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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, March 16, 2021, at 12 p.m.

Senate

MONDAY, MARCH 15, 2021

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

O Lord of love, lift our hearts above the mundane and ordinary. Inspire our lawmakers with the beauty of Your presence and the majesty of Your power. May Your holiness create in them a transformative hunger for righteousness that enables them to honor Your Name. Lord, empower them to live blameless lives, striving always to do what is right as they seek wisdom from Your word. Grant that, as they receive inspiration from Your sacred precepts, they will hear Your whisper that they are Your children. Fill them today with Your joy.

We pray in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

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

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATIONS

Mr. SCHUMER. Madam President, the past few weeks in the Senate have been extremely productive. Senate Democrats delivered on our promise to pass bold COVID relief legislation, and we have now confirmed 16 Cabinet-level officials. Today, we will continue moving the ball forward on the President's nominees by confirming Representative DEB HAALAND to serve as President Biden's Secretary of the Interior.

Representative HAALAND has already made history as one of two Members to become the first Native American woman to serve in the House of Representatives. She is a citizen of the Laguna Pueblo nation, and her family's roots in New Mexico can be traced back 35 generations. By her own account, she grew up poor, moving frequently. Her mother served in the Navy, and her

father spent a 30-year career in the Marines. While the Federal Government has often mistreated and neglected Indigenous Americans, the Haaland family has proudly and bravely served this country. Now Representative HAALAND is making history twice over as the first Native American Secretary of the Interior and as the first Native American Cabinet official in American history.

Representative HAALAND's confirmation represents a gigantic step forward in creating a government that represents the full richness and diversity of this country because Native Americans were, for far too long, neglected at the Cabinet level and in so many other places.

Representative HAALAND will have an important task ahead of her. She must refocus the Interior Department on preserving and protecting almost 500 million acres of public lands, combating climate change and environmental degradation, and upholding the Federal Government's obligations to Tribal nations. The Trump administration did more to undermine the relationship between the Federal Government and the sovereign Tribes than many have in decades—from desecrating sacred burial sites to build a border wall to neglecting the desperate situation of Native Tribes during the pandemic. Shame on them.

In elevating Representative HAALAND to lead the Department of the Interior, we reset the relationship between the Federal Government and Tribal nations to one of cooperation, mutual respect, and trust, which is so different

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



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from the last administration's attitude. I greatly look forward to voting in favor of Representative HAALAND's nomination in a few short hours.

Throughout the week, the Senate will process even more of President Biden's highly qualified Cabinet nominees, including Xavier Becerra to serve as the next Secretary of Health and Human Services; Isabella Guzman to serve as the SBA Administrator; and Katherine Tai to serve as the U.S. Trade Representative.

As President Biden continues to fight the COVID pandemic and begins implementing the American Rescue Plan, he deserves to have his team in place ASAP, as soon as possible.

AMERICAN RESCUE PLAN ACT OF 2021

Mr. SCHUMER. Madam President, now on the American Rescue Plan, late last week, President Biden signed the American Rescue Plan into law. The most significant Federal recovery effort in decades is now underway as \$1,400 checks are heading out the door to 85 percent of American households. Relief for schools, businesses, families, and State and local governments is starting to arrive. Shots are going into the arms of Americans from coast to coast. More than 135 million doses of the vaccine have now been delivered, and over 100 million doses have now been administered. That is one-third of the population and much more quickly than had been previously projected.

And our economy is poised for its own shot in the arm. As the American Rescue Plan begins to take effect, economists are projecting that American economic growth could more than double as a result of this bold, strong legislation.

Already, Americans are more optimistic about businesses being able to reopen, jobs coming back, and the national economy taking off. As one headline read over the weekend, "Americans see better days ahead in pandemic and economy."

After the American Rescue Plan passed through the Senate, a little over a week ago, I have been highlighting parts of the bill that may have escaped notice, and there are so many. We all know about the \$1,400 checks. We all know about the shots in the arm. But, today, I want to take some time explaining how it helps our Nation's students.

First of all, the American Rescue Plan provides substantial emergency relief to colleges and universities, weighted toward those colleges and universities without million-dollar endowments. Fully half of that funding must be used for emergency financial aid grants to students—at least \$20 billion nationwide. And, of course, many students will benefit from the \$1,400 checks. Any student with a young family will benefit from the historic expansion of the child tax credit. But these emergency financial aid grants

are another way that students with exceptional need can access relief.

That is not all. The American Rescue Plan also sets the stage for President Biden to deliver incredibly meaningful student loan forgiveness by making all types of student loan forgiveness tax free through December.

At the moment, debt cancellation is usually treated as taxable income. So without this provision, forgiving a student's debt would stick them with a tax bill—giving with one hand and taking away with the other. This would apply to more than 100,000 students who are already in repayment programs that offer some student loan forgiveness. Crucially, this tax provision would apply to future efforts to forgive student loans as well.

I believe the current administration has the legal authority to forgive up to \$50,000 in Federal student loan debt, a life-changing policy decision that would boost our economy and help close the racial wealth gap.

Twenty years after starting college, the median White borrower will owe 6 percent of their debt, while the median Black borrower owes 95 percent of their debt. Canceling up to \$50,000 in student debt would close the racial wealth gap by 28 percentage points among those households. That is just one of the many reasons Senator WARREN and I have been advocating this policy to cancel \$50,000 of student debt. And, as I mentioned, it has become an issue of racial justice as well.

President Biden, to his credit, has already proposed some student loan forgiveness—up to around \$10,000. But now, one of the objections that some in the administration have had, that students with forgiven debt will have to pay taxes, is gone, gone, gone because of the ARP.

I particularly want to thank Senators MENENDEZ and WARREN for their work on these provisions. For much of American history, education has been the ladder up. For too many these days, student debt has become the anchor weighting them down, making it harder to start a family, buy a home, plan a career, and so much more. The pandemic has stressed student finances even closer to the breaking point.

Thankfully, the American Rescue Plan not only delivers short-term relief but clears the way for long-term relief for American students by saying: When we forgive your debt, you don't have to pay taxes on it.

American students collectively bear more than \$1.7 trillion in student debt. When you think of young people and they are starting out their lives, and there is so much excitement and enthusiasm, and then they have \$1.7 trillion of debt on their shoulders weighting them down, that is not the American way of sunny optimism and can-do. This system sprung out of control in many ways. Going after the for-profit colleges, making sure they don't take advantage, is one way we are trying to curtail it. But for the students who

have this debt, future actions won't do any good in terms of changing the way we finance colleges and how we deal with the for-profits. The best way is canceling \$50,000 in student debt, and the good news is that the ARP makes sure no taxes are owed on any of that cancellation.

So no matter how their team performs during March Madness this weekend, the American Rescue Plan gives every student something to cheer about.

Go Syracuse.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

CORONAVIRUS

Mr. MCCONNELL. Madam President, last Thursday, I spoke about the pain and disruption this pandemic has caused this past year. I also discussed the optimistic springtime that lies before us. The brighter horizon is not a product of a partisan bill that was signed last week or an administration that was sworn in less than 2 months ago; it was built by the American people and supported by the five historic and completely bipartisan bills that Congress passed just last year.

Later on Thursday, the Nation heard remarks from President Biden. The President spoke in a heartfelt way about grief and loss, but his vision for the days ahead was badly lacking. Along a number of crucial dimensions, the Biden administration keeps trying to rewrite recent history and overrule science.

Let's take vaccinations. The President's speech tried to reinforce the myth that his administration inherited a shambles on vaccines, set goals that nobody believed were achievable, and has met those goals against all odds. This is just not true.

The President said:

I set a goal that many of you said was . . . way over the top.

But the benchmark of 100 million vaccines in 100 days was not some audacious goal that was met with great skepticism. A million shots per day was just the pace that the Biden administration actually inherited. We averaged more than 1 million shots per day the week of the inauguration. We totaled more than 1.5 million the day the President was sworn in.

The groundwork we laid last year is proving a historic success. Where the

Biden administration is continuing to help streamline distribution, they should, of course, get some credit, but their effort to sprint to the front of this yearlong campaign should not fool anybody.

The President announced another supposedly audacious goal on Thursday: that all adults in all 50 States should be eligible to schedule vaccinations by May 1. Here is the problem: Dr. Fauci said a month ago we would be there by April.

I would imagine by the time we get to April, that will be what I would call . . . "open season" . . . namely, virtually everybody and anybody in any category could start to get vaccinated.

That was Dr. Fauci's prediction last month. So the President's announcement of May 1 wasn't ambitious good news; it was actually a walk-back.

Something tells me that if the last administration had contradicted Dr. Fauci and pushed the vaccine milestone back a whole month, we might have heard about it from the media.

Then there is the K-12 schooling. For months, science has confirmed that schools are remarkably safe and do not surge transmission of the virus. This administration's own experts amplified this before liberal politics got in the way.

In early February, President Biden's CDC Director specifically said vaccinating the grownups who work in schools should not be a prerequisite for reopening them, but on Thursday, instead of calling for schools to reopen right now, the President endorsed Big Labor's moving goalposts. He said that because the Democrats passed their spending plan and because he has tried to move teachers toward the front of the line for vaccines, now—now—schools can move toward reopening. This approach has put liberal interest group politics ahead of vulnerable kids and their parents.

It was reported last week that the following message was posted in a private online group for members of one public school union in California.

Friendly reminder: If you are planning any trips for Spring Break, please keep that off of social media. It is hard to argue that it is unsafe for in-person instruction if parents and the public see vacation photos and international travel.

Further reports from California suggest some local governments may consider using some of the massive bailouts that Democrats sent them on bonuses. Reportedly, one union argues that grownups should get bonuses for things like "an airplane trip to Hawaii when this is all over." A lot of working-class families in the country are struggling through untenable situations—in large part thanks to the liberal dogma that schools have needed lots more cash to become safe—and now unions are talking about trips to Hawaii?

Every day that the Biden administration does not urge schools to reopen safely right now with simple pre-

cautions, it hurts kids who cannot afford these moving goalposts.

President Biden also made news with the big proclamation that maybe—maybe—if citizens behave themselves, we will be able to have small outdoor gatherings by July 4. He made sure to stipulate that politicians reserve the right to clamp down again, however, but that carrot dangled before Americans was small outdoor gatherings about 4 months from now. This was bizarre and problematic on several levels.

No. 1, let's be clear: The Federal Government does not instruct free citizens how they may gather in small groups with their own families. I have advocated strongly for following science, wearing masks, and taking all the precautions throughout this pandemic. The White House confers a bully pulpit. It does not confer supreme authority over daily life.

Let's not forget that about 10 months ago, many liberal politicians applauded massive outdoor gatherings because they supported a political cause. I am not sure how much capital these officials have to micromanage backyard barbecues.

No. 2, this strange proclamation was out of step with science. Current CDC guidelines say it is already safe right now—right now—for fully vaccinated people to meet in small groups, not just outdoors but indoors, and they can be joined by an unvaccinated household if they are low risk. That is the CDC's advice, talking not about July 4 but right now. Right now.

So the President went on national TV to move the goalposts way beyond what his own CDC is saying. Why? There is no science-based reason why a few fully vaccinated people couldn't get together outdoors right now—not July 4; today. And if a healthy young adult who is still waiting for the vaccine wants to meet up with a few vaccinated relatives, that is about a personal assessment of a very small risk, not a matter of Presidential policy.

That brings me to point three. The President's proclamation was far out of step with what is already happening across the country. It was advice for an alternate universe. The President and his advisers may need to get out more. Americans are already getting together in small groups outdoors in blue States and red States, in small towns and big cities. The country is not locked down waiting for July 4.

In my home State of Kentucky, the Governor has backed indoor gatherings of up to eight people from up to two households. Here in the District of Columbia, as of next week, outdoor gatherings of up to 50 people will be permitted—50 people here in the District.

Americans are getting vaccines. They have learned about this disease. They have learned about the low risks of outdoor transmission. They are making their own determinations as free people.

Look, I have been a consistent advocate for following the science, wearing

a mask, and taking precautions. I believe we should all keep following the science. Nobody wants to fumble the ball on the 5-yard line. But that doesn't mean just citizens; it means politicians too. And science doesn't only run in the direction of more restrictions.

The American people were told 12 months ago that accepting major disruptions for a limited time would flatten the curve and prevent a healthcare collapse, and Americans rose to the occasion.

One year on, if the President and his administration want to continue to give advice to free citizens, I suggest they exit the alternate universe, stick to the actual science, and get acquainted with where the American people actually are.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of DEBRA ANNE HAALAND, of New Mexico, to be Secretary of the Interior.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NOMINATIONS OF LISA MONACO AND VANITA GUPTA

Mr. DURBIN. Madam President, last week, my friend and colleague, the senior Senator from Texas, came to the floor to speak about two highly qualified nominees seeking senior positions in President Biden's Justice Department—Lisa Monaco and Vanita Gupta.

I was pleased to hear Senator CORNYN express support for Lisa Monaco. She is nominated to be the Deputy Attorney General. She has vast experience and deep ties to the Department. She has served in multiple roles as both a career employee and a Senate-confirmed official. She is also someone who has predicted and responded to several of the greatest threats of our time, including global pandemics and the rise of domestic terrorism. She has what it takes to serve as the No. 2 person in the Department of Justice and along with the Attorney General, Merrick Garland, to restore independence and integrity in that Department.

Unfortunately, my friend from Texas went on to take a different view when it came to Vanita Gupta, who has been nominated to be an Associate Attorney General, the No. 3 position at the Department. Every Senator, of course, has the right to oppose any nominee, even though many of my colleagues across the aisle have spoken about the importance of deferring to President Biden and his choices to lead his Cabinet.

But when opposition turns from beyond just feeling negative toward someone to stating things about that person that may not be altogether accurate, I feel obligated to come to the floor and correct the record. I would like to address a few of the false attacks that are being leveled against Ms. Gupta.

She unequivocally stated in her testimony under oath before the Judiciary Committee last week that she opposes defunding the police. Any suggestion to the contrary is patently false. We have seen statement after statement from law enforcement organizations that support Vanita Gupta and her nomination. They admitted plainly that they know she doesn't call for defunding the police.

Yet we also continue to see statement after statement from Republican Senators and many of their allies buying television ads claiming the contrary. Ask yourself this basic question: If Vanita Gupta wants to defund the police, how would she get the support and endorsement of the Fraternal Order of Police, the International Association of Chiefs of Police, Major Cities Chiefs Association, National Sheriffs' Association, Federal Law Enforcement Officers Association, and others? I think we know the answer. She doesn't want to defund the police. It is simply something that is said about her that is not true.

But what Ms. Gupta has called for and what she reiterated before the Committee on the Judiciary last week is making sure that police officers, the men and women who put themselves in harm's way every day, are not called upon to be mental health counselors. Some may have that skill, but most are not trained in that field, and it is not why they signed up for the job.

As Ms. Gupta explained at her hearing, we have spent far too long laying too many of our Nation's social problems at the feet of police—no matter what goes wrong in the neighborhood, on the street, in the household—call 9-1-1. From homelessness to mental health issues to substance abuse disorders, they all fall on the laps of our law enforcement officials. This is something that police officers, police chiefs, county sheriffs, and civil rights advocates agree on, finding the right person can be critical in an intervention.

Ms. Gupta is a consensus builder, and the consensus from law enforcement is this: Confirm Vanita Gupta.

My friend from Texas also suggested there was something amiss in Ms.

Gupta's response to his question on whether she supported decriminalizing drugs. He asked her this at the hearing: "Is it true that you advocate decriminalization of all drugs?" Ms. Gupta, under oath, responded: "No, Senator, I do not."

My friend from Texas suggested this answer was misleading, given that Ms. Gupta wrote 9 years ago that she would support decriminalizing the possession of small amounts of drugs.

There was nothing misleading about her response. The question was posed in the present tense. It was not limited to decriminalizing possession. More importantly, as she eloquently explained at the hearing, Ms. Gupta's position on decriminalizing drug possession had changed due to her family's own experience with opioid addiction. She did something that far too few people in Washington are willing to do. She acknowledged that she had changed her mind.

I have done that, too, as an elected official. Sometimes people call me on it, and, luckily, I can turn to a good source for rebuttal. You see, Abraham Lincoln spent many years in politics, and he was once accused of changing his mind on an issue, and he replied: Yes, it is true, I changed my position on that issue, but I would rather be right some of the time than wrong all the time. That is the way I feel about being honest if you change your mind based on new information, new experience, or thinking it through from a different angle.

My friend from Texas also suggested that Ms. Gupta somehow wanted to follow her own personal convictions rather than the law. That is not true. Ms. Gupta is a Justice Department veteran. She spent 3 years leading the Civil Rights Division. She enforced the law regardless of her personal views, and she will do the same as Associate Attorney General.

Senator CORNYN suggested that Ms. Gupta harbors personal views that are hostile to police. I won't recount again all the police organizations that have endorsed her. But he omits the fact that she has already served in the Justice Department. And what was the verdict on her time in the Department? These police groups believe in her. They like her approach. They think she is fair. They have endorsed her. I hope my friends on the Republican side of the aisle will acknowledge that.

Unlike the prior administration, President Biden has nominated senior Justice Department leaders who are driven by fidelity to the rule of law. They understand their role at the Department as officials who enforce the law, and they will do so. Ms. Gupta is no exception.

Next week, we will vote on Ms. Gupta's nomination in committee. She has broad bipartisan support across the Nation—law enforcement, Justice Department officials of both parties, civil rights groups, even some of the most conservative Republican advocates,

they back Ms. Gupta. She deserves that same bipartisan support here in the Senate.

FILIBUSTER

Madam President, it was August of 1957, and a Senator took the floor here in this very Chamber. He had a remarkable record. He served as a Democratic Senator, as a Dixiecrat Senator, and as a Republican Senator before he finally retired, and he served many years.

In 1957, he was on the floor of the Senate to take his last stand. It was August, and it was a confrontation he had been preparing for, for a long time. He was a veteran in World War II, one of the few in the Chamber at that time, and he was clearly a man devoted to his country and had shown real courage in serving as an officer in World War II. But his job on that day was to speak on the floor of the Senate for a long time.

He had been preparing for it. He had taken daily steam baths trying to dehydrate his body so that he could stand on the Senate floor for a long time, even absorb fluids without needing to take a break to go the restroom. He arrived for the battle armed with throat lozenges to stave off hoarseness, and he held the floor longer than any single Senator ever has, even to this day—24 hours and 18 minutes.

For what principled purpose did this Senator take such pains and preparation? For what noble reason did he grind the world's greatest deliberative body to a full-scale halt for more than 24 hours? In order to defend Jim Crow racial discrimination and deny equality to all Americans.

Despite his efforts, the Senate would go on to pass the Civil Rights Act of 1957, the first Federal civil rights law in nearly a century since the Reconstruction. That Senator, of course, was Strom Thurmond of South Carolina. This is how he described the Civil Rights Act of 1957 during his now notorious filibuster of that historic law. He said, "I think the bill which is under consideration is unconstitutional. I think it's invalid. I think we are doing a useless thing."

Well, the truth was just the opposite. The blatant discrimination of Jim Crow laws was an affront to our Constitution, a stain on our national character, and a threat to our standing in the world. The Civil Rights Act of 1957, which Strom Thurmond filibustered, broke the death grip of Jim Crow on American democracy and led the way, a few years later, to even more sweeping equality laws, including the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

Today, nearly 65 years after Strom Thurmond's marathon defense of Jim Crow, the filibuster is still making a mockery of American democracy. The filibuster is still being misused by some Senators to block legislation urgently needed and supported by a strong majority of the American people.

There is one major difference, however, when it comes to filibusters from

the days of Strom Thurmond and his long-winded defense of segregation. Strom Thurmond had to sacrifice personally his comfort for his misguided beliefs. He had to actually speak without sitting on the floor for more than 24 hours to maintain his filibuster. In his day, if you sat down to take a rest or left the floor, the filibuster was over. Today, it is not the same. Senators can literally phone in a filibuster. All a Senator has to do is to tell the staff working in the cloakroom what their intention is as to a filibuster, and then the message is delivered to the floor, and another bill is sent to the Senate's overflowing legislative graveyard. This is what hitting legislative rock bottom looks like.

Today's filibuster has turned the world's most deliberative body into one of the world's most ineffectual bodies. We are like the giant in "Gulliver's Travels," tied down by our own legislative redtape, unable to respond to crises and the clear wishes of the American people.

Defenders of the filibuster will tell you that it is essential for American democracy. The opposite is true. Today's filibuster undermines democracy.

By eroding people's faith in the ability of democracy to solve problems that matter the most, misuse of the filibuster may accidentally open the door to autocrats, would-be dictators, who falsely promise to deliver results, even if they ignore all of democracy's rules.

To my friends who count themselves as proud members and supporters of the Federalist Society—I am sure you have heard of it—go back and read the Federalist Papers. Read what the Founders thought of the filibusters. They hated the idea. Alexander Hamilton and James Madison, both, penned passionate defenses of simple majority rule. Listen to what Alexander Hamilton had to say about the supermajority rule: "What at first sight may seem a remedy is, in reality, a poison." Those are Hamilton's own words. If a majority could not govern, Hamilton warned, it would lead to "tedious delays; continual negotiation and intrigue; [and] contemptible compromises of the public good." "Tedious delays; continual negotiations and intrigue"—sound familiar?

And then there is James Madison, the father of the U.S. Constitution, in Federalist 58. He wrote that if a supermajority were required to pass all new laws "the fundamental principle of free government would be reversed. It would be no longer the majority that would rule; the power would be transferred to the minority."

Hamilton, Madison, and other of our Founding Fathers debated and rejected the idea of supermajority rule. They protected minority rights by creating a government with a President, two legislative Chambers, and a judiciary in which minority views were respected and making a law, even with simple majorities, was a challenge.

Rather than protecting the finely balanced system our Founders created,

today's filibuster throws the system out of balance, giving one-half of one branch of government what amounts to veto over the rest of government. It promotes gridlock, not good governance.

As I said, Senators don't have to stand for even 1 minute to shut down the Senate. All they have to do is to threaten it, phone it in, catch a plane, go home from Washington, and come back Monday to see how their filibuster is doing. "Mr. SMITH Phones It In," that wouldn't have been much of a movie, would it?

Defenders of today's filibuster offer a second defense of the tradition. They say the filibuster promotes bipartisan cooperation and debate. Well, just look around. Can anyone really claim that we are living in the great age of Senate debate? Last year, calendar year 2020, in the entire year, 12 months, we considered 29 amendments on the floor of the Senate—29. It is quite an improvement over the previous year, a 30-percent improvement. The previous year we considered 22 amendments on the floor of the Senate. I am not counting the vote-aroma spectacles. That is not much of a debate. It is not much of an amendment process. Sixty seconds a side, that is a great debate? Not by my definition.

The truth is, as filibusters and threatened filibusters have increased in recent decades, real debate and bipartisan cooperation have plummeted. Today's filibuster is often used to prevent the Senate from even starting to debate important ideas. It is not the guarantor of democracy; it has become the death grip of democracy.

Senator Thurmond's 1957 filibuster marked only the fifth time since 1917 that the Senate had voted to cut off any measure. I want you to reflect on that for a minute. We had had five filibusters in five decades when he took the floor in August of 1957. Guess what. We can have five filibusters in 5 days now; they have become so common.

So how did the filibuster become a weapon of mass obstruction? The answer is, we stumbled into it. The filibuster was a mistake to begin with, and it has gotten worse over time. As many of our colleagues know, when Congress first met in 1789, the House and the Senate rule books were nearly identical. Both rule books allowed a simple majority to cut off debate on any proposal by invoking what was known as the previous question rule. The House still has that motion.

The Senate eliminated the previous question rule by mistake in 1805. The change came at the suggestion of Vice President Aaron Burr, who was fresh off of his trial for killing Alexander Hamilton, and who was later tried for treason. Burr, presiding over the Senate one day, skimmed the rule book and suggested the previous question rule be dropped. He reasoned, we hardly ever use that rule, so why is it necessary? Thus, the filibuster was born, not as a sacred constitutional principle but an offhanded clerical suggestion.

There were few filibusters before the Civil War. After the war, filibusters remained rare, used exclusively to deny African Americans their basic constitutional rights. The first major changes started in 1917. The Senate adopted what is known as rule XXII—the cloture rule—allowing the Senate to end debate with two-thirds majority vote.

Fast-forward to the 1970s, two more changes in the filibuster. First, Senators changed the rule to allow more than one bill or matter to be pending on the Senate floor at a time. Before this, a filibuster really literally brought the Senate to a halt. The creation of this two-track system allowed the Senate to take up other matters while the filibuster continued, at least theoretically.

In 1975, the rules were changed again, requiring just a three-fifths majority, 60 votes—not 67 but 60 votes—to end a filibuster. Suddenly, the filibuster became relatively painless, for Senators at least, and the number of filibusters exploded.

From 1917 to 1970, the Senate took 49 votes to break filibusters—49 votes in that period of 53 years. That is fewer than one a year. Since 2010, it has taken the Senate on average more than 80 votes a year to end filibusters.

Filibusters on so-called motions to proceed now regularly prevent us from even discussing proposals supported by the strong majority of American people. The modern filibuster had broken the normal legislative process. It was never an essential or even intentional part of democracy, and now it rules the Senate.

Over my last 20 years, I have faced a 60-vote requirement to move a measure which is very important to me and to hundreds of thousands of people in our country. It is known as the Dream Act, the bipartisan Dream Act. It was introduced so we could give to young people who were brought to this country as infants, toddlers, and little kids by their families a chance to earn their way to a path of legalization and citizenship.

Five times since it was first introduced, the Dream Act has been stopped by a filibuster—twice in 2007, once in 2010, twice in 2018. In each instance, the Dream Act received a bipartisan majority vote but was blocked by a minority of Senators. Their opposition prevented the Senate from even debating the measure.

It was repeated rejections to the Dream Act by a minority of Senators that finally moved President Obama to establish the Deferred Action for Childhood Arrivals, DACA.

To our Republican colleagues, let me say this: If you don't want to see this President or any President impose solutions based on Executive orders, shouldn't we be willing to debate the issues at hand and consider actually legislating?

I have long been open to changing the Senate rules to restore the standing filibuster. If a Senator insists on

blocking the will of the Senate, he should at least pay the minimal price of being present, no more phoning it in. If your principles are that important, stand up for them, speak your mind, hold the floor, and show your resolve.

Others have proposed different reforms, including reducing the number of votes needed to invoke cloture, creating a tiered system of voting in which a filibuster could be broken with successively smaller majorities and, ultimately, a simple majority. Some have suggested that we forbid filibusters of bills that pass out of the committee with bipartisan support. I support discussing any proposal that ends the misuse of a filibuster as a weapon of mass obstruction.

If the Senate retains the filibuster, we must change the rules so that any Senator who wants to bring the government to a standstill endures at least some discomfort in the process. We need new rules that actually promote debate. They are long overdue.

I will close with one thought. My first job in the Senate was as a college intern for Illinois Senator Paul Douglas. Paul Douglas was an extraordinary man: Ph.D. in economics, war hero, champion of honest government, and a passionate supporter of civil rights.

In 1957, he was actually on the floor when Strom Thurmond was giving his historic filibuster. In a bit of ingenuity, Paul Douglas asked that a pitcher of orange juice be placed on the desk next to Strom Thurmond's desk. He hoped that thirst and the call of nature might force an end to the shameful filibuster. Well, it didn't work. Likewise, it will take more than orange juice these days to bring an end to the filibuster as a weapon of mass obstruction.

It is time to change the Senate rules. Stop holding the Senate hostage. We cannot allow misuse of arcane rules to block the will of the American people. I urge my colleagues to defend democracy by making the changes needed.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Alabama.

FOR THE PEOPLE ACT OF 2021

Mr. TUBERVILLE. Madam President, I rise today to discuss a piece of legislation we may soon consider in this body called H.R. 1.

H.R. 1 does not solve the problems currently facing our election system; it makes the problems worse. Democrats have labeled the bill the "For the People Act," but it really should be called "For the Democrats Act."

This partisan bill represents the largest Federal power grab in decades, and that is saying a lot after Democrats rammed through a partisan \$1.9 trillion stimulus bill just 2 weeks ago. The American people elected 50 Republican Senators, but the Democrats are happy to cut out half the Chamber and the millions of Americans we represent to get what they want.

H.R. 1 would completely rewrite our election laws, hijacking power from

the States and giving it to the Federal Government to dictate how our elections are run. This type of top-down approach is the opposite of our founding principles of self-government.

Article I, section 4 of the Constitution grants States the authority to manage their Federal election processes; H.R. 1 would take that away. The changes to our free and Federal elections that H.R. 1 proposes should concern every single American. This bill forces a one-size-fits-all election system on our country by federally mandating how States run their elections. This phrase "for the people" means allowing citizens to choose their own leaders and voting processes, not Washington dictating new rules of the game.

Let's look at a few examples. H.R. 1 would prohibit States from requiring voters to show identification, photo ID, or otherwise. Currently, 36 States have requirements where voters need to show ID to vote. Nearly 75 percent of States agree that that is a good idea to confirm you are who you say you are when you go to exercise one of the most important civic duties.

But the point is, States get to decide. They get to decide the laws on their books when it comes to managing their Federal election processes. H.R. 1 would nix the law in those 36 States.

H.R. 1 would also make same-day voter registration mandatory in all 50 States. There are obvious concerns with same-day registration and its potential to be abused. This concept isn't new.

Many States have already had the opportunity to consider it and adopt it or not if they choose. But if H.R. 1 is enacted, it would overrule the laws and choices of 29 States that have already decided they don't want such a risky provision in their voting process.

Additionally, the Democrats are using this bill to make all the worst practices of pandemic-era elections mandatory in all 50 States: universal mail-in ballots, ballot harvesting, and the drop boxes, just to name a few.

There may not be much we agree upon up here on Capitol Hill sometimes, but I think we all agree that the 2020 Federal elections voting process was a complete disaster in some States.

Many of the States that had the hardest time running their elections were the ones that adopted the same provisions in this bill. Normally, you seek to use best practices, but this bill adopts the worst practices and forces every State to use them. That is the opposite of how our "labs of democracy," our 50 States, should work.

Every State is different, with different populations, histories, challenges, opportunities. What works for Alabama may not work for California or Oklahoma and vice versa.

State governments know the needs of their people and communities better than bureaucrats here in Washington, DC. They have different laws, and they have different rules and regulations, including when it comes to voting.

The same goes for the counties within each State. Jefferson County, the most populous county in Alabama, is different from Greene County, the least populous.

While the State sets broad parameters, county governments are given some flexibility to run elections in the way that is accountable and responsive to their people. H.R. 1 fails to recognize the difference in our States and counties.

This bill is not for the people. It is not of the people or by the people. Americans want faith and trust in their elections. They want to feel confident that the process works. H.R. 1 injects distrust into the process, and that is not what Americans want or need.

In H.R. 1, we have a bill that will make States' voting procedures more susceptible to fraud. There is more we could go into, but I would say these provisions should be more than enough to sink this piece of legislation.

It shouldn't be controversial to say that we should have robust protections against voter fraud. Some States certainly do a better job protecting against fraud than others, but, ultimately, that is up to the State to decide, not the Federal Government.

The Democrats' repeated response is that election fraud doesn't exist, but they only say this when it benefits them. They want to rewrite the rules of the game for all 50 States from Capitol Hill.

I have been consistent on the question of voter fraud. I believe we need more integrity in our elections, not less. We as a country need to restore confidence in our electoral process. I have joined my colleagues in calling for a bipartisan commission to look into how we can make our elections more secure. But to completely throw away or outlaw many of the safeguards we have would destroy that remaining confidence for generations to come. But maybe that is the point of H.R. 1, which is even more reason to oppose this bad bill.

House Democrats are calling this bill the most important voting legislation since the Voting Rights Act of 1965. The Voting Rights Act was important, historic, and necessary. H.R. 1 is not. The Voting Rights Act guaranteed millions of Americans the rights granted by our Constitution that were wrongfully denied to them for too long. It was also passed with strong bipartisan majorities in both Chambers of Congress, despite Democrats' control of the Presidency, the House, and the Senate. That bipartisan support showed the American people that folks from different backgrounds can come together to work out important issues.

Any reform to the rules of the game must be bipartisan, just like they were with the Voting Rights Act. For one party to completely rewrite the rules will destroy the people's trust in our voting process and their trust in democracy.

Madam President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Iowa.

INFORMATION SHARING

Mr. GRASSLEY. Madam President, today, I am going to discuss a very important issue that I started to investigate during the last Congress, and it is an issue that the executive branch must continue to improve upon. The subject is information sharing between the intelligence community and the Department of Health and Human Services. The connection between those two entities is a critical information sharing data point, and it must last beyond the current pandemic.

To state the obvious, the healthcare landscape has evolved considerably in the past several decades. More specifically, the healthcare landscape has changed considerably in just the last year because of the COVID pandemic. Threats to healthcare now include cyber, intelligence, and counterintelligence threats.

For example, we know the Chinese Government engaged in cyber attacks to steal American COVID-related research. The Communist Chinese Government will stop at nothing to steal our hard-earned work product. They know, as does the world, that the best of the best is still right here in America.

Last Congress, as chairman of the Finance Committee, I focused a good deal of my oversight efforts on the Department of Health and Human Services' Office of National Security. For example, in June of 2019, I held a hearing on foreign threats to taxpayer-funded research, where the Office of National Security was one of the government witnesses. After the hearing, I then held a classified committee briefing with all the government witnesses to further discuss the foreign threats that we face.

That office is the Department's connection, then, to the intelligence community and, accordingly, it plays a critical role in the Department of HHS's overall mission. That mission includes pandemic response and countering national security threats.

To fully perform its function, HHS needs access to intelligence community products and databases. So with that access, they would have information that is vital to mitigating threats to the Department, its funded partners, and its interagency colleagues. So, as part of my oversight efforts and before the pandemic even started, I worked to get that process done.

I noted my concerns to the Trump administration that the Office of National Security hadn't been adequately incorporated into the intelligence community. To their credit, the Trump administration rightly and quickly resolved many of these issues. The Trump administration created links and information sharing between the intelligence community and the Department of Health and Human Services where that cooperation hadn't existed before.

Those links should have existed many years ago, but prior administrations, like the Obama-Biden administration, failed to see around the corner and get the job done. Just as an example, even with the swine flu and outbreaks across the globe, the Obama-Biden administration failed to plug the Department of Health and Human Services into the intelligence community the way that it should have been done. The current pandemic exemplifies the need to have a robust intelligence operation that includes the Department of Health and Human Services.

As pathogenic threats to our homeland and our people increase and become more complex, the Federal Government must prepare well in advance for a very quick response. In order to accomplish that task, the government must focus on the seamless communication that must exist between and among the various Departments and Agencies. The Federal Government must take a whole-of-government approach.

One serious barrier to that seamless communication is overclassification. That is a serious barrier we find too much in government. But, particularly when it deals with the pandemic, it becomes a problem that can cost a lot of lives.

In January of 2020 when reports began to circulate about COVID, I instructed my oversight and investigative staff to get a classified briefing from the Office of National Security. After that briefing, I made clear in a public way that overclassification during a public health emergency could have deadly consequences.

If a certain intelligence work product is classified in a certain way, sometimes other government Agencies won't then have access. The Federal Government must guard against this type of overclassification, and that is especially important during emergency situations that demand quick action.

To the extent that disagreements exist between Agencies, which they often do in complex and ever-changing fact patterns, discussion must be had between and among the government. From that, the facts will bear out, and the best decisions can then be made. That process can't take place if the government puts information in silos that Federal health Agencies are unable to access.

Overclassification is more of a problem when China's Government refuses to share relevant data with researchers. At least this government—the United States Government—can and should share information between and among its Agencies.

This administration must advance and improve upon the cooperative gains created by the Trump administration and make sure that the left hand continues to communicate with the right hand. The last thing that we should do is to revert to the lack of cooperation that existed before, espe-

cially in light of the current pandemic and the lessons that have been learned from this pandemic.

The cooperation between Federal health Agencies and the intelligence community will strengthen ties between them for decades to come, and the American people will be better served by the increased communication. Simply put, increased communication will save lives.

SUNSHINE WEEK

Now, Madam President, on another point, our democracy was built, as we all know, for the people, by the people, and, hence, is accountable to the people. The best way to be accountable is through transparency. So I come to the floor today, like I have a lot of years at this time of the year, to celebrate an important week that we celebrate then, regularly, and it is known as Sunshine Week.

During this week, we celebrate the birth of the fourth President of the United States, James Madison. Madison, as we all know, was the father of the Constitution, and maybe we don't know so much about him, but he also happens to be a father of the Constitution that believed in open government. He believed that access to information and meaningful oversight and accountability are foundational to the American system of government. In other words, the public's business ought to be public.

This year, I am continuing the Madison legacy by introducing several pieces of legislation. I am also asking the Government Accountability Office to look into how the Freedom of Information Act, or FOIA as we call it, has been impacted by the pandemic.

First, on the judicial side of things, I am again advocating for cameras in the courts. In the last year, nearly every major institution, from schools to Congress, have adapted to the pandemic by being virtual. So I believe bringing cameras into the Federal courtrooms would also bring in the public and open up access to our third branch of government.

At the same time, I am also asking the courts to provide transparency into our civil justice system by requiring the disclosure of all parties in a case. Litigation funders, such as hedge funds, are providing money to plaintiffs to bring lawsuits. This is all done in secret.

For many reasons, everyone involved in the case, including the judge and including the defendant, should know that these parties funding these lawsuits exist—in other words, who they are. They are big players, or maybe you wouldn't have those cases.

On the executive side, one of the most important tools the public has to hold its government accountable is the Freedom of Information Act, FOIA. Before its passage, people had to justify their need for information to the government.

Can you believe there was a time when, for the public's business, which

ought to be public, you had to justify the need for information? So FOIA was passed. After that passage, the government now has to justify its refusal to release information to you.

In 2016, we took FOIA one step further by requiring the government to proactively disclose information. These obligations are mandatory, even during unforeseen circumstances. I am deeply concerned that those obligations of that recent legislation are not being met. Even before the pandemic, the Government Accountability Office reported a significant increase in the number of FOIA requests and a big backlog in addressing those requests.

Last May, the Department of Justice reported that the coronavirus impacted FOIA processing governmentwide, as many agencies had limited ability to retrieve and process FOIA requests. That is why I am joining Senators DURBIN, LEAHY, and CORNYN in asking the GAO to examine FOIA processes and procedures in light of the coronavirus pandemic.

Our hope is to continue refining FOIA to make government information accessible in good times and in bad. The public's business should be public, maybe I should say except for national security reasons or privacy reasons.

Many of you know I am an Iowa farmer. I know that without sunshine, there cannot be growth, and both corn and democracy thrive in the light. Remember, once again, this is Sunshine Week. Transparency brings accountability.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

BORDER SECURITY

Mr. CORNYN. Madam President, last Thursday night, I was able to return home to Texas, and on Friday, I went to the southern border. Texas has 100 miles of common border with Mexico, and, obviously, we are at ground zero whenever there is a border crisis.

I was glad to be joined by my friend Congressman HENRY CUELLAR, who has been a partner of mine on bipartisan, bicameral border security and immigration reform legislation in the past, and we were also joined by Congressman MICHAEL BURGESS, our friend from North Texas.

We visited a holding facility in Carrizo Springs, which houses young boys, ages 13 through 17, who were apprehended along the border. We were able to see the facility, which includes medical care, classroom space, dining facilities, and legal services for these young men. And we heard from the Health and Human Services workers who are doing everything they can to

care for these children, despite being completely overwhelmed.

When we visited, there were 679 children between the ages of 13 and 17, but the facility is expected to reach capacity by today. This is no accident that we are seeing waves of unaccompanied minors coming across the border because the human smugglers and the drug traffickers understand our laws perhaps better than we do. And they know that if you are able to flood the zone with unaccompanied children, the Border Patrol are going to be distracted and diverted from their border security mission to take care of these children and to make sure that they are safe.

In the meantime, the drug smugglers exploit those gaps left when the Border Patrol leaves the frontlines to handle and process these unaccompanied children. Last year, more than 80,000 Americans died of drug overdoses in this country, and, unfortunately, a significant percentage of that involves the methamphetamine, the fentanyl, the heroin, and the cocaine that comes up through the southern border in the hands of the same criminal organizations that move people, traffic in human beings, and, again, smuggle drugs.

In the 2 months since President Biden took office, the situation along the border has come to rival the largest surges that we have seen in previous years. We remember the border crisis of 2014, when an alarming number of unaccompanied children and families came across the southern border and completely overwhelmed the system. That summer, the situation was so dire that President Obama called it a humanitarian crisis.

Then came the surge in 2019. That May, Customs and Border Protection reported a recordbreaking 144,000 encounters with migrants along the southwest border, more than double the amount we experienced during the 2014 humanitarian crisis.

So if 2014 was a humanitarian crisis, 2019 was a humanitarian crisis on steroids. And I am afraid the current situation is going to get nothing but worse and perhaps outpace even the humanitarian crisis on steroids that we saw in 2019.

What makes this even more complicated is, while this isn't the first surge of migrants we have seen across the border, it is the first time we have seen it during a COVID-19 pandemic. And based on the current trend, this one is shaping up to be far worse than anything we have experienced in the past.

Last month, Customs and Border Protection encountered more than 100,000 individuals coming across the border, the highest number since 2006. Out of those 100,000 individuals last month, it included 9,000 unaccompanied children and 19,000 migrants coming across as families; that is, some combination of a mother and father and minor children.

Based on the sheer numbers, this is a problem. It is overwhelming the capacity—physical capacity—to house and to take care of these children and to make sure that these individuals are processed according to the law. Border Patrol and Health and Human Services and our immigration courts do not have the capacity to manage an influx this large.

And when you add the operational challenges and risks associated with the COVID-19 pandemic, it becomes even more difficult to house and care for these migrants, especially the children.

The facilities like Carrizo Springs were previously at a 40-percent capacity to allow for social distancing—something we have heard a lot about in the last year—but the number of unaccompanied children has climbed so high that the Biden administration is now allowing those facilities to operate at 100-percent capacity, despite the obvious risk of spreading COVID-19 because of a failure or inability to socially distance.

At one point last week, there were more than 3,700 children in the custody of the Border Patrol. By comparison, there were about 2,600 children in custody at the peak of the 2019 crisis. So the numbers are significantly higher.

Reports over the weekend show that the number has increased to more than 4,200, with nearly 3,000 held beyond the 72-hour legal limit imposed by a court settlement.

While these migrant children are without a doubt the biggest victims of this crisis, there are cascading consequences. In Brownsville alone, more than 200 migrants were released from the Border Patrol's custody, having tested positive for COVID-19—200 positive for COVID-19, ushered into the country.

So despite the obvious health risks, many of these individuals continued their travels to their ultimate destinations, both within and outside the State of Texas. Some traveled, we know, as far north as Maryland, North Carolina, and New Jersey. And this rapid-pace catch-and-release practice places a serious strain on the resources of our border communities.

During the deadly winter storm last month, the mayor of Del Rio pleaded for the administration to stop releasing migrants into the city and surrounding area. The city's capacities were already stretched thin. The mayor, Bruno Lozano, said: "We will be forced to make a decision to leave them without resources under these dire circumstances."

When the President's Chief of Staff was asked recently about the border crisis in a recent interview, he said: "We inherited a real mess."

Well, that is not the way I see it. The policies the administration inherited deterred the human smugglers, the coyotes, and cartels from even attempting to smuggle children into the United States, particularly during the

COVID-19 pandemic. They required, under the Migrant Protection Program, migrants to remain in Mexico while their asylum claims were being processed.

Of course, the Biden administration has, in sort of a reflexive manner, reversed all of the previous administration's policies without any plan to put in its place and without regard to the consequences.

Well, the Migrant Protection Program, which was negotiated with the government of Mexico, worked pretty well. It allowed border communities to know that they wouldn't have to bear the brunt of thousands of migrants coming across the border into their communities while simultaneously battling a pandemic.

The Biden administration didn't inherit this mess; it helped create it. President Biden campaigned on the basis of policies that would lead to this very outcome.

One woman who crossed the Rio Grande on a smuggler's raft said the Biden administration is the reason she and her 1-year-old son attempted the journey at all. She said: "That gave us the opportunity to come." And come they did.

Whether you call this a mess, as the President's Chief of Staff did, or a human challenge, as the Secretary of Homeland Security did, I can tell you one thing: Unless the Biden administration reverses course, it will only get worse. We usually see the peak numbers of migration happen during the springtime and in the early summer, frankly, because of the weather and the ease of passage. So we haven't seen nothing yet compared to what we will see unless action is taken.

During my visit last Friday, one of the people involved in the operation of the Carrizo Springs facility said: This is a category 5 hurricane with tropical storm force winds on the coast. It is coming.

Well, we have seen this before, as I said—many times, in fact. And unless action is taken to stem the flow of migrants across the border, that category 5 hurricane is going to break the entire system.

In my time in the Senate, I have always looked to the men and women on the ground—the Border Patrol who wear green uniforms, the Customs and Border Protection officials who wear blue uniforms. I have looked to them to learn more about how things are going and how Congress and other policymakers can provide support.

As I said, we share a 1,200-mile border with Mexico, and our border communities are made up of incredible networks of law enforcement, local leaders, and nongovernmental organizations that work together to help keep the migrants safe, as well as communities safe. Many of them are motivated solely by their humanitarian impulses, and we couldn't do as well as we are doing without them.

One frustration I have heard in recent weeks is over vaccine distribution

for Border Patrol and other Federal officers who have no choice but to come in contact with COVID-19-positive migrants coming across the border. These men and women—Federal employees, Federal law enforcement officers—are at significant risk of contracting COVID-19 because of their work with detained and vulnerable populations.

We know that more than 8,000 Customs and Border Protection employees have tested positive for COVID-19, and 27 have died since the start of the pandemic. More than 2,800 of these 8,000 cases have been in my State of Texas. But despite this knowledge, the administration has not made vaccinating these men and women on the frontline a priority.

Last week, Senator SINEMA of Arizona and I sent a letter to Secretary Mayorkas to advocate for Border Patrol and the Department of Homeland Security's other Federal law enforcement officers to be prioritized for vaccination. I am glad to announce that the administration responded by opening a vaccination clinic in the Rio Grande Valley, which is a great first step, but law enforcement across the entire border deserve to be vaccinated as soon as possible. If the administration is going to implement policies that create even more dangers to these frontline officers and agents, the very least they can do is offer them protection from COVID-19.

After visiting the Carrizo Springs facility, Congressman CUELLAR and I traveled to Laredo, TX, where we met with a group of mayors, county judges, and a range of community leaders for a discussion on the ways this crisis is impacting them.

We discussed the bungled mess of the immigration courts, which have a backlog of 1.2 million cases. In fact, the human smugglers and drug cartels know that because of our laws and our failure to offer consequences associated with illegal entry into the United States, that we will never get to those 1.2 million backlog cases and that people can simply evade the law by refusing to show up for their court-appointed date.

Well, we talked about how the biggest beneficiaries of the crisis weren't the migrants crossing the border but, rather, the transnational criminal organizations—the cartels, the human smugglers, and the coyotes who bring them here. Border Patrol told me that the average smuggling fee for cartels to bring a single unaccompanied child into the Del Rio Sector was more than \$7,300—\$7,300 per child. The Chief of the Border Patrol sector there in Del Rio told me that just this year, they have detained people from 54 separate countries—54 separate countries—coming through the Del Rio Sector of the Border Patrol. So this is like the United Nations coming across our border, and, frankly, it is such a financially rewarding business for the human smugglers and the criminal networks, they will literally bring people from anywhere

around the world across our southern border into the United States. That ought to concern all of us.

Well, the Border Patrol is mounting a struggle against the border crisis and the pandemic simultaneously. Like cities across the country, our border communities have already had a very difficult year battling COVID-19. They had to cover a range of expenses created by the pandemic in order to keep their communities safe and healthy. But, unlike other communities across the country, they had the added economic hardship created by nearly a year of legal limits on nonessential cross-border travel.

Prepandemic, visitors from Mexico would travel across the border to shop, eat at restaurants, and visit their family members. They were a huge economic driver in our border communities from El Paso all the way down the Rio Grande to the Rio Grande Valley. But the "pause" on legitimate nonessential travel has created a serious economic strain on these communities, and those leaders are struggling to understand the disconnect between the Biden administration's two different approaches.

One of the participants at the roundtable said: "I don't understand how you can catch-and-release and not let our neighbors across the border come over and spend money in our communities to help [grow] our economy."

This confluence of crises is a one-two punch for our border communities, and it is unfair that they are expected to carry the burden of a crisis that should be the responsibility—is the responsibility of the Federal Government.

In many cases, nongovernmental organizations carry a significant amount of weight that, quite frankly, is unfairly placed on their shoulders. Congressman CUELLAR and I were joined in Laredo with three incredible NGOs whose resources are already stretched thin because of the pandemic and have managed to take on a substantial amount of work in managing this humanitarian crisis.

I want to commend Catholic Charities of Laredo, the Sisters of Mercy, the Holding Institute Community Center, and other NGOs along the Texas border for everything they have done to respond to the humanitarian crisis. I encourage anyone who is interested in understanding the crises and working to find solutions, including President Biden, to visit our border and to hear from these same individuals firsthand.

No matter what party controls the Senate, the House, or the White House, these law enforcement, local leaders, and NGOs are doing everything they can to keep both migrants and their communities safe. They are currently overwhelmed, frustrated, and eager for change, and their voices must be heard.

We are at an inflection point in the humanitarian crisis, and unless the administration acts and acts quickly, we are headed down a very dangerous

path. We have seen enough of these surges in the past to know what to expect.

If you are opposed to human trafficking, human suffering, drug smuggling, pushing migrants into the shadows, then you should be absolutely alarmed by what is happening along the border today.

The hurricane is on the way. I hope the administration and Congress will take a serious interest in acting before it makes landfall.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Rhode Island.

NOMINATION OF DEBRA ANNE HAALAND

Mr. WHITEHOUSE. Madam President, I am here to say a few words on behalf of DEB HAALAND to be Secretary of the Interior.

There is something wonderfully beautiful and symmetrical about her appointment to this position because of the Department of the Interior's role supervising America's public lands. Well, of course, before America's public lands were America's public lands, they were Native American lands, and DEB HAALAND will be the first Native American to serve in any President's Cabinet and the first to serve as the Secretary of this Department. So that is kind of a wonderful harmony with history, and I hope we appreciate that here.

The second thing that I want to say is that it is, to me, deeply ironic how much of the opposition to her as Secretary has come on the theory that she won't be fair to fossil fuels. We have lived through 4 years of a Trump administration with Secretaries of the Interior who were out-and-out operatives of fossil fuel. The fossil fuel hand in the Secretary's glove was obvious.

The idea that anything other than fossil fuel was treated fairly in the Trump administration is a preposterous notion. Basically, anything that wasn't nailed down, they gave to the fossil fuel industry with no consideration for any of the competitors, and they did it so badly and so shabbily and so sloppily because they were so greedy that a lot of the stuff they did got thrown out by courts because they didn't even bother to do their homework.

So, please, let's not talk about fairness after the last 4 years. Our friends on the other side lost their standing to talk about fairness after what they did for fossil fuel in the last 4 years, including outright lies about climate change.

My good friend from Texas talks about hurricanes. He has real hurricanes coming because of climate change. Yet where is the climate plan from the other side? None, because the fossil fuel industry won't let them.

Let me last say as I conclude, I come from the Ocean State. Representative HAALAND comes from one of those interior square States. Her Agency is called the Department of the Interior.

When you look at things like the Land and Water Conservation Fund, floods of money go to inside America, interior America, upland and inland America, and the coasts always get overlooked. I have made it very clear to Ms. HAALAND that has to stop. With climate change coming, with fisheries moving about, with sea levels rising, with oceans warming, with actual seas acidifying in front of our eyes, to overlook the coast can happen no more. I trusted her when she said she would. I will take her at her word, but I also intend to work very hard to make sure that I can support her in keeping her word that oceans and coasts will matter.

I yield to my friend from Minnesota. **The PRESIDING OFFICER.** The Senator from Minnesota.

Ms. SMITH. Madam President, I rise today in strong support of the historic nomination of DEB HAALAND to serve as Secretary of the Interior. When Representative HAALAND appeared before the Senate for her confirmation hearing, she opened by saying: "My story is unique."

HAALAND is a 35th-generation New Mexican, an enrolled member of the Laguna Pueblo, and will be the first-ever Native American to serve as a Cabinet Secretary.

National Congress of the American Indians President Fawn Sharp noted that it is fitting that as we celebrate Women's History Month, DEB HAALAND is poised to make it. Her nomination is a historic choice and a moment of deep meaning to Tribal nations and indigenous people across the country who have seen over and over again the Federal Government fail to keep its promises to Native people, promises made in law and treaty.

It is clear to me that we need Representative HAALAND's strong voice of stewardship for our public resources, cultural resources, and public lands, for action on the climate crisis, and for making sure that the Federal Government lives up to its treaty and trust responsibilities for Tribal nations and their citizens.

Representative HAALAND's background and her life experiences make her perfect for this job. As HAALAND said during her confirmation hearings, "If an Indigenous woman from humble beginnings can be confirmed as Secretary of the Interior, our country holds promise for everyone."

The Interior Department includes the Bureau of Indian Affairs, which manages the Federal Government's relationship with American Indian, Alaska Native, and Native Hawaiian communities. Indigenous leaders across the country have expressed broad, bipartisan support for Representative HAALAND's nomination because they know that she will bring a personal commitment to lifting up Native voices and addressing deep inequities and longstanding funding challenges on Tribal lands.

The Department is also responsible for public lands, energy resources, and

wildlife conservation, and so it requires a leader who understands the cultural and economic value of these resources and the importance of conserving them. Representative HAALAND grew up with a deep affinity for public lands, for responsible land use, and for hunting and fishing. In fact, her family on her father's side is from Minnesota, where she tells me she learned a lot about the joys of walleye fishing.

In the House, Representative HAALAND served as the chair of the Subcommittee on National Parks, Forests, and Public Lands, and she has earned the support of hundreds of groups working on climate change, conservation, and public lands management.

Representative HAALAND has been a champion for the tragic crisis of missing and murdered indigenous women.

Here we have a strong, capable, competent leader ready to serve our country as the first Native woman to lead the Interior Department. Colleagues, I can't help asking here during Women's History Month, why is it that almost 2 months after President Biden's inauguration, Representative HAALAND is one of the last three core Cabinet members to be confirmed in the Senate?

Why is it that she has faced such ferocious opposition from some Republicans?

Colleagues, over the last 3 months, Representative HAALAND has been called "extreme" and "radical."

One Republican Senator I serve with on the Indian Affairs Committee labeled HAALAND a "hardline ideologue with radical views"—this from a person who spent months promoting the false and widely debunked conspiracy theories about voter fraud in our election. Another Republican Senator called Representative HAALAND a "socialist, left-of-Lenin whack job"—though, later, he said he merely meant to call her an "extremist."

In the House, a Member of my own Minnesota congressional delegation orchestrated a hit campaign on Representative HAALAND by attacking her position on natural resources management and boundary waters. Strangely, this same Member happily supported Secretary Vilsack's confirmation even though he holds exactly the same positions.

As our former colleagues Tom Udall and Mark Udall said in an op-ed in USA Today, it is hard to imagine that either of them, had they been nominated to lead Interior, would have faced the same attacks for radical ideas.

I just find it difficult to take these Republican attacks at face value. My colleagues should know that Representative HAALAND was named the most bipartisan House freshman in the last Congress. If that is what a hardline ideologue looks like, maybe we should all aspire to be the role model that DEB HAALAND provides.

Colleagues, I think we need to be honest with ourselves about what is going on here. Once again, a woman—

and a woman of color—is being held to a different standard, and we need to name it. We have to come to grips with the reality that, time after time, strong women, especially women of color, are attacked when White men with the same views are welcome to walk right through that door, unopposed.

At their worst, these efforts—these attempts—to portray Representative HAALAND as extreme and unqualified show how much work we still have to do to reckon with our country's history of disparaging, disrespecting, and erasing Native people and how this tragic history has been reflected in the biases on exhibit during Representative HAALAND's confirmation. This is clear when we see how few Republicans could even acknowledge the historic nature of Representative HAALAND's nomination, choosing, instead, to focus on hostile questions about her tweets and whether she understands the law.

Now, sadly, these attacks that Representative HAALAND has been subjected to are not unique. We have seen this dance play out time and again with Biden-Harris nominees, especially with women of color. Excellent nominees, like Secretary Vilsack and Secretary Buttigieg, faced relatively tame confirmation processes. The vast majority of questions were about policy goals and their experience. No Senator referred to these nominees as “extremists” or “radicals.”

Yet how did the women of color fare?

In the Banking Committee, my Republican colleagues grilled Secretary FUDGE, our new Secretary of Housing and Urban Development—and a Black woman—about her intemperate comments on race. This was less than 3 weeks after our former President incited an insurrection of White supremacists, among others, and faced essentially no consequence from his own party. Neera Tanden was forced to withdraw her nomination to lead the Office of Management and Budget after some declared that her Twitter account was too divisive.

Well, if we had only known that mean tweets could disqualify you from public office, we could have saved ourselves 4 years of division and chaos and two impeachment trials after a torrent of inflammatory and hateful rhetoric from the former Twitter account of our former President, which most of my Republican colleagues said they tried to ignore or just hadn't read. Strong opinions from strong women of color are deemed unacceptable and cause for disqualification. I am just not buying it.

In my first floor speech in this Chamber, I said that, when you really listen to women, you begin to understand all the ways in which women are made less and are denied opportunities to contribute to their communities and to their country.

So I urge my colleagues: Don't let this be one of those times. Let's not silence these women and deny them op-

portunities to lead because we are uncomfortable with their power.

During Representative HAALAND's confirmation process, I started to get text messages from women friends, especially from Native women, who were horrified by the yelling and the condescending questions that were directed her way. We were proud of how she responded—with grace and with dignity—and we all knew how it felt.

I would bet that every woman in this Chamber knows what it feels like when this happens. A man talks down to you. He uses his power to explain something that you already know and signals in a hundred different ways that you don't belong in the room where it happens. Well, for a long time, women have found ways to respond to these affronts with grace as did Representative HAALAND, MARCIA FUDGE, Vanita Gupta, and Neera Tanden.

When I was a young woman, my mother was a very strong woman herself. She used to advise me to just ignore these folks and go about my business. Even today, as I worked on this floor speech, I wondered: Am I going to offend anybody? Am I going to sound too shrill? I bet there is not a man in this room who has ever worried about sounding too shrill.

So, colleagues, tonight, we will vote on Representative DEB HAALAND's confirmation to Secretary of the Interior, and we will all have a chance to restore dedicated, capable, passionate leadership to this important Department.

The choice to confirm Representative HAALAND is, indeed, historic, but it is not an abstract opportunity. As Secretary, Representative HAALAND will play a consequential role in combating climate change. She will also honor Tribal sovereignty and strengthen the government's relationship between the United States and Tribal nations. Maybe, just maybe, her leadership will help us see the strength of Native women and of all women and to not be threatened by that. Our country will be the better for it. I urge my colleagues to support the confirmation of DEB HAALAND for Secretary of the Interior.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

MAIDEN SPEECH

Mr. PADILLA. Madam President, on behalf of the people of California, it is my honor to address this body today. I stand before you, humbled and inspired by this moment in our Nation's history, as the Senator from the most populous and most diverse State in the Nation and as the first Latino Senator from the State of California. Let me begin by saying what a great country this is.

My name is ALEX PADILLA.

(English translation of statement made in Spanish is as follows:)

I am the son of Santos and Lupe Padilla.

I am also the proud husband of Angela Padilla and the proud dad of Roman, Alex, and Diego.

I love you guys.

Colleagues, my family's journey is central to my public service. My parents immigrated to California from Mexico in the 1960s in search of a better life. They arrived from different regions of Mexico, with little formal education but with a tremendous work ethic and big dreams. They met in Los Angeles. They fell in love. They decided to get married and apply for green cards—in that order.

I thank the U.S. Government every day for saying yes to those applications, because, if they had been denied, no doubt my life story would be a lot different.

For 40 years, my father worked as a short order cook—hard work, honest work—and as he will proudly tell you, his kitchen never failed an inspection. For the same 40 years, my mom worked tirelessly cleaning houses. It seemed like she never had a day off, but, together, they raised three of us—my sister, my brother, and me—in a modest, three-bedroom home in the proud, working-class community of Pacoima, CA, in the northeast San Fernando Valley.

Now, our neighborhood had more than its share of challenges—from poverty to crime to unhealthy air. It might not have been the safest neighborhood, but my mom felt blessed that we had the sanctuary of a backyard and a strong sense of community. It was there that my parents taught us about the values of service to others and of getting a good education.

Today, my sister, my brother, and I are all public servants. My sister has been a teacher, a principal, and, today, she works in administration for the Los Angeles Unified School District. My brother serves as chief of staff to Los Angeles City Council President Nury Martinez. If you pay close attention there, yes, I am the middle child. It may explain a lot.

Think about that. In one generation, our family has gone from being immigrant cooks and house cleaners to serving in the U.S. Senate. That is the California dream. That is the American dream. That is the dream I was raised to believe in and the dream that Angela and I are working hard to keep alive for our children and for future generations.

I think about my parents often, and I think about all of the hard-working people in our State and in our Nation who are hurting right now. I rise today on their behalf.

I rise on behalf of the cooks, the dishwashers, and the domestic workers who have seen their jobs and their lives upended by the COVID-19 pandemic.

I rise on behalf of the farmworkers and delivery drivers and nurses who have been on the frontlines of this pandemic and who have never stopped showing up.

I rise on behalf of the 4 million small businesses in California and the business owners, many who are hanging on by a thread and stretching like they

have never stretched before to meet payroll.

I rise on behalf of the nearly 2.5 million California families who are behind on their rent or behind on their mortgages, with bills piling up, wondering how they will ever climb out of the hole.

I rise on behalf of the 11.2 million California adults who struggled to meet basic household expenses last year, including many who relied on food pantries just to get by.

I rise on behalf of the 56,000 California families and the more than 530,000 families across America who have lost a loved one, many who died alone in a hospital room or a nursing home, deprived of the last chance to hold hands or say goodbye.

The people of my State are hurting; the people of our country are hurting, and we have a long way to go before we get back. The greatest crisis of our lifetimes demands bold action. "Building back better" demands that we build back better for everybody and that we leave nobody and no community behind. To do so requires that we open our eyes to the deep, systemic inequities that have been exposed and exacerbated by this crisis.

In my State, the reality is that there are two Californias just as there are really two Americas—one for families who struggle to pay the rent and make ends meet, who struggle to keep hope alive, and one for those who can afford to work from home or from a second home, who can more easily weather this storm.

We see two Californias where Latino, Black, and Asian households are three times as likely to be behind on the rent. It is the story of the single mom who lost her job due to the pandemic and who has depleted her entire savings to keep a roof over her family's head.

We see two Californias where employment has actually increased for people earning more than \$60,000 a year while some parents are left to make the impossible choice of either paying for food or paying their utility bills so their kids can still log into online class.

We see two Californias, where the stock market reaches new highs for some, while in the San Fernando Valley, too many families depend on city or church food distribution sites to feed their children.

We see two Californias, where there is a stark disparity in who is getting vaccinated and who is not.

Just take, for example, the city of Beverly Hills, where more than 25 percent of residents have received their first shot. That is a good thing. What is not so good is that in South LA, less than 15 miles away, the rate is just 5 percent.

And we see two Californias in the impact the pandemic has had on immigrant communities—communities on the very frontlines of this crisis.

I recently announced my first bill, the Citizenship for Essential Workers

Act, which would provide a well-earned pathway to citizenship for undocumented immigrants who have risked their health as essential workers. These are the workers whom we have all depended on during this pandemic.

Now, millions of us have offered tremendous gestures and thanks for their heroism and their hard work. Let's be honest with ourselves. Many of these workers woke up before dawn today and took a bus to work so that others could "Zoom to work" from the comfort of their own homes.

These essential workers take care of our loved ones. They keep the supply chain moving. They grow and harvest our food, stock the shelves at grocery stores, and will even deliver it to your door. They risk their lives so that others can stay safer at home.

We cannot, in good conscience, praise them as essential workers in one breath while denying them the essential human dignity they deserve with the next.

Yes, dignity, respect, and a pathway to citizenship for essential workers is personal to me, but it is also in the best interest of our Nation.

These immigrants are paying more than their fair share. They are deemed essential by the Federal Government for good reason, and they have earned the rights and responsibilities of citizenship. We cannot allow the American Dream to be a casualty of this pandemic. Relief and recovery must be for everyone.

Now, the American Rescue Plan that this body passed and President Biden just signed into law is a \$1.9 trillion downpayment on this promise. It will speed vaccination production and distribution, expand testing and contact tracing, outfit our schools so kids and teachers can safely return to the classroom, provide emergency mortgage and rental assistance to families in need, and it will extend a lifeline to keep millions of American small businesses from going under.

Now, I will tell you what it means for my home State. In addition to what this bill will deliver to fight the virus, it also means immediate food assistance for 4.3 million families, an increase in the standard of living for 8 million California children, \$15 billion for California schools, \$590 million to help combat homelessness on the streets of California, and billions in direct checks for struggling families.

The American Rescue Plan provides a lifeline for American families, workers, and businesses to survive what we all hope will be the last months of this crisis.

It is one of the most transformational and progressive pieces of legislation in our history, which will cut child poverty in half, including for half a million children in California.

But our work is far from over. I believe now is the time to lead an American comeback that leaves no working family behind—a comeback that heals the longstanding divides in our society

and unites our country, a comeback that confronts the systemic injustices in our country so that we can build back equitably.

It took almost 10 years to recover from the great recession. We lived through the consequences of the moderate response to the financial crisis—slow growth, poor pay, and millions without jobs. We cannot let that happen again. We can and must build back better.

That means investing trillions in our infrastructure in a way that uplifts communities and provides millions of good-paying union jobs and in a way that addresses our climate crisis to help ensure that every person has access to clean air and clean water.

It also means passing commonsense immigration reform that brings humanity to our immigration system and recognizing that providing a pathway to citizenship for people living and contributing to our country is part—a strategic part—of our economic recovery as well.

That means protecting and strengthening our democracy by passing voting rights and civil rights legislation. We should be making it easier, not harder, for eligible people to register to vote, to stay registered to vote, and to vote in every State in the country.

But as President Obama said in his farewell address, "the work of democracy has always been hard. It's always been contentious. Sometimes it's been bloody. For every two steps forward, it often feels like we take one step back."

It is no surprise that reactionary State leaders around the country, fearful of losing elections, fearful of losing power, are mobilizing to suppress the vote as we speak.

Enough is enough. This Senate must act aggressively to protect the right to vote, to strengthen the right to vote—no more steps back, only steps forward. We must act boldly because that is what this moment demands of us. We can't let anything keep us from bold action and progress, including outdated rules and traditions.

We must end the filibuster. For decades, the filibuster has been leveraged to obstruct progress. It helped maintain Jim Crow segregation, and it continues to entrench inequality in America today. We cannot allow the filibuster to prevent us from doing what is necessary to lift up millions of working families in every corner of the country.

I believe we will beat this pandemic and get through this crisis. We will do it the same way we always have, the same way my parents did, the same way that American families and millions of immigrants throughout our history have done—by going to work and getting the job done.

To my colleagues, I am so honored to serve with you and look forward to working alongside you for years to come.

To my constituents, I am honored to represent you, and I will work hard every day to make you proud.

And to Angela, Roman, Alex, and Diego, I love you. Thank you for your love and your support of my public service.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, I ask unanimous consent that Senators LUJÁN, CARPER, and myself be allowed to complete our remarks before the rollcall vote.

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

BORDER SECURITY

Mrs. BLACKBURN. Thank you, Madam President.

The southern border. The situation at our southern border has devolved into chaos. That is what I am hearing from some of my former House colleagues who have been on that border today.

According to them, we are once again facing a crisis. Thirteen days ago, Customs and Border Protection announced that they were deploying more agents to help manage the spike and apprehensions of adults and unaccompanied alien children.

Then, last Monday, news broke that Homeland Security Secretary Alejandro Mayorkas had sent an email to DHS staff begging for volunteers to go to the border and help with logistics and humanitarian aid.

It is obvious they need help on the border. In January alone, the Customs and Border Patrol detained nearly 78,000 people—more than double the number of apprehensions in January of 2020.

In February, that number jumped to more than 100,000 arrests and detentions. CBP took more than 9,000 unaccompanied minors into custody that month, prompting the administration to open two overflow detention centers to house them.

Listen to these numbers: 100,000 arrests and detentions in February; 9,000 unaccompanied minors being taken into custody that month—having to open 2 overflow detention centers.

New data released last Wednesday shows that our agents are now detaining more than 4,000 people along the border every single day—4,000 every day.

Our facilities and resources are exhausted, and so are the agents responsible for controlling this out-of-control situation.

It did not have to be this way. Secretary Mayorkas has accused the Trump administration of “dismantling our Nation’s immigration system.” That is his quote. But if he wants to know who is really responsible, he should look to the current White House.

I have stated time and again how disastrous President Biden’s policy of governing by Executive fiat has been. Thirty-four Executive orders in his first 50 days—34.

Also, he has suspended construction of the border wall, jeopardizing our na-

tional security. He has embraced DACA. He halted most deportations. He cut domestic immigration arrests by 60 percent and dismantled the migrant protection protocols.

This administration threw our existing immigration law out the window and let the world know that when it comes to illegal entry, not only will we look the other way, this administration is encouraging them to come. Even their Cabinet nominees are playing by these new rules of encouraging individuals to break our laws, to come to the country illegally. They are encouraging this.

Last week, this Chamber voted to discharge Xavier Becerra’s nomination from committee. I voted no. He is one of the most flagrant offenders out there when it comes to sending these signals. He has openly admitted he would like to decriminalize illegal entry and offer Medicaid to anyone who manages to get across the border.

They have made a lot of promises that they know they are not going to be able to live up to, and now they are trying to walk it all back, walk back the hope that sparked in thousands of people because they have heard that the border was going to be open. They are even wearing the T-shirts with the slogan, “Biden, let us in.”

They are going to have to walk back the mess that is there on the border, and I am fearful and concerned that their walk-backs are not going to work because from what we are hearing about the border, they have lost control of that border.

I look forward to traveling to the border for a briefing on the situation. This administration does not want their critics to see what is happening down there. There are days you would think they have got a news blackout going at the border.

This isn’t just a problem in Texas or California or Arizona or New Mexico. Every town is a border town and every State is a border State because of the drugs, the human trafficking, sex trafficking, and gangs that are streaming across our border.

You know, it means that no matter how hard you try, you can’t hide the tragedy that inevitably unfolds when your immigration policy is to have zero immigration policy at all, just open the border and let them come.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

NOMINATION OF DEBRA ANNE HAALAND

Mr. LUJÁN. Madam President, I rise today in anticipation of a historic vote that the Senate will take in a few moments to confirm DEBRA ANNE HAALAND as Secretary of the Interior. I am incredibly humbled to be able to preside over this body’s confirmation, in just a few minutes, of my good friend and fellow New Mexican.

This marks the first time that a Native American will take her seat in the President’s Cabinet, making her the second highest ranking Native Amer-

ican to ever serve in the Federal Government.

As a Pueblo woman and 35th-generation New Mexican, DEB HAALAND has a long overdue perspective to contribute to the Department of the Interior’s mission of protecting our natural resources and public lands, and honoring America’s trust responsibilities to Tribal nations.

She is uniquely equipped to begin to repair the relationship between the Interior and the domestic nations it serves—to the Bureau of Indian Affairs, these indigenous nations, these sovereign nations, these important departments, the Indian Health Service, the Bureau of Indian Education.

Speaking to Pueblo and Tribal members in New Mexico, I know the significance of her confirmation, how it transcends policy. For young people in our State, she is the embodiment of the old adage that if you see it, you can be it.

Knowing my friend DEB, although she will be the first, she is committed to not being the last.

As former vice chair of the House Natural Resources Committee, DEB HAALAND also brings a wealth of knowledge and experience to her role as the Interior Secretary. She has been a longtime champion of climate action, creating good-paying jobs, clean energy, and outdoor recreation.

She played a key role in passing the Great American Outdoors Act out of the House of Representatives, successfully protecting New Mexico landscapes and setting ambitious goals for conservation with her Thirty by Thirty Resolution to Save Nature. But of all the qualifications and accomplishments that DEB HAALAND will bring to the Department of the Interior, there is one that stands out to those who know her best—her empathy.

DEB’s experience as a single mother struggling to keep a roof over her family’s head allows her to connect with compassion to her constituents and informs every aspect of her work. It is fitting that she will serve under a President who has made empathy the trademark of his administration.

I have no doubt that Secretary HAALAND will leave a mark on the Department of the Interior and on history as we know it. I look forward to continuing to work with my friend to make a difference for the people of New Mexico.

Mr. DURBIN. Mr. President, one floor above this Senate Chamber, near a bank of elevators, sit the marble busts of two leaders of the Ojibwa, or Chippewa, people who came to Washington, DC, in 1855 to sign a treaty with the U.S. Government.

The terms of the treaty had been dictated by the U.S. Government: The Ojibwa people would surrender more than 2 million acres of their ancestral homeland in northern Minnesota. In exchange, the Tribes would receive less than \$20,000 in cash, goods, and services, and assistance to resettle on two reservations.

There was no real negotiation. The Ojibwa has two choices: Accept the terms, or face annihilation. So the two chiefs, whose English names were Buffalo and Flat Mouth, signed the treaty and hoped that they had salvaged some future for their people.

It was one of more than 500 treaties that Indian nations signed with the U.S. Government between 1778 and 1871.

Like every one of those 500-plus treaties, the 1855 treaty with the Ojibwa Nation was violated by the U.S. Government.

The part of our government most responsible for carrying out treaty obligations and maintaining government-to-government relations with Tribal nations was—and still is—the U.S. Department of the Interior. That is part of what makes the vote we will take today so historic and important.

It has taken too long—244 years—for a Native American to be included in a President's Cabinet.

DEB HALLAND is a leader of honor, integrity and vision, and I commend President Biden for nominating her to this important post. As Secretary of the Interior, she will oversee the department that manages America's national parks and vast public lands. She also will lead the Bureau primarily responsible for maintaining relations between the U.S. Government and the nearly 600 federally recognized, sovereign Tribes within our national borders.

Her nomination has the strong backing of more than 500 national and regional Tribal leaders, civil rights organizations, and environmental and conservation groups. She received bipartisan support in the Senate Committee on Environment and Natural Resources.

She is a thoughtful and inclusive leader who will search for balanced solutions on energy, climate, and natural resource policy. I also hope—and expect—that she will correct mistakes the previous administration made in removing protections for vast amounts of lands, including large portions of Bears Ears and the Grand Staircase-Escalante National Monuments in Utah. These natural and cultural treasures are part of our shared national inheritance and must be protected. Deb Haaland understands that.

In 2018, she became one of the first two indigenous women ever elected to Congress. She is a 35th-generation New Mexican and an enrolled member of the Laguna Pueblo, a Tribe of people who have lived on the land that is now New Mexico for 900 years.

Defending this Nation is in her blood. Her father was a marine who received the Silver Star for his service in Vietnam and is buried in Arlington National Cemetery. Her mother is a Navy veteran who worked for a quarter century at the Bureau of Indian Education, an Interior Department Agency.

This historic nomination is an important step towards healing a deep wound

of our past, and it offers hope for a better future.

I am honored to support DEB HAALAND to serve as U.S. Secretary of the Interior.

Mr. LUJAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I rise today to support the historic nomination of DEB HAALAND to be Secretary of the Interior.

If confirmed, Congresswoman HAALAND will be the first Native American Cabinet Secretary. And how fitting it would be at the Department of the Interior. After all, American Indians and Alaska Natives were the first stewards of this land. I know Representative HAALAND will carry on that commitment as Interior Secretary.

This nomination is important for all States, especially the State of Delaware, which I am privileged to represent in the U.S. Senate. The First State, as we are known, may be small, but the Department of the Interior's presence there is not. We are proud of our two National Wildlife Refugees and one of America's newest national parks, the First State National Historical Park, which helps tell the story of the founding of our Nation leading up to the ratification of the U.S. Constitution.

As I've gotten to know DEB HAALAND this year convinced that she is the right person to lead the Department of the Interior. We are at a critical juncture in our quest to protect our public lands, wildlife, and environment for future generations. She has spent her career fighting for these things. As Interior Secretary, I know she will continue that fight with compassion and integrity. And, as Chairman of the Senate Committee on the Environment and Public Works, I look forward to working with her and the team she will lead on restoring protections for migratory birds and our nation's most imperiled wildlife.

If confirmed, DEB HAALAND will also take the bold steps needed to address greatest threat we face—the climate crisis. I believe that under her leadership, we will see offshore wind turbines in federal waters from Massachusetts to North Carolina, dramatically reducing carbon emissions.

With that thought in mind, I look forward to working with her on advancing the Biden administration's renewable energy agenda. DEB has pledged to listen and work with all of us in her efforts to do so.

Put simply, DEB HAALAND is what we want in our leaders. She is humble, not haughty, with the heart of a true public servant. She works to unite, not divide to build bridges, not walls.

So, I strongly support her nomination and encourage all my colleagues to do the same confirming. DEB HAALAND will do great things for the American people. Let's make it happen.

Madam President, let me just speak from my heart. My friend who just pre-

ceded me knows DEB HAALAND from years of experience. Tom Udall, who served here for years, a close friend to all of us, has known DEB HAALAND forever.

I remember asking Tom Udall: What does she bring to the U.S. Department of the Interior? I will never forget what Tom said. He said: She will bring a good heart. She will bring a good mind. She has the heart of a servant. She is someone who is humble, not haughty. She will provide the leadership that is needed at the Department of the Interior after the years that we have been through.

She will put together a good team, and when her team does well, she will give them the credit, and when her team falls short, she will take the blame.

Those of us in the State of Delaware are proud to be the "First State." We have two wonderful National Wildlife Refuges. We have a national park, one of the newest ones in the country, that really helps tell the story of the settlement of our country from the early days of colonial settlements, right up to the ratification of the Constitution.

The Constitution lays out what is expected of us serving here and in the administration and also what is expected of Cabinet Secretaries, and it is seen in the, really the forward, if you will, the beginning, of the Constitution, where it says: "We the People of the United States, in Order to form a more perfect Union. . . ."

We can do better than what we are doing. We can do better than what we are doing with respect to protecting our National heritage, our wildlife, our migratory birds. We can do better in all of this. She will bring that commitment to doing better.

I will just close with this. I don't believe we have ever had, in the history of our country, a Native American who has been nominated to serve as a Cabinet Secretary. I think she is the first, and we are from the "First State," Delaware. The idea that she will be the first Native American, how appropriate, how appropriate. When you think about it, who were the original stewards of this land, our air and our water, the birds and the animals and fish that all live here and populate this land of ours? Native Americans were the first stewards. Native Alaskans were the first stewards. And it is only appropriate that, finally, we picked one of them. We chose one of them.

She has been nominated by the President, gone through her confirmation hearing, and we have a chance, today, to complete the process by confirming the nomination of DEB HAALAND to be the Secretary of the Interior. I hope we will do that, and I thank you very much for allowing me to give these remarks.

I yield the floor.

VOTE ON HAALAND NOMINATION

The PRESIDING OFFICER (Mr. LUJÁN). The question is, Will the Senate advise and consent to the Haaland nomination?

Ms. BALDWIN. I call for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Colorado (Mr. HICKENLOOPER), and the Senator from Hawaii (Ms. HIRONO) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Tennessee (Mr. HAGERTY), the Senator from Wyoming (Ms. LUMMIS), the Senator from Kansas (Mr. MARSHALL), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Pennsylvania (Mr. TOOMEY) would have voted "nay," the Senator from Kansas (Mr. MARSHALL) would have voted "nay," and the Senator from Florida (Mr. RUBIO) would have voted "nay."

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

The result was announced—yeas 51, nays 40, as follows:

[Rollcall Vote No. 119 Ex.]

YEAS—51

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

NAYS—40

Blackburn	Fischer	Risch
Blunt	Grassley	Romney
Boozman	Hawley	Rounds
Braun	Hoeben	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Cramer	Lee	Tuberville
Crapo	McConnell	Wicker
Cruz	Moran	Young
Daines	Paul	
Ernst	Portman	

NOT VOTING—9

Barrasso	Hickenlooper	Marshall
Bennet	Hirono	Rubio
Hagerty	Lummis	Toomey

The nomination was confirmed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONFIRMATION OF DEBRA ANNE HAALAND

Mr. SCHUMER. Mr. President, just a word about the history-making nomination that was just approved by the Senate. We have now made history twice in the last few minutes. We have made history twice because we have nominated the first Native American Secretary of the Interior and the first Native American Cabinet official in American history.

The confirmation of DEB HAALAND is amazing. It is a huge step forward, and now it creates a government that more embodies the full richness and diversity of this country. We have known for so long the Native American community was treated badly, and we have a long way to go but we have begun with the ARP. And now with the approval of DEB HAALAND to be the Secretary of the Interior, we are moving forward, and she will do a great job as Interior Secretary. She represents a turnaround because the Trump administration did more to undermine the relationship between the Federal Government and Tribes than has been done in a long time. DEB HAALAND will reverse that and move much further along. So we are proud of what the Senate has done.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

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

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

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. 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. Mr. President, I move to proceed to executive session to consider Calendar No. 37.

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 Xavier Becerra, of California, to be Secretary of Health and Human Services.

CLOTURE MOTION

Mr. SCHUMER. Mr. 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. 37, Xavier Becerra, of California, to be Secretary of Health and Human Services.

Charles E. Schumer, Chris Van Hollen, Michael F. Bennet, Jack Reed, Tammy Duckworth, Sheldon Whitehouse, Jeff Merkley, Christopher A. Coons, Richard Blumenthal, Patrick J. Leahy, Amy Klobuchar, Tina Smith, Brian Schatz, Ron Wyden, Robert Menendez, Richard J. Durbin, Martin Heinrich, Maria Cantwell.

LEGISLATIVE SESSION

Mr. SCHUMER. Mr. 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. Mr. President, I move to proceed to executive session to consider Calendar No. 17.

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 Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor.

CLOTURE MOTION

Mr. SCHUMER. Mr. 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. 17, Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor.

Charles E. Schumer, Patty Murray, Richard Blumenthal, Christopher A. Coons, Sheldon Whitehouse, Jeff Merkley, Brian Schatz, Amy Klobuchar, Benjamin L. Cardin, Cory A. Booker, Edward J. Markey, Angus S. King, Jr., Robert P. Casey, Jr., Chris Van Hollen, Sherrod Brown, Kirsten E. Gillibrand, Tim Kaine, Tammy Baldwin.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, March 15, be waived.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume legislative session for 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.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

CONFIRMATION OF DEBRA ANNE HAALAND

• Ms. HIRONO. Madam President, I rise in support of the historic nomination of DEB HAALAND to serve as the next Secretary of the Interior. When confirmed, Congresswoman HAALAND will be the first Native American to serve in a Cabinet position.

DEB HAALAND's nomination to become Secretary of the Interior means so much to the future of this country.

For the historically underrepresented and mistreated indigenous communities of these United States, it means that their experiences and perspectives will be valued and represented at the highest ranks of our Federal Government. This important milestone and this reflection of their stories cannot be overstated.

It means that young Americans and perhaps especially young people in indigenous communities, who put themselves through school, take out student loans, raise children, and run a business, will see their struggles in this nominee and realize that they, too, can work their way to high-ranking government positions.

DEB HAALAND's confirmation means that our country will, after 4 years of neglect and catering to the fossil fuel industry, work again to ensure that our natural resources are conserved for the next generation.

It means that the Federal Government will take swift, meaningful actions to address climate change.

It means that trust and relationships between local communities, Tribes, and the Federal Government will be restored and strengthened.

My Republican colleagues have gone to great lengths to smear Congresswoman HAALAND as an extremist. They point to the commonsense policies and positions that she took while representing her constituents as "radical" and framing her as "outside the mainstream." They are adamantly opposed to President Biden's environmental agenda and, regardless of what DEB HAALAND says in response to their concerns, oppose her because they simply oppose the President's agenda.

If you took them for their word, you would believe that fossil fuels would disappear overnight. You would believe that workers in that industry would immediately lose their jobs, that our

energy grids would become unreliable, that the sky would be falling.

What they don't talk about is how the Department of the Interior is putting a pause on new, not existing, oil and gas leases. A pause.

They don't mention how DEB HAALAND, during her confirmation hearing, repeatedly assured them that the administration will not abandon workers and families in the fossil fuel industry as we transition to clean energy.

They ignored and discounted her repeated commitments to working with Senators and stakeholders in their respective States on issues that they care about.

They don't talk about the impacts of climate change on American communities, how climate change is an environmental justice issue, or the benefits of expanding our country's clean energy production.

Instead, their message is simple—if the nominee is not beholden to the fossil fuel industry, they won't support them.

Yes, President Biden's environmental agenda is bold. His commitments to addressing climate change, which he identified as a crisis, are strong.

We as a country cannot afford to continue with the fossil fuel extracting, carbon emitting status quo.

We cannot keep burying our heads in the sand and kicking the can down the road, expecting our children and grandchildren to clean up our messes.

President Biden committed to tackling some of the greatest challenges of our lifetime, and he named climate change as one of the four great crises of our time.

Major changes will need to happen including our old ways of thinking. We need to be bold, innovative, and think outside the box.

As our country takes on these issues, challenges and opportunities are inevitable. By having DEB HAALAND at the helm of Interior, I know that our local communities from Hawaii, to Alaska, to Maine, and everywhere in between, will have a Secretary willing to listen, a Secretary who will take the time to understand their issues.

Our country can successfully transition from overreliance on fossil fuels, increase our clean energy production, protect our environment, and make real progress on climate change by working together.

Mr. President, a family emergency has kept me from being in attendance for today's vote. If I were present, I would have voted to confirm DEB HAALAND as Secretary of the Interior. It is not only a historic vote but one of hope. I urge my colleagues to join me in my support.●

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Ms. HIRONO. Madam President, I was necessarily absent for a vote on

March 15, 2021, so I could return to Hawaii to tend to a family matter.

On March 15, had I been present, I would have voted yea on the confirmation of DEBRA ANNE HAALAND to be Secretary of the Interior, rollcall vote 119.●

ARMS SALES NOTIFICATION

Mr. MENENDEZ. Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. ROBERT MENENDEZ,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-24 concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Germany for defense articles and services estimated to cost \$1.77 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

HEIDI H. GRANT,
Director.

Enclosures.

TRANSMITTAL NO. 21-24

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Germany.

(ii) Total Estimated Value:
Major Defense Equipment* \$1.10 billion.
Other \$.67 billion.
Total \$1.77 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
Five (5) P-8A Patrol Aircraft.
Nine (9) Multifunctional Information Distribution System Joint Tactical Radio Systems 5 (MIDS JTTRS 5).

Twelve (12) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigation Systems (EGIs).

Non-MDE: Also included are commercial engines; Tactical Open Mission Software (TOMS); Electro-Optical (EO) and Infrared MX-20HD; AN/AAQ-2(V) I Acoustic System; AN/APY-10 radar; ALQ-240 Electronic Support Measures; NexGen Missile Warning Sensors; AN/PRC-117G Manpack radios include

MPE-S type II with SAASM 3.7; Global Positioning Systems (GPS) 524D Precise Positioning System (PPS) for APY-10 Radar; AN/ALQ-213 Electronic Counter Measures; AN/ALE-47 Counter Measures Dispensing Systems; AN/UPX IFF Interrogators; APX-123A(C) IFF Digital Transponders; KIV-78 IFF Mode 5 Cryptographic Appliques; CCM-701A Cryptographic Core Modules; KY-100M, KY-58, KYV-5 for HF-121C radios; AN/PYQ-10 V3 Simple Key Loaders (SKL) with KOV-21 Cryptographic Appliques; aircraft spares; spare engine; support equipment; operational support systems; training; training devices; maintenance trainer/classrooms; publications; software; engineering technical assistance (ETA); logistics technical assistance (LTA); Country Liaison Officer (CLO) support; Contractor Engineering Technical Services (CETS); repair and return (RoR); transportation; aircraft ferry; and other associated training and support; and other related elements of logistics and program support.

(iv) Military Department: Navy (GY-P-SCO).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: March 12, 2021.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Germany—P-8A Aircraft and Associated Support

The Government of Germany has requested to buy five (5) P-8A Patrol Aircraft; nine (9) Multifunctional Distribution System Joint Tactical Radio Systems 5 (MIDS JTRS 5); and twelve (12) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigation Systems (EGIs). Also included are commercial engines; Tactical Open Mission Software (TOMS); Electro-Optical (EO) and Infrared MX-20HD; AN/AAQ-2(V) 1 Acoustic System; AN/APY-10 radar; ALQ-240 Electronic Support Measures; NexGen Missile Warning Sensors; AN/PRC-117G Manpack radios include MPE-S type II with SAASM 3.7; Global Positioning Systems (GPS) 524D Precise Positioning System (PPS) for APY-10 Radar; AN/ALQ-213 Electronic Counter Measures; AN/ALE-47 Counter Measures Dispensing Systems; AN/UPX IFF Interrogators; APX-123A(C) IFF Digital Transponders; KIV-78 IFF Mode 5 Cryptographic Appliques; CCM-701A Cryptographic Core Modules; KY-100M, KY-58, KYV-5 for HF-121C radios; AN/PYQ-10 V3 Simple Key Loaders (SKL) with KOV-21 Cryptographic Appliques; aircraft spares; spare engine; support equipment; operational support systems; training; training devices; maintenance trainer/classrooms; publications; software; engineering technical assistance (ETA); logistics technical assistance (LTA); Country Liaison Officer (CLO) support; Contractor Engineering Technical Services (CETS); repair and return (RoR); transportation; aircraft ferry; and other associated training and support; and other related elements of logistics and program support. The total estimated program cost is \$1.77 billion.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO Ally which is an important force for political and economic stability in Europe.

The proposed sale will improve Germany's capability to meet current and future threats by providing critical capabilities to coalition maritime operations. Germany currently operates the Lockheed P-3C Orion,

but that aircraft is reaching end-of-life and will retire in 2024. Germany plans to replace it with the P-8A Poseidon. The proposed sale will allow Germany to modernize and sustain its Maritime Surveillance Aircraft (MSA) capability for the next 30 years. Germany will have no difficulty transitioning its MSA force to P-8 and absorbing these aircraft into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be The Boeing Company, Seattle, WA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of the proposed sale will require the assignment of four (4) U.S. Government and four (4) contractor representatives to Germany for a duration of two (2) years to support equipment familiarization, training and supply support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 21-24

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The P-8A aircraft is a militarized version of the Boeing 737-800 Next Generation (NG) commercial aircraft. The P-8A is replacing the P-3C as the Navy's long-range anti-submarine warfare (ASW), anti-surface warfare (ASuW), intelligence, surveillance and reconnaissance (ISR) aircraft capable of broad-area, maritime, and littoral operations.

2. Multifunctional Information Distribution System—Joint Tactical Radio System (MIDS JTRS) 5, is an advanced Link-16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and vice, among air, ground, and sea elements.

3. The Embedded Global Positioning System (EGI)-Inertial Navigation System (INS)/LN-251 is a sensor that combines Global Positioning System (GPS) and inertial sensor inputs to provide accurate location information for navigation and targeting.

4. Tactical Open Mission Software (TOMS). Functions include environment planning, tactical aids, weapons planning aids, and data correlation. TOMS includes an algorithm for track fusion which automatically correlates tracks produced by on board and off board sensors.

5. Electro-Optical (EO) and Infrared (IR) MX-20HD. The EO/IR system processes visible EO and IR spectrum (IR Focal Plane Array (FPA) and Turret Stabilization) to detect and image objects.

6. AN/AAQ-2(V)1 Acoustic System. The Acoustic sensor system is integrated within the mission system as the primary sensor for the aircraft ASW missions. The system has multi-static active (MAC) 64 sonobuoy processing capability and acoustic sensor prediction tools.

7. AN/APY-10 Radar. The aircraft radar is a direct derivative of the legacy AN/APS 137(V) installed in the P-3C. The radar capabilities include GPS selective availability anti-spoofing monitoring (SAASM), SAR and ISAR imagery resolutions, and periscope detection mode.

8. ALQ-240 Electronic Support Measures (ESM). This system provides real time capability for the automatic detection, location, measurement, and analysis of RF-signals and modes. Real time results are compared with a library of known emitters to perform emitter classification.

9. Electronic Warfare Self Protection (EWSP). The P-8A Electronic Warfare Self Protection (EWSP) suite consists of the ALQ-213 Electronic Warfare Management System (EWMS), ALE-47 Countermeasures Dispensing System (CMDS) and the NexGEN Missile Warning Sensors (MWS). EWSP includes threat information.

10. AN/PRC-117G Radio, Manpack. The AN/PRC-117G is a tactical radio that extends communications Beyond-Line-Of-Sight (BLOS) with abilities for simultaneous SATCOM voice and data transmission. Situational Awareness is enhanced by an embedded Selective Availability Anti-Spoofing Module (SAASM) 3.7 GPS receiver.

11. GPS 524D Precise Positioning System (PPS) with Selective Availability Anti-Spoofing Module (SAASM) for APY-10 Radar. The radar Receiver Exciter Processor (REP) contains GPS SAASM Mode III hardware. The APY-10 radar hardware and software are unclassified. APY-10 Radar provides the following capabilities: Synthetic Aperture Radar/Inverse Synthetic Aperture Radar (SAR/ISAR) resolution, Geo-Location, Periscope Detection Mode, Track Generation, Track While Scan, Color Weather Radar, and IFF Interface.

12. AN/UPX IFF Interrogator. The Identification Friend or Foe (IFF) AN/UPX-43 Interrogator system provides operators with the capability for timely and accurate display of both civil and military air traffic.

13. AN/APX-123A(C) IFF Transponder Digital. The Identification Friend or Foe (IFF) AN/APX-123A transponder is capable of both Mode 5 and Mode S secure modes and provides own ship positional information.

14. KIV-78 IFF Mode 5 Cryptographic Applique. The KIV-78 is Type 1 NSA-certified COMSEC for IFF (Identification Friend or Foe). KIV-78 provides cryptographic and time-of-day services, concurrent Mode 5 operations as well as concurrent interrogator/transponder operations. KIV-78 IFF system deployed to identify cooperative, friendly systems.

15. CCM-701A Cryptographic Core Module. Common Data Link is used for line of sight secure transmission of video imagery to Ground Terminals, and Ships.

16. KY-100M, KY-58, KYV-5 for HF-121CD Radio. The KY-100M is a narrowband/wideband terminal that interoperates with TACTERM (CV-3591/KYV-5), MINTERM (KY-99A), VINSON (KY-57, KY-58) and SINGARS. A self-contained terminal including COMSEC, KY-100M provides for secure voice and data communications in tactical airborne/ground environments. The KY-100M is based on the KY-99A architecture with enhanced interface capability. It includes KY-99A's operational modes, and KY-58's operational modes.

17. AN/PYQ-10 V3 Simple Key Loader (SKL) with KOV-21 Cryptographic Applique. The Simple Key Loader (SKL) is a ruggedized, portable, hand-held fill device, for securely receiving, storing, and transferring data between compatible cryptographic and communications equipment. Provides streamlined management of COMSEC key, Electronic Protection (EP) data, and Signal Operating Instructions (SOI). Cryptographic functions are performed by an embedded KOV-21 card.

18. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

19. If a technologically advanced adversary were to obtain knowledge of the hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce system effectiveness or be used in the development of a system with similar or advanced capabilities.

20. A determination has been made that Germany can provide substantially the same degree of protection for the technology being released as the U.S. Government. This potential sale is necessary in furtherance of the U.S. foreign policy and national security objectives as outlined in the Policy Justification.

21. All defense articles and services listed in this transmittal have been authorized for release and export to Germany.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, 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.)

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-618. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Vaccine Injury Compensation Program: Revisions to the Vaccine Injury Table" (RIN0906-AB24) received in the Office of the President of the Senate on March 4, 2021; to the Committee on Health, Education, Labor, and Pensions.

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. GRASSLEY (for himself, Mr. LEAHY, and Mrs. FEINSTEIN):

S. 742. A bill to modify the exemption for trade secrets and commercial or financial information in the Freedom of Information Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAPO (for himself, Mr. GRASSLEY, Mr. CORNYN, Mr. PORTMAN, Mr. SCOTT of South Carolina, Mr. LANKFORD, Mr. DAINES, Mr. YOUNG, Mr. RISCH, and Mr. THUNE):

S. 743. A bill to amend title VI of the Social Security Act to remove the prohibition on States and territories against lowering their taxes; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. CASSIDY, Mr. BROWN, and Mr. CASEY):

S. 744. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to disclose hazing incidents, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself, Mr. LUJÁN, Mr. SCHATZ, Mr. MARKEY, Ms.

ROSEN, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. DURBIN, Mr. WARNER, Mr. BOOKER, Ms. WARREN, Ms. CORTEZ MASTO, and Mr. WYDEN):

S. 745. A bill to make high-speed broadband internet service accessible and affordable to all Americans, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PORTMAN (for himself, Ms. SINEMA, Ms. ERNST, Mrs. FEINSTEIN, Mr. WICKER, and Mr. YOUNG):

S. 746. A bill to amend section 232 of the Trade Expansion Act of 1962 to require the Secretary of Defense to initiate investigations and to provide for congressional disapproval of certain actions, and for other purposes; to the Committee on Finance.

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

S. 747. A bill to amend the Immigration and Nationality Act to provide for the adjustment of status of essential workers, and for other purposes; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. 748. A bill to provide for an extension of the temporary suspension of Medicare sequestration during the COVID-19 public health emergency; to the Committee on Finance.

By Ms. HASSAN (for herself, Mr. YOUNG, Ms. CORTEZ MASTO, Mr. PORTMAN, and Mr. SASSE):

S. 749. A bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. KING, Ms. WARREN, and Mrs. GILLIBRAND):

S. 750. A bill to amend the Internal Revenue Code of 1986 to require that return information from tax-exempt organizations be made available in a searchable format and to provide the disclosure of the identity of contributors to certain tax-exempt organizations; to the Committee on Finance.

By Mr. TESTER:

S. 751. A bill to establish a 5-year ban on individuals appointed to Executive Schedule positions and Members of Congress engaging in lobbying activities at the Federal level; to the Committee on the Judiciary.

By Mr. TESTER:

S.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate corporations, limited liability companies, and other corporate entities established by the laws of any State, the United States, or any foreign state; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. PORTMAN (for himself and Ms. HIRONO):

S. Res. 109. A resolution designating April 2021 as "National Native Plant Month"; to the Committee on the Judiciary.

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

S. Res. 110. A resolution designating April 5, 2021, as "Gold Star Wives Day"; considered and agreed to.

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

S. Res. 111. A resolution designating March 29, 2021, as "Vietnam Veterans Day"; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. BLUNT):

S. Res. 112. A resolution to provide for the printing of the Senate Manual for the One Hundred Seventeenth Congress; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. BLUNT):

S. Res. 113. A resolution authorizing the printing of a collection of the rules of the committees of the Senate; considered and agreed to.

By Mr. COONS (for himself and Mr. INHOFE):

S. Res. 114. A resolution commending the United States African Development Foundation on the occasion of its 40th anniversary for creating pathways to prosperity for underserved communities on the African continent through community-led development; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 134

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. WICKER) 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.

S. 196

At the request of Ms. KLOBUCHAR, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 196, a bill to require the Secretary of Energy to establish an energy efficiency materials pilot program.

S. 212

At the request of Mr. BOOZMAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 212, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 215

At the request of Mr. TESTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to require certain tax-exempt organizations to include on annual returns the names and addresses of substantial contributors, and for other purposes.

S. 306

At the request of Mr. VAN HOLLEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 306, a bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements, and for other purposes.

S. 321

At the request of Mr. MORAN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Missouri (Mr. BLUNT), the Senator from Iowa (Ms. ERNST), the Senator from North Dakota (Mr. HOEVEN), the Senator from Virginia (Mr. Kaine), the Senator from Florida (Mr. SCOTT), the Senator from Minnesota (Ms. SMITH) and the Senator from Mississippi (Mr.

WICKER) were added as cosponsors of S. 321, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight".

S. 377

At the request of Mr. COTTON, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 377, a bill to promote and protect from discrimination living organ donors.

At the request of Mrs. GILLIBRAND, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 377, *supra*.

S. 382

At the request of Mrs. GILLIBRAND, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 382, a bill to establish the Office of the Ombudsperson for Immigrant Children in Government Custody, and for other purposes.

S. 452

At the request of Ms. STABENOW, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Washington (Ms. CANTWELL), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 452, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 517

At the request of Ms. HASSAN, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 517, a bill to provide for joint reports by relevant Federal agencies to Congress regarding incidents of terrorism, and for other purposes.

S. 582

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 582, a bill to prohibit the imposition of the death penalty for any violation of Federal law, and for other purposes.

S. 587

At the request of Mr. GRASSLEY, the names of the Senator from Iowa (Ms. ERNST) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 587, a bill to amend the Inspector General Act of 1978 to provide that the President or certain agency heads may remove the Inspector General, or place an Inspector General on non-duty status, only if certain conditions are satisfied, and for other purposes.

S. 590

At the request of Mr. KENNEDY, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 590, a bill to establish limitations regarding Confucius Institutes, and for other purposes.

S. 636

At the request of Ms. ERNST, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 636, a bill to require the Director of the Office of Management and Budget to submit to Congress an annual report on projects that are over budget and behind schedule, and for other purposes.

S. 656

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 656, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 664

At the request of Mr. PAUL, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 664, a bill to require the Comptroller General of the United States to review certain legislation in order to identify potential risks of duplication of and overlap with existing Federal programs, offices, and initiatives.

S. 682

At the request of Mr. TESTER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 682, a bill to authorize the Secretary of Veterans Affairs to furnish a vaccine for COVID-19 to certain individuals who are not enrolled in the patient enrollment system of the Department of Veterans Affairs.

S. 687

At the request of Mr. RISCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 687, a bill to advance a policy for managed strategic competition with the People's Republic of China.

S. 697

At the request of Mr. PORTMAN, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 697, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

S. 702

At the request of Mrs. HYDE-SMITH, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 702, a bill to prohibit Federal funding of State firearm ownership databases, and for other purposes.

S. 706

At the request of Mr. CRUZ, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 706, a bill to modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

S. 723

At the request of Ms. COLLINS, the names of the Senator from Kansas (Mr. MARSHALL), the Senator from Alaska (Mr. SULLIVAN) and the Senator from

Nevada (Ms. ROSEN) were added as cosponsors of S. 723, a bill to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

S. 730

At the request of Mr. BRAUN, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Indiana (Mr. YOUNG), the Senator from North Carolina (Mr. TILLIS) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 730, a bill to amend title VI of the Social Security Act to remove the prohibition on States and territories against lowering their taxes.

S. RES. 97

At the request of Mr. RISCH, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Oregon (Mr. WYDEN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. Res. 97, a resolution calling on the Government of Ethiopia, the Tigray People's Liberation Front, and other belligerents to cease all hostilities, protect human rights, allow unfettered humanitarian access, and cooperate with independent investigations of credible atrocity allegations pertaining to the conflict in the Tigray Region of Ethiopia.

S. RES. 99

At the request of Mr. MENENDEZ, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. Res. 99, a resolution observing the 10th anniversary of the uprising in Syria.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 109—DESIGNATING APRIL 2021 AS "NATIONAL NATIVE PLANT MONTH"

Mr. PORTMAN (for himself and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 109

Whereas native plants are indigenous species that have evolved and occur naturally in a particular region, ecosystem, and habitat;

Whereas there are more than 17,000 native plant species in the United States, which include trees, shrubs, vines, grasses, and wildflowers;

Whereas native plants help prevent flooding, drought, and erosion and can help restore damaged ecosystems;

Whereas native plants provide shelter as well as nectar, pollen, and seeds that serve as food for native butterflies, insects, birds, and other wildlife in ways that non-native plants cannot;

Whereas more than 200 of the native plant species in the United States are estimated to have been lost since the early 19th century;

Whereas habitat loss and degradation, extreme weather events, and invasive species have contributed to the decline of native plants in the United States; and

Whereas native plants are essential components of resilient ecosystems and our natural heritage: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2021 as “National Native Plant Month”; and

(2) recognizes the benefits of native plants to the environment and economy of the United States.

SENATE RESOLUTION 110—DESIGNATING APRIL 5, 2021, AS “GOLD STAR WIVES DAY”

Mr. BURR (for himself and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 110

Whereas the Senate honors the sacrifices made by the spouses and families of the fallen members of the Armed Forces of the United States;

Whereas Gold Star Wives of America, Inc. represents the spouses and families of the members and veterans of the Armed Forces of the United States who have died on active duty or as a result of a service-connected disability;

Whereas the primary mission of Gold Star Wives of America, Inc. is to provide services, support, and friendship to the spouses of the fallen members and veterans of the Armed Forces of the United States;

Whereas, in 1945, Gold Star Wives of America, Inc. was organized with the help of Eleanor Roosevelt to assist the families left behind by the fallen members and veterans of the Armed Forces of the United States;

Whereas the first meeting of Gold Star Wives of America, Inc. was held on April 5, 1945;

Whereas April 5, 2021, marks the 76th anniversary of the first meeting of Gold Star Wives of America, Inc.;

Whereas the members and veterans of the Armed Forces of the United States bear the burden of protecting the freedom of the people of the United States; and

Whereas the sacrifices of the families of the fallen members and veterans of the Armed Forces of the United States should never be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 5, 2021, as “Gold Star Wives Day”; and

(2) honors and recognizes—

(A) the contributions of the members of Gold Star Wives of America, Inc.; and

(B) the dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(3) encourages the people of the United States to observe Gold Star Wives Day to promote awareness of—

(A) the contributions and dedication of the members of Gold Star Wives of America, Inc. to the members and veterans of the Armed Forces of the United States; and

(B) the important role that Gold Star Wives of America, Inc. plays in the lives of the spouses and families of the fallen members and veterans of the Armed Forces of the United States.

SENATE RESOLUTION 111—DESIGNATING MARCH 29, 2021, AS “VIETNAM VETERANS DAY”

Mr. BURR (for himself and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 111

Whereas the Vietnam War was fought in the Republic of Vietnam from 1955 to 1975

and involved regular forces from the Democratic Republic of Vietnam and Viet Cong guerrilla forces in armed conflict with the Armed Forces of the United States, the armed forces of allies of the United States, and the armed forces of the Republic of Vietnam;

Whereas the Armed Forces of the United States became involved in Vietnam because the United States Government wanted to provide direct support by the Armed Forces to the Government of the Republic of Vietnam to defend against the growing threat of Communism from the Democratic Republic of Vietnam;

Whereas members of the Armed Forces of the United States began serving in an advisory role to the Government of South Vietnam in 1955;

Whereas, as a result of the incidents in the Gulf of Tonkin on August 2 and 4, 1964, Congress approved the Gulf of Tonkin Resolution (Public Law 88-408) by an overwhelming majority on August 7, 1964, which provided to the President of the United States the authority to use armed force to assist the Republic of Vietnam in the defense of its freedom against the Democratic Republic of Vietnam;

Whereas, in 1965, ground combat units of the Armed Forces of the United States arrived in the Republic of Vietnam to join approximately 23,000 personnel of the Armed Forces who were already present there;

Whereas, by September 1965, between 150,000 and 190,000 troops of the Armed Forces of the United States were in Vietnam, and by 1969, the number of such troops reached a peak of approximately 549,500, including members of the Armed Forces who were supporting the combat operations from Thailand, Cambodia, Laos, and aboard Navy vessels;

Whereas, on January 27, 1973, the Agreement on Ending the War and Restoring Peace in Viet-Nam (commonly known as the “Paris Peace Accords”) was signed, which required the release of all prisoners of war of the United States held in North Vietnam and the withdrawal of all Armed Forces of the United States from South Vietnam;

Whereas, on March 29, 1973, the Armed Forces of the United States completed the withdrawal of combat units and combat support units from South Vietnam;

Whereas, on April 30, 1975, North Vietnamese regular forces captured Saigon, the capital of South Vietnam, effectively placing South Vietnam under Communist control;

Whereas more than 58,000 members of the Armed Forces of the United States lost their lives in the Vietnam War, and more than 300,000 members of the Armed Forces of the United States were wounded in Vietnam;

Whereas, in 1982, the Vietnam Veterans Memorial in the District of Columbia was dedicated to commemorate the members of the Armed Forces of the United States who died or were declared missing in action in Vietnam;

Whereas the Vietnam War was an extremely divisive issue among the people of the United States and a conflict that caused a generation of veterans to wait too long for the public of the United States to acknowledge and honor the efforts and services of those veterans;

Whereas members of the Armed Forces who served bravely and faithfully for the United States during the Vietnam War were often wrongly criticized for the decisions of policymakers that were beyond the control of those members; and

Whereas designating March 29, 2021, as “Vietnam Veterans Day” would be an appropriate way to honor the members of the Armed Forces of the United States who served in South Vietnam and throughout

Southeast Asia during the Vietnam War: Now, therefore, be it

Resolved, That the Senate—

(1) designates March 29, 2021, as “Vietnam Veterans Day”; and

(2) honors and recognizes the contributions of the veterans of the Armed Forces of the United States who served in Vietnam during war and during peace;

(3) encourages States and local governments to designate March 29, 2021, as “Vietnam Veterans Day”; and

(4) encourages the people of the United States to observe Vietnam Veterans Day with appropriate ceremonies and activities that—

(A) provide the appreciation that veterans of the Vietnam War deserve;

(B) demonstrate the resolve that the people of the United States shall never forget the sacrifices and service of a generation of veterans who served in the Vietnam War;

(C) promote awareness of the faithful service and contributions of the veterans of the Vietnam War—

(i) during service in the Armed Forces of the United States; and

(ii) to the communities of the veterans since returning home;

(D) promote awareness of the importance of entire communities empowering veterans and the families of veterans in helping the veterans readjust to civilian life after service in the Armed Forces; and

(E) promote opportunities for veterans of the Vietnam War—

(i) to assist younger veterans returning from the wars in Iraq and Afghanistan in rehabilitation from wounds, both seen and unseen; and

(ii) to support the reintegration of younger veterans into civilian life.

SENATE RESOLUTION 112—TO PROVIDE FOR THE PRINTING OF THE SENATE MANUAL FOR THE ONE HUNDRED SEVENTEENTH CONGRESS

Ms. KLOBUCHAR (for herself and Mr. BLUNT) submitted the following resolution; which was considered and agreed to:

S. RES. 112

Resolved, That a revised edition of the Senate Manual for the One Hundred Seventeenth Congress be prepared by the Committee on Rules and Administration and printed as a Senate document, and that fifteen hundred additional copies shall be printed and bound for the use of the Senate, bound and delivered as may be directed by the Committee on Rules and Administration.

SENATE RESOLUTION 113—AUTHORIZING THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE

Ms. KLOBUCHAR (for herself and Mr. BLUNT) submitted the following resolution; which was considered and agreed to:

S. RES. 113

Resolved, That a collection of the rules of the committees of the Senate, together with related materials, be printed as a Senate document, and that there be printed 250 additional copies of such document for the use of the Committee on Rules and Administration.

**SENATE RESOLUTION 114—COM-
MENDING THE UNITED STATES
AFRICAN DEVELOPMENT FOUN-
DATION ON THE OCCASION OF
ITS 40TH ANNIVERSARY FOR
CREATING PATHWAYS TO PROS-
PERITY FOR UNDERSERVED
COMMUNITIES ON THE AFRICAN
CONTINENT THROUGH COMMU-
NITY-LED DEVELOPMENT**

Mr. COONS (for himself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 114

Whereas December 16, 2020, marked the 40th anniversary of the establishment of the United States African Development Foundation (referred to in this preamble as the "USADF");

Whereas, on December 16, 1980, the President signed the African Development Foundation Act (22 U.S.C. 290h et seq.) into law, which established the USADF as an independent Federal agency with the goal to—

(1) strengthen the bonds of friendship and understanding between the people of the countries of Africa and the United States;

(2) support local capacity building to create community development opportunities and expand the participation of the countries of Africa in their development process; and

(3) foster the establishment and growth of indigenous development institutions that are equipped to respond to local needs;

Whereas, for 40 years, the USADF has invested in a pan-African network of local implementing partners that employ a community-led development approach to support African-designed and African-delivered solutions;

Whereas the USADF has provided more than 3,400 grassroots and community enterprise grants in more than 40 sub-Saharan African countries;

Whereas the USADF strengthens food security, empowers smallholder farmers, and creates economic growth in rural, hard-to-reach communities by investing primarily in agricultural enterprises to increase access to larger markets for those rural communities and enhance the business management skills, production, distribution, and marketing capabilities of those rural communities;

Whereas the USADF has maintained a strong emphasis on women and women entrepreneurs, and women represent up to 65 percent of the direct beneficiaries of grants from the USADF;

Whereas, on February 20, 2020, the USADF partnered with the Academy for Entrepreneurs of the Department of State under the Women's Global Development and Prosperity Initiative to provide seed funding to graduates of the Academy for Entrepreneurs to advance the global economic empowerment of women;

Whereas the USADF prioritizes partnerships with youth and supports nearly 300 social enterprises of Young African Leaders Initiative fellows and alumni of that initiative in 37 sub-Saharan African countries by providing seed capital, technical assistance, and skills training to help young entrepreneurs create businesses that generate new jobs and incomes for thousands of young Africans;

Whereas the work of the USADF in the off-grid energy sector, which is authorized under the Electrify Africa Act of 2015 (22 U.S.C. 2293 note), has helped bring renewable energy solutions to communities with limited or no connections to national power grids and improve energy access for nearly 370,000 individuals in 15 sub-Saharan African countries;

Whereas the USADF's model of using 100 percent African staff and implementing partners on the African continent gives the USADF the ability to work in fragile and conflict-affected areas in the Great Lakes, Horn, and Sahel regions of Africa;

Whereas the small size of the USADF and the use of local implementing partners by the USADF has allowed the USADF to be ranked as one of the most efficient providers of foreign aid by the Center for Global Development;

Whereas the partnerships of the USADF with agencies of the Federal Government, including the Department of State, the Millennium Challenge Corporation, and the United States Agency for International Development, along with the alignment of the USADF with the priorities of Congress, have allowed the USADF to extend the reach of critical development initiatives of the United States, such as initiatives authorized by the Global Food Security Act of 2016 (22 U.S.C. 9301 et seq.), the Electrify Africa Act of 2015 (22 U.S.C. 2293 note), and the African Growth and Opportunity Act and Millennium Challenge Act Modernization Act (Public Law 115-167; 132 Stat. 1276);

Whereas the partnerships between the USADF and private sector corporations and foundations, as well as African national and sub-national governments, have allowed the USADF to extend its reach and development impact in addressing food insecurity, insufficient access to energy, and unemployment through youth and women entrepreneurship and job skills training and placement in Africa, while leveraging funding to help the dollars of taxpayers in the United States go further; and

Whereas investments made by the USADF have developed and strengthened an extensive network of grassroots enterprises and social enterprises that are positively disposed to the United States and are better positioned to partner with other Federal agencies and public and private funders: Now, therefore, be it

Resolved, That the Senate—

(1) commends the United States African Development Foundation on the occasion of its 40th anniversary for creating pathways to prosperity for underserved communities on the African continent through community-led development;

(2) recognizes that, by supporting African-led development that grows community enterprises, the United States African Development Foundation empowers individuals who are least served by existing markets or assistance programs to become a part of the growth story of Africa;

(3) recognizes that the United States African Development Foundation advances the foreign policy of the Federal Government and contributes directly to the national interests of the United States; and

(4) commits to continue to support the vital work of the United States African Development Foundation as an independent agency.

**AUTHORITY FOR COMMITTEES TO
MEET**

Mr. WHITEHOUSE. Mr. President, I have a request for one committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Monday, March 15, 2021, at 6 p.m., to conduct a hearing.

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 110, S. Res. 111, S. Res. 112, and S. Res. 113.

The PRESIDING OFFICER. Is there objection to proceeding en bloc?

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

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to; that the preambles, where applicable, be agreed to; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions (S. Res. 110 and S. Res. 111) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

The resolutions (S. Res. 112 and S. Res. 113) were agreed to.

(The resolutions are printed in today's RECORD under "Submitted Resolutions.")

**ORDERS FOR TUESDAY, MARCH 16,
2021**

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, March 16; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon conclusion of morning business, the Senate proceed to executive session and resume consideration of the nomination of Isabella Guzman to be Administrator of the Small Business Administration; further, that the cloture motion with respect to the Guzman nomination ripen at 12 noon; finally, that the Senate recess following the cloture vote until 2:15 p.m. to allow for the weekly caucus meetings.

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

Mr. SCHUMER. For information of the Senators, we expect three rollcall votes during Tuesday's session of the Senate in relation to the Guzman and Tai nominations.

ORDER FOR ADJOURNMENT

Mr. SCHUMER. 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 Senator ERNST.

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

Mr. SCHUMER. I yield the floor.

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

WOMEN'S HISTORY MONTH

Ms. ERNST. Madam President, in this country we are so blessed to call home, every woman, no matter her background—like growing up on a small farm in Iowa—can be the next first.

After serving in the U.S. Army Reserves and the Iowa Army National Guard—a historically male field—I became the first female combat veteran elected to serve in the U.S. Senate. I was also the first woman to represent the great State of Iowa in Congress. Now, just 6 years later, women make up a majority of the Iowa congressional delegation. Iowa is also blessed with a fierce female Governor in Kim Reynolds and some extremely talented and strong women leaders in our State legislature. Today, there are over 140 women serving in Congress—more than ever before in U.S. history.

Because of the suffragettes and so many other determined women who stepped up and broke the barriers society placed on us, female trailblazers across this country are writing new pages in history books every single day. Women have made strides in the boardroom, on the playing field, in the military, and through elected office.

But this pandemic has been tough on women in the workforce, threatening to derail the progress we have made. Before COVID, women made up the majority of the U.S. workforce, but 1 year later, women have lost over 2 million jobs—nearly 1 million more than our male counterparts.

There are many reasons for this but two major factors. First, moms tend to be the sole caregivers in the family. With schools going remote and childcare centers closing, working moms have been forced to choose between their careers and their children.

Second, women tend to work in fields that have been hit the hardest by the pandemic, such as the hospitality industry, restaurants, education, and retail.

We absolutely need to focus on getting these women back into the workforce and on their feet so that they can support themselves and their families. The focus needs to be on three things: first, safely reopening our schools; second, expanding access to childcare, which I have worked with the Presiding Officer on—thank you very much; and producing, distributing, and administering the vaccine as quickly as possible so folks can get back to work safely.

If I were able to choose the theme for Women's History Month based off of this past year struggling through the pandemic, it would be "Overcomer." Woman to woman, we all, no matter what we do, are overcomers by nature.

Moms, you overcome so much every single day when you work tirelessly at the thankless and never-ending job of caring for your children and for your families. You have the one and only job that you cannot simply clock out of, especially this year, when many of you had to balance being a teacher for the first time in your life.

Women in the workforce, you overcome stereotypes daily and have continued to smash glass ceilings and set new standards in corporate America. Your resilience and strength alongside our historic women's rights heroes continue to shape a bright future for all young girls across this country.

In honor of Women's History Month, I challenge everyone to remember the sacrifices it took to secure the freedoms and opportunities we women enjoy today and continue to build on these opportunities for the next generation.

Whether that is in your local community or State or Federal Government, we are a better nation because of the contributions of women in all walks of life, in all fields of service, and in both Chambers of Congress, and it is important to continue to remind folks of that.

It is my hope that each and every young woman, no matter your hometown or your background, will see the opportunity and potential that lie ahead. Many of us have heard this really outdated quote: "Act like a lady, but think like a man." Well, I think history has proven that, instead, we should say: "Act like a woman, and think like a woman" because we are powerful, we are fearless, we are smart, and we are strong just the way we are.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until Tuesday, March 16, 2021, at 10 a.m.

Thereupon, the Senate, at 6:35 p.m., adjourned until Tuesday, March 16, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

BONNIE D. JENKINS, OF NEW YORK, TO BE UNDER SECRETARY OF STATE FOR ARMS CONTROL AND INTERNATIONAL SECURITY, VICE ANDREA L. THOMPSON, RESIGNED.

UNITED STATES POSTAL SERVICE

ANTON GEORGE HAJJAR, OF MARYLAND, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2023, VICE CAROLYN L. GALLAGHER, TERM EXPIRED.

AMBER FAYE MCREYNOLDS, OF COLORADO, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2026, VICE DAVID WILLIAMS, TERM EXPIRED.

RONALD STROMAN, OF THE DISTRICT OF COLUMBIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2028. (REAPPOINTMENT)

RONALD STROMAN, OF THE DISTRICT OF COLUMBIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR A TERM EXPIRING DECEMBER 8, 2021, VICE ELLEN C. WILLIAMS, TERM EXPIRED.

CONFIRMATION

Executive nomination confirmed by the Senate March 15, 2021:

DEPARTMENT OF THE INTERIOR

DEBRA ANNE HAALAND, OF NEW MEXICO, TO BE SECRETARY OF THE INTERIOR.