appropriation under the heading ‘MISCELLANEOUS ITEMS’.”

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect beginning on the day that is 6 months after the date of enactment of this Act.

#### RARE DISEASE DAY

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 74, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 74) designating February 28, 2021, as “Rare Disease Day”.

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

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

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

The resolution (S. Res. 74) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### CELEBRATING BLACK HISTORY MONTH

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 75, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 75) celebrating Black History Month.

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

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

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

The resolution (S. Res. 75) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### ORDERS FOR THURSDAY, FEBRUARY 25, 2021

Ms. SMITH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Thursday, February 25th; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; that at 12 noon, the Senate proceed to executive session to resume consideration of the Granholm nomination; that there be up to 10 minutes for debate, equally divided in the usual form; and that upon the use or yielding back of time, all postcloture time be considered expired and the Senate vote on confirmation of the nomination; that if the nomination is confirmed, the motion 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; finally, notwithstanding rule XXII, the cloture vote on the Cardona nomination occur at 1:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Ms. SMITH. 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, following the remarks of Senators LANKFORD and PORTMAN.

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

The PRESIDING OFFICER. The Senator from Oklahoma.

#### CORONAVIRUS

Mr. LANKFORD. Mr. President, it is the end of February. Almost exactly a year ago, America was getting its first cases of COVID-19, and they were being reported in the media. We were learning about it but didn’t know much at

that point. We knew it spread across China. We knew what was happening there. But in the weeks ahead and by the middle of March, just a few weeks from now, our country started going into lockdown.

We experienced something we had never experienced as a country: a mandatory shutdown across the entire country, followed by instructions to senior adults and people with comorbidities to stay in their homes and not get out. For millions of those senior adults, they asked the same question almost a year ago: When can I get out of my home? When can I see people? And the answer consistently was: Once there is a vaccine. When we get a vaccine in place, this will be better. We don’t know how long that will take, but once we get a vaccine, we will be able to turn this around.

Seniors heard that over and over and over again for the last 11½ months. And, now, thankfully, millions of seniors have been vaccinated. We have 42 million Americans that have gone through the full regimen. In my State, almost 20 percent of the adults in my State have already had their vaccine. We are one of the top States in the country, by percentage, getting vaccines out to individuals. Almost every person in every assisted-living nursing home, critical care facility, staff, and residents have been vaccinated. Almost every single senior adult in my State has been fully vaccinated, and we are into the second round now of teachers and those with comorbidities and other folks that has already begun.

But interestingly enough, seniors are still asking the same question. I had my shot. I had my second shot. It has now been the 10 days past my second shot, but nothing is changed.

A couple of weeks ago, I asked CDC a very simple question. It is the question that I am getting asked that I continue to ask CDC. When will instructions come out on what seniors need to do now? Can they get out? Can they hug their grandkids? Can they go to Walmart? Can guests come to assisted-living facilities?

They were all together during Christmas and Halloween and now Valentine’s Day, and they are used to having kids come in and sing songs and people come to visit them. None of that happened last year, and now, they are asking a simple question: When will CDC give guidelines for what happens now? CDC currently has said over and over again: Wait. We are thinking about it. We are researching it.

CDC needs to act on this. Seniors have been cooped up for a year. They were told months ago, “Once you get a vaccine, this will get better,” and they are now finding they had their vaccine and nothing is getting better. They need hope. They need to know the next step.

So my simple challenge to CDC has been: Do for the seniors what you did for the schools. CDC put out extensive

guidelines: here is how schools can reopen, it is safe to reopen for schools, here is what needs to be done. Help our seniors out by getting clear guidelines out into the public. Give instructions to assisted-living facilities; give instructions to these grandparents. What do they need to do now that they have been vaccinated? How much travel can they have? What are the risks? And let them make the decisions on it.

Folks are counting on them to be able to lay some of the science out there, and it is time to get the information out to those folks so they can make the right decision. CDC, we need you to step up.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

### OPIOID EPIDEMIC

Mr. PORTMAN. Mr. President, I am here on the floor today to talk about the need for all of us to redouble our efforts to combat drug addiction. One of the top priorities I have had in my time in public service has been to combat this crisis, which has devastated so many families, destroyed so many communities, and impacted us in so many negative ways.

Unfortunately, under the cover of the coronavirus pandemic, there is an epidemic that is growing, and that is the drug addiction epidemic. It is heartbreaking because we actually had several years of progress. We were making progress, finally, in turning the tide, and now, it is coming back with a vengeance to the point that overdoses and overdose deaths, hospitalizations, and all the other negative consequences of drug addiction is being raised up again in the context of the coronavirus.

Here, in the Congress, we have taken a leadership role on addressing this issue. Over the last several years, Congress has appropriated billions of dollars—and not that money solves everything, but the money has been pretty well spent on programs that are actually tested, evidence-based programs on prevention, on treatment, and longer term recovery.

Once called the Comprehensive Addiction and Recovery Act, which I authored with my colleague, SHELDON WHITEHOUSE, on the other side of the aisle, there is other legislation, too, called the 21st Century Cures Act. All of this has provided help that goes down to the local level, the community level, to be able to create a network, to be able to push back against the addiction crisis.

In 2017, Ohio's overdose opioid death rate was almost three times the national average. Ohio was one of the worst States in the country in terms of our opioid addiction. In terms of opioid deaths, we were top three in the country. It is not something you want to be at the top of. Nearly a dozen Ohioans were dying from these dangerous drugs every single day. This is in 2017. It sur-

passed car crashes as our country's No. 1 killer among young people and, for Ohio, the No. 1 overall.

But that next year, in 2018, much of what we were doing here in Congress, the work again on the CARA Act, the Cures Act, and other things that were being done at the State level and local level that were being supported by our Federal legislation, they were starting to work. So, in 2018, Ohio led the country again, but this time it wasn't in overdose deaths. It was in the reduction of overdose deaths. We actually had a 22-percent reduction from 2017 to 2018.

By the way, the same thing happened nationally. We had a reduction in overdose deaths nationally in 2018 for the first time since 1990. Think about that. From 1990 until 2018, every single year, we had more people dying from overdoses in this country, driven in large part by opioids, and, more recently, by the most deadly of opioids, synthetic opioids like fentanyl and Carfentanyl.

Unfortunately, again, under the cover of this coronavirus pandemic, drug addiction has flourished, and that positive progress has been reversed. It is heartbreaking. While we need to remain committed to solving the healthcare challenges of COVID-19, there is increasing evidence that the stresses of this unprecedented time are driving a spike in drug abuse and subsequent overdoses, this making 2020 the worst year in the history of our country in terms of overdose deaths and other measurements of drug addiction.

Why? Well, I have asked a lot of people that. Common sense would tell you people are lonelier. Many people are distraught. Maybe they have lost their job. Maybe they have had someone in their family die of COVID-19. People are feeling anxious. People are unable to access recovery programs in person, so they can't go sit down with their recovery coach, which they might have been able to do but for COVID-19 and the isolation that is required. Many of those in recovery from addiction are stalled in their progress, or they are suffering from relapses.

There is a story that ran last week about a record number of overdose deaths in my home State of Ohio. It was on FOX 8 in Cleveland. One of the people they interviewed was a Cleveland woman who had lost her son to an overdose. It was pretty powerful. She talked about how important it is for people fighting addiction to have that network of support. It was hard to find during COVID-19. She said: "An addict needs to talk to someone, they need constant reassuring from their support group."

She is right. There are a lot of troubling statistics out there that should be a cause for concern and a call to action for all of us. The Centers for Disease Control reported that more than 81,000 people died of drug overdoses in the 12 months ending in May 20 of 2020, the highest 12-month total in our Na-

tion's history. So, again, it looks like 2020 is going to be the worst year ever.

The American Medical Association reports that more than 40 States have reported an increase in opioid-related deaths during the COVID-19 pandemic. A recent study in the JAMA Psychiatry journal found that a 45-percent increase was the overdose death increase in emergency rooms from April to October of 2020 compared to that same time in 2019.

It would be worse, in my view, without the Federal response to the coronavirus pandemic, including some measures to ensure those suffering from addiction can continue to get the care they need through telehealth. We have cut redtape. We have provided some regulatory relief to expand telehealth and telehealth options specifically for opioid treatment, like eliminating requirements for in-person visits before prescribing lifesaving drugs like buprenorphine.

Without these expanded services, I believe the overdose spike would be even worse. Although there is no substitute for face-to-face interaction to help along an individual's journey to recovery, telehealth has kept patients in touch with their doctors at least and allowed physicians to prescribe medication-assisted treatment remotely.

In talking to those who are recovery coaches or those doctors back home who specialize in addiction, they tell me they believe that the telehealth option has been extremely important, so even though it has gotten worse, it would have gotten even worse if people had not had at least the ability to access their recovery program through a remote means.

Interestingly, these telehealth options for addiction treatments were put in place temporarily, but they have proven to be such a viable option for addiction treatment that now people are talking about making them permanent. I agree with that. I don't think it makes sense to get away from them as this pandemic goes away, which is why yesterday, along with my colleague, SHELDON WHITEHOUSE, I entered this legislation called the Telehealth Response for E-Prescribing Addiction Services Treatment Act. The reason that is such a long name is we wanted to make the acronym TREATS, which it is. The TREATS Act makes permanent a number of temporary waivers for telehealth services and bolsters telehealth options for addiction treatment services.

Let's turn to a couple of things specifically. First, it allows for a patient to be prescribed lower-scheduled drugs like Suboxone through a telehealth visit on their first visit, as opposed to having to go in person for that first visit.

Current law requires an in-person visit when you need an initial prescription for controlled substances, but this has been a real deterrent for patients in crisis and in urgent need of treatments from Schedule III or Schedule



IV drugs like Suboxone or certain drugs for reoccurring mental health conditions, so our bill is important in that regard.

It also limits abusive practices by limiting telehealth visits to those who have both audio and video capabilities to be able to interact with the treatment providers to reduce fraud and abuse when it is your first visit. It would also keep the existing requirements for in-person visits when prescribing Schedule II drugs like opioids or stimulants that are more prone to being abused during these telehealth visits. So we have provisions in there to avoid abuse, but it is important to continue this telehealth option when other options just aren't there.

Second, our bill would allow for Medicare to bill for audio-only or telephone telehealth services for mental health and substance abuse treatment if it is not the patient's first visit. Due to distance or access to broadband, in-person visits or even video appointments aren't always possible for our seniors. We still need to focus on safety and robust treatment options, but in order to balance the needs of patients, we propose to allow our Nation's seniors under Medicare to use phones for subsequent mental health or behavioral health visits when they don't have access to the internet and where face-to-face interaction just isn't as necessary.

I believe this TREATS legislation will make a difference in the addiction treatment space and will help us prevent more untimely overdoses, but it is also important that we ensure that law enforcement officials can continue to go after the supply of lethal drugs coming into our communities, lethal drugs that are fueling these overdoses.

The most important thing, in my view, is reducing the demand dealing with prevention, treatment, and recovery, but by stopping some of the flow of these drugs, among other things, you are reducing the supply, which raises the cost of these drugs on the street. And, unfortunately, some of these drugs are unbelievably inexpensive, given how incredibly powerful and deadly they can be.

Data from the Center for Disease Control shows that the biggest driver of these surge in overdose deaths has been the class of drugs called synthetic opioids. We talked about that a moment ago. They are far deadlier than the traditional opioids like heroin but still cause far too many overdoses.

The most well known of these drugs, fentanyl, is about 50 times deadlier than heroin, and it is often less expensive. It is illegally manufactured primarily in China, and then it is smuggled across our southern border or through the U.S. mail. A pound of fentanyl is lethal enough to kill half a million people. Think about that. One pound is enough to kill half a million people.

We have made some progress keeping it out of the mail system. The STOP

Act is now in effect. We are working with the Postal Service and also working with Customs and Border Protection to properly implement that legislation, which I authored on a bipartisan basis here several years ago, and it is finally being implemented to keep our mail system from delivering poison into our communities.

But the traffickers have changed patterns, and a lot of it is now going to Mexico and then coming over land across our southern border.

Across the country, law enforcement have had their hands full trying to stop the flow of synthetic opioids. Ohio State Patrol troopers seized a total of 129 pounds of fentanyl last year, enough to kill more than 60 million people. We have 11.8 million people in Ohio, but our troopers, just in Ohio, seized enough fentanyl to kill 60 million people.

In one Ohio county, Cuyahoga County, there were more than 1,700 seizures of fentanyl by law enforcement in 2020. One DEA initiative to fight drug trafficking that started just last August of 2020 has resulted in the seizure of nearly 440 pounds of fentanyl.

Fentanyl itself is a schedule II drug, which means that law enforcement is able to take appropriate actions to crack down on it, and that is good. But there is a hidden challenge with fentanyl, and that is that manufacturers can alter its chemical makeup in a lab to make what is known as a fentanyl analog or a copycat. It is all synthetic. So if some evil chemist somewhere can adjust the formula and make it an analog, it is not subject to the schedule II charges that law enforcement can bring. Because the chemical makeup is different in fentanyl, it is not automatically illegal at all, in fact. What is worse, these copycats can often be deadlier than fentanyl—take, for instance, carfentanil, which is 100 times as deadly as fentanyl and about 10,000 times more deadly than morphine. Just handling carfentanil, if you were to spill some on yourself, can kill you.

In 2018, the Drug Enforcement Agency, DEA, made the right call by temporarily making these fentanyl-related substances illegal to possess, transport, or manufacture. Thanks to that designation, our law enforcement officials have been better able to protect our communities by seizing and destroying these fentanyl-related substances.

Unfortunately, the temporary extension by DEA ends in only a few months. After May 6, 2021, these incredibly dangerous substances will no longer be subject to strict regulation by law enforcement. It will be easier for drug manufacturers in China and elsewhere to flood the United States with carfentanil and other synthetic opioids. We can't allow that to happen.

Of course, we can't allow that to happen, which is why yesterday I introduced the bipartisan Federal Initiative to Guarantee Health by Targeting Fentanyl, or FIGHT Fentanyl Act,

along with my colleague Senator JOE MANCHIN from West Virginia, another State that has been devastated by the opioid epidemic. Our bill simply codifies the existing DEA precedent to permanently schedule fentanyl-related substances, allowing our law enforcement officials to continue to crack down on synthetic opioid in all of its forms. Let's provide some certainty, some predictability here, and make this permanent.

Just as importantly, it is going to send a signal to both the American people and the manufacturers and smugglers that produce synthetic opioids that we have not forgotten about this threat, and we are going to do everything in our power to keep these deadly drugs out of our communities.

The FIGHT Fentanyl Act and the TREATS Act are a couple of things that we could do right now on a bipartisan basis, and we should. I urge my colleagues to support them.

But we have a lot more work to do in the months ahead. The authorization for the Comprehensive Addiction Recovery Act, the CARA bill we talked about earlier, expires in fiscal year 2023. And Senator WHITEHOUSE and I will soon introduce a CARA 2.0 Act to build on the successes of CARA with an unprecedented investment in expanding access to proven treatment and recovery programs—again, programs that are shown to work by evidence for treatment and recovery than longer term recovery.

CARA 2.0 includes dozens of provisions to address addiction from all fronts—research and education, treatment and recovery, criminal justice reform, dealing with prescription drugs—making it the most comprehensive legislation in our country's history. When added with the existing CARA programs that are reauthorized through 2023, we would be investing well over \$1 billion to address this longstanding epidemic, again, at a time when under the pandemic the epidemic is growing.

We need to be sure that as we continue to invest in the coronavirus vaccine development and distribution, we are also focusing on this epidemic. As we come out of this coronavirus pandemic—and I believe we are starting to see some signs of that—let's be sure we are not leaving in its wake more and more deaths and more and more addiction with regard to the drug addiction crisis.

We need to all recognize the urgency of working to reverse this surge and nationwide overdoses and overdose deaths. As we emerge from this coronavirus pandemic, let's act now to ensure we have the tools in place to also turn the tide on this disease and get those affected the help they need.

I yield my time.

ADJOURNMENT UNTIL 11 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 11 a.m. tomorrow.

Thereupon, the Senate, at 6:36 p.m., adjourned until Thursday, February 25, 2021, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

OFFICE OF PERSONNEL MANAGEMENT

KIRAN ARJANDAS AHUJA, OF MASSACHUSETTS, TO BE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT FOR A TERM OF FOUR YEARS, VICE DALE CABANISS, RESIGNED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. KRISTIN ACQUAVELLA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. MARIA L. AGUAYO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. JOSEPH B. HORNBuckle

CAPT. ANTHONY E. ROSSI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. STUART C. SATTERWHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. RONALD J. PIRET

CAPT. RALPH R. SMITH III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral*

REAR ADM. (LH) DEAN A. VANDERLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral*

REAR ADM. (LH) JOSEPH D. NOBLE, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral*

REAR ADM. (LH) CHRISTOPHER C. FRENCH

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral*

REAR ADM. (LH) WILLIAM E. CHASE III

REAR ADM. (LH) JOHN A. OKON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral*

REAR ADM. (LH) WILLIAM C. GREENE

REAR ADM. (LH) SCOTT W. PAPPANO